CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6461

Chapter 107, Laws of 1992

52nd Legislature
1992 Regular Session

MASTER BUSINESS LICENSE PROGRAM--REVISIONS

EFFECTIVE DATE: 6/1/92 - Except Sections 5 & 7 which become effective on 7/1/92.

Passed by the Senate March 10, 1992
Yeas 31 Nays 12

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JOEL PRITCHARD
President of the Senate

Passed by the House March 11, 1992
Yeas 91 Nays 6

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JOE KING
Speaker of the House of Representatives

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is SUBSTITUTE SENATE BILL 6461 as passed by the Senate and the House of Representatives on the dates hereon set forth.

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GORDON A. GOLOB
Secretary

Approved March 31, 1992

FILED
March 31, 1992 - 11:57 a.m.

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BOOTH GARDNER
Governor of the State of Washington
AN ACT Relating to business licenses; amending RCW 19.02.020, 19.02.075, 19.02.080, 19.02.085, 19.80.075, and 23B.01.220; adding a new section to chapter 19.02 RCW; repealing RCW 19.80.035; providing effective dates; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 19.02.020 and 1982 c 182 s 2 are each amended to read as follows:

As used in this chapter, the following words shall have the following meanings:

(1) "System" means the mechanism by which master licenses are issued and renewed, license and regulatory information is disseminated, and account data is exchanged by the agencies;
(2) "Business license center" means the business registration and licensing center established by this chapter and located in and under the administrative control of the department of licensing;

(3) "Board of review" means the body established to review policies and rules adopted by the department of licensing for carrying out the provisions of this chapter;

(4) "Master application" means a document incorporating pertinent data from existing applications for licenses covered under this chapter;

(5) "Master license" means the single document designed for public display issued by the business license center which certifies state agency license approval and which incorporates the endorsements for individual licenses included in the master license system, which the state requires for any person subject to this chapter;

(6) "License" means the whole or part of any agency permit, license, certificate, approval, registration, charter, or any form or permission required by law, including agency rule, to engage in any activity;

(7) "Regulatory" means all licensing and other governmental or statutory requirements pertaining to business or professional activities;

(8) "Person" means any individual, sole proprietorship, partnership, association, cooperative, corporation, nonprofit organization, state or local government agency, and any other organization required to register with the state to do business in the state and to obtain one or more licenses from the state or any of its agencies;

(9) "Director" means the director of licensing;

(10) "Department" means the department of licensing; ((and))
"Regulatory agency" means any state agency, board, commission, or division which regulates one or more professions, occupations, industries, businesses, or activities.

"Renewal application" means a document used to collect pertinent data for renewal of licenses covered under this chapter; and

"License information packet" means a collection of information about licensing requirements and application procedures custom-assembled for each request.

Sec. 2. RCW 19.02.075 and 1990 c 264 s 2 are each amended to read as follows:

((The department shall collect a handling fee of twelve dollars on each original master license issued. The handling fees collected under this section shall be deposited in the general fund.))

(1) Beginning June 1, 1992, the department shall collect a fee of fifteen dollars on each master application and five dollars on each license information packet. From June 1, 1992, to June 30, 1992, twelve dollars of the master application fee shall be deposited in the general fund and three dollars deposited in the master license fund. Thereafter, the entire master application fee shall be deposited in the master license fund.

License information packet fees shall be deposited in the general fund.

(2) Beginning July 1, 1992, the department shall collect a fee of nine dollars on each renewal application. Renewal application fees shall be deposited in the master license fund.

Sec. 3. RCW 19.02.080 and 1982 c 182 s 7 are each amended to read as follows:

All fees collected under the system shall be deposited with the state treasurer. Upon issuance or renewal of the master license or supplemental licenses, the department shall distribute the fees, except
for fees covered under section 4 of this act and for fees covered under
RCW 19.80.075, to the appropriate accounts under the applicable
statutes for those agencies' licenses.

NEW SECTION. Sec. 4. A new section is added to chapter 19.02 RCW
to read as follows:
The master license fund is created in the state treasury. Unless
otherwise indicated in RCW 19.02.075, all receipts from handling and
master license delinquency fees shall be deposited into the fund.
Moneys in the fund may be spent only after appropriation beginning in
fiscal year 1993. Expenditures from the fund may be used only to
administer the master license services program.

Sec. 5. RCW 19.02.085 and 1989 c 170 s 1 are each amended to read
as follows:
To encourage timely renewal by applicants, a master license
delinquency fee shall be imposed on licensees who fail to renew by the
master license expiration date. The master license delinquency fee
shall be the lesser of one hundred fifty dollars or fifty percent of a
base comprised of the licensee's renewal fee minus corporate licensing
taxes, corporation annual report fee, and any interest fees or
penalties charged for late taxes or corporate renewals. The master
license delinquency fee shall be added to the renewal fee and paid by
the licensee before a master license shall be renewed. The delinquency
fee shall be deposited in the ((general)) master license fund.

Sec. 6. RCW 19.80.075 and 1984 c 130 s 9 are each amended to read
as follows:
All fees collected by the department of licensing under this
chapter shall be deposited with the state treasurer and credited to the
((general) master license fund, except for trade name registration fees collected from June 1, 1992, to June 30, 1992, which shall be deposited in the general fund. Beginning July 1, 1992, trade name registration fees shall be deposited in the master license fund.

Sec. 7. RCW 23B.01.220 and 1991 c 72 s 26 are each amended to read as follows:

(1) The secretary of state shall collect in accordance with the provisions of this title:

(a) Fees for filing documents and issuing certificates;
(b) Miscellaneous charges;
(c) License fees as provided in RCW 23B.01.500 through 23B.01.550;
(d) Penalty fees; and
(e) Other fees as the secretary of state may establish by rule adopted under chapter 34.05 RCW.

(2) The secretary of state shall collect the following fees when the documents described in this subsection are delivered for filing:

(a) One hundred seventy-five dollars, pursuant to RCW 23B.01.520 and 23B.01.540, for:

(i) Articles of incorporation; and
(ii) Application for certificate of authority;
(b) Fifty dollars for an application for reinstatement;
(c) Twenty-five dollars for:

(i) Articles of correction;
(ii) Amendment of articles of incorporation;
(iii) Restatement of articles of incorporation, with or without amendment;
(iv) Articles of merger or share exchange;
(v) Articles of revocation of dissolution; and
(vi) Application for amended certificate of authority;
(d) Twenty dollars for an application for reservation, registration, or assignment of reserved name;

(e) Ten dollars for:

(i) Corporation’s statement of change of registered agent or registered office, or both, except where this information is provided in conjunction with and on an initial report or an annual report form filed under RCW 23B.01.530, 23B.01.550, 23B.02.050, or 23B.16.220;

(ii) Agent’s resignation, or statement of change of registered office, or both, for each affected corporation;

(iii) Initial report (or annual report); and

(iv) Any document not listed in this subsection that is required or permitted to be filed under this title;

(f) No fee for:

(i) Agent’s consent to act as agent;

(ii) Agent’s resignation, if appointed without consent;

(iii) Articles of dissolution;

(iv) Certificate of judicial dissolution; (and)

(v) Application for certificate of withdrawal; and

(vi) Annual report.

(3) The secretary of state shall collect a fee of twenty-five dollars per defendant served, upon being served process under this title. The party to a proceeding causing service of process is entitled to recover this fee as costs if such party prevails in the proceeding.

(4) The secretary of state shall collect from every person or organization:

(a) For furnishing a certified copy of any document, instrument, or paper relating to a corporation, ten dollars for the certificate, plus twenty cents for each page copied;
(b) For furnishing a certificate, under seal, attesting to the existence of a corporation, or any other certificate, ten dollars; and
(c) For furnishing copies of any document, instrument, or paper relating to a corporation, other than of an initial report or an annual report, one dollar for the first page and twenty cents for each page copied thereafter. The fee for furnishing a copy of the most recent annual report of a corporation (or of the initial report if no annual report has been filed) is one dollar, and the fee for furnishing a copy of any other annual report of a corporation is five dollars.

(5) For annual license fees for domestic and foreign corporations, see RCW 23B.01.500, 23B.01.510, 23B.01.530, and 23B.01.550. For penalties for nonpayment of annual license fees and failure to complete annual report, see RCW 23B.01.570.

NEW SECTION. Sec. 8. RCW 19.80.035 and 1985 c 88 s 1 & 1984 c 130 s 4 are each repealed.

NEW SECTION. Sec. 9. (1) Sections 1 through 4, 6, and 8 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect June 1, 1992.
(2) Sections 5 and 7 of this act shall take effect July 1, 1992.

Passed the Senate March 10, 1992.
Passed the House March 11, 1992.
Approved by the Governor March 31, 1992.
Filed in Office of Secretary of State March 31, 1992.