H-4297.1

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**HOUSE BILL 2986**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Representatives Lytton, Hudgins, and Wylie

AN ACT Relating to fees collected by the secretary of state; amending RCW 43.07.120 and 43.07.170; and declaring an emergency.

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

**Sec.**  RCW 43.07.120 and 2015 c 176 s 8101 are each amended to read as follows:

(1) The secretary of state must establish by rule and collect the fees in this subsection:

(a) For a copy of any law, resolution, record, or other document or paper on file in the secretary's office;

(b) For any certificate under seal;

(c) For filing and recording trademark;

(d) For each deed or patent of land issued by the governor;

(e) For each annual report filed by a legal entity;

(f) For recording miscellaneous records, papers, or other documents.

(2) The secretary of state may adopt rules under chapter 34.05 RCW establishing reasonable fees for the following services rendered under chapter 23.95 RCW, Title 23B RCW, chapter 18.100, 19.09, 19.34, 19.77, 23.86, 23.90, 24.03, 24.06, 24.12, 24.20, 24.24, 24.28, 24.36, 25.04, 25.15, 25.10, 25.05, or 26.60 RCW:

(a) Any service rendered in-person at the secretary of state's office;

(b) Any expedited service;

(c) The electronic or facsimile transmittal of information from corporation records or copies of documents;

(d) The providing of information by micrographic or other reduced-format compilation;

(e) The handling of checks, drafts, or credit or debit cards upon adoption of rules authorizing their use for which sufficient funds are not on deposit; and

(f) Special search charges.

(3) To facilitate the collection of fees, the secretary of state may establish accounts for deposits by persons who may frequently be assessed such fees to pay the fees as they are assessed. The secretary of state may make whatever arrangements with those persons as may be necessary to carry out this section.

(4) The secretary of state may adopt rules for the use of credit or debit cards for payment of fees.

(5) No member of the legislature, state officer, justice of the supreme court, judge of the court of appeals, or judge of the superior court may be charged for any search relative to matters pertaining to the duties of his or her office; nor may such official be charged for a certified copy of any law or resolution passed by the legislature relative to his or her official duties, if such law has not been published as a state law.

(6) In addition to other required fees, the secretary of state shall collect a fee of eleven dollars from each legal entity when the legal entity files its annual report. All such fees shall be deposited into the business license account administered by the department of revenue.

**Sec.**  RCW 43.07.170 and 2002 c 74 s 20 are each amended to read as follows:

(1) If the secretary of state determines that the public interest and the purpose of the filing and registration statutes administered by the secretary of state would be best served by a filing system utilizing microfilm, microfiche, methods of reduced-format document recording, or electronic or online filing, the secretary of state may, by rule adopted under chapter 34.05 RCW, establish such a filing system.

(2) If the secretary of state establishes the filing system identified in subsection (1) of this section, the secretary of state shall collect a fee as established under RCW 43.07.120(6).

(3) In connection with a reduced-format filing system, the secretary of state may eliminate any requirement for a duplicate original filing copy, and may establish reasonable requirements concerning paper size, print legibility, and quality for photo-reproduction processes as may be necessary to ensure utility and readability of any reduced-format filing system.

((~~(3)~~)) (4) In connection with an electronic or online filing system, the secretary of state may eliminate any requirement for a duplicate original filing copy and may establish reasonable requirements for electronic filing, including but not limited to signature technology, file format and type, delivery, types of filing that may be completed electronically, and methods for the return of filed documents.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

**--- END ---**