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**SUBSTITUTE SENATE BILL 6461**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** Senate Committee on Ways & Means (originally sponsored by Senators Snyder, Newhouse, Sellar and von Reichbauer; by request of Department of Licensing)

Read first time 03/06/92.

1       AN ACT Relating to business licenses; amending RCW 19.02.020,  
2 19.02.075, 19.02.080, 19.02.085, 19.80.075, and 23B.01.220; adding a  
3 new section to chapter 19.02 RCW; repealing RCW 19.80.035; providing  
4 effective dates; and declaring an emergency.

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

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

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

10       (1) "System" means the mechanism by which master licenses are  
11 issued and renewed, license and regulatory information is disseminated,  
12 and account data is exchanged by the agencies;

1 (2) "Business license center" means the business registration and  
2 licensing center established by this chapter and located in and under  
3 the administrative control of the department of licensing;

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

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

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

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

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

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

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

29 (10) "Department" means the department of licensing; ((and))

1 (11) "Regulatory agency" means any state agency, board, commission,  
2 or division which regulates one or more professions, occupations,  
3 industries, businesses, or activities;

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

6 (13) "License information packet" means a collection of information  
7 about licensing requirements and application procedures custom-  
8 assembled for each request.

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

11 ~~((The department shall collect a handling fee of twelve dollars on~~  
12 ~~each original master license issued. The handling fees collected under~~  
13 ~~this section shall be deposited in the general fund.)) (1) Beginning  
14 June 1, 1992, the department shall collect a fee of fifteen dollars on  
15 each master application and five dollars on each license information  
16 packet. From June 1, 1992, to June 30, 1992, twelve dollars of the  
17 master application fee shall be deposited in the general fund and three  
18 dollars deposited in the master license fund. Thereafter, the entire  
19 master application fee shall be deposited in the master license fund.  
20 License information packet fees shall be deposited in the general fund.~~

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

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

26 All fees collected under the system shall be deposited with the  
27 state treasurer. Upon issuance or renewal of the master license or  
28 supplemental licenses, the department shall distribute the fees, except

1 for fees covered under section 4 of this act and for fees covered under  
2 RCW 19.80.075, to the appropriate accounts under the applicable  
3 statutes for those agencies' licenses.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 19.02 RCW  
5 to read as follows:

6 The master license fund is created in the state treasury. Unless  
7 otherwise indicated in RCW 19.02.075, all receipts from handling and  
8 master license delinquency fees shall be deposited into the fund.  
9 Moneys in the fund may be spent only after appropriation beginning in  
10 fiscal year 1993. Expenditures from the fund may be used only to  
11 administer the master license services program.

12 **Sec. 5.** RCW 19.02.085 and 1989 c 170 s 1 are each amended to read  
13 as follows:

14 To encourage timely renewal by applicants, a master license  
15 delinquency fee shall be imposed on licensees who fail to renew by the  
16 master license expiration date. The master license delinquency fee  
17 shall be the lesser of one hundred fifty dollars or fifty percent of a  
18 base comprised of the licensee's renewal fee minus corporate licensing  
19 taxes, corporation annual report fee, and any interest fees or  
20 penalties charged for late taxes or corporate renewals. The master  
21 license delinquency fee shall be added to the renewal fee and paid by  
22 the licensee before a master license shall be renewed. The delinquency  
23 fee shall be deposited in the (~~general~~) master license fund.

24 **Sec. 6.** RCW 19.80.075 and 1984 c 130 s 9 are each amended to read  
25 as follows:

26 All fees collected by the department of licensing under this  
27 chapter shall be deposited with the state treasurer and credited to the

1 (~~general~~) master license fund, except for trade name registration  
2 fees collected from June 1, 1992, to June 30, 1992, which shall be  
3 deposited in the general fund. Beginning July 1, 1992, trade name  
4 registration fees shall be deposited in the master license fund.

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

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

9 (a) Fees for filing documents and issuing certificates;

10 (b) Miscellaneous charges;

11 (c) License fees as provided in RCW 23B.01.500 through 23B.01.550;

12 (d) Penalty fees; and

13 (e) Other fees as the secretary of state may establish by rule  
14 adopted under chapter 34.05 RCW.

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

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

19 (i) Articles of incorporation; and

20 (ii) Application for certificate of authority;

21 (b) Fifty dollars for an application for reinstatement;

22 (c) Twenty-five dollars for:

23 (i) Articles of correction;

24 (ii) Amendment of articles of incorporation;

25 (iii) Restatement of articles of incorporation, with or without  
26 amendment;

27 (iv) Articles of merger or share exchange;

28 (v) Articles of revocation of dissolution; and

29 (vi) Application for amended certificate of authority;

1 (d) Twenty dollars for an application for reservation,  
2 registration, or assignment of reserved name;

3 (e) Ten dollars for:

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

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

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

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

13 (f) No fee for:

14 (i) Agent's consent to act as agent;

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

16 (iii) Articles of dissolution;

17 (iv) Certificate of judicial dissolution; (~~and~~)

18 (v) Application for certificate of withdrawal; and

19 (vi) Annual report.

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

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

27 (a) For furnishing a certified copy of any document, instrument, or  
28 paper relating to a corporation, ten dollars for the certificate, plus  
29 twenty cents for each page copied;

1 (b) For furnishing a certificate, under seal, attesting to the  
2 existence of a corporation, or any other certificate, ten dollars; and

3 (c) For furnishing copies of any document, instrument, or paper  
4 relating to a corporation, other than of an initial report or an annual  
5 report, one dollar for the first page and twenty cents for each page  
6 copied thereafter. The fee for furnishing a copy of the most recent  
7 annual report of a corporation (or of the initial report if no annual  
8 report has been filed) is one dollar, and the fee for furnishing a copy  
9 of any other annual report of a corporation is five dollars.

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

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

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

20 (2) Sections 5 and 7 of this act shall take effect July 1, 1992.