



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Office of the Secretary of State

Permanent Rule Only

Effective date of rule: Feb/ 26, 2011

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose:

To remove restrictions on expedited service for limited liability companies filing initial reports, license renewals, annual reports, or amended reports. These restrictions have been removed for corporations and nonprofits, as well as partnerships in 2010.

Citation of existing rules affected by this order:

Repealed:
Amended: 434-130-080
Suspended:

Statutory authority for adoption: RCW 25.15.007, 805, 810 and 43.07.120

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 12-09-030 on 4/10/2012 (date).
Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

Date adopted:

6/19/2012

NAME (TYPE OR PRINT)

Steve Excell

SIGNATURE

TITLE

Assistant Secretary of State

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 20, 2012

TIME: 8:09 AM

WSR 12-13-097

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	<u>1</u>	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

AMENDATORY SECTION (Amending WSR 10-15-035, filed 7/13/10, effective 8/13/10)

**WAC 434-130-080 In-person or expedited counter service--
Special fees.** (1) The corporations division counter is open to in-person requests from 8:00 a.m. to 5:00 p.m. each business day. Staff provides expedited services for corporate documents or requests received in-person, by fax, mail, or on-line with the appropriate expedite fee. Expedite services are available for the following transactions:

(a) Document review and filing;

(b) Document copying, certification, and status certificates.

(2) The fee for expedited service is fifty dollars for single or multiple paper transactions within each new or existing limited liability company file. On-line transactions are expedited for twenty dollars, but may be charged fifty dollars for in-person completion at front counter. In addition, a regulatory fee for each transaction may apply.

(3) There is no expedited fee for the following transactions:

~~(a) ((Initial reports;~~

~~(b) License renewal and required annual report;~~

~~(c) Amended annual reports;~~

~~(d))~~ In-person inspection or review of limited liability company files or other public documents located in the corporations division office;

~~((e))~~ (b) Documents left at the counter for processing with mail-in documents received the same day.

(4) (a) If staff cannot complete an expedited service request before the end of the same day, the transaction will be completed within the next two business days.

(b) Emergency services needed outside regular business hours requiring employee overtime are one hundred fifty dollars per hour plus regulatory or statutory fees due for the specific form. When the division receives an emergency request, staff notifies the customer of the service fee and any other reasonable conditions set by the director. The customer must agree to pay the fees before emergency services are provided.

(5) Over-the-counter service hours may be shortened under extraordinary circumstances. Separate service requests by one person may be limited to those relating to three corporations per transaction.

Under special circumstances, the filing party may petition the secretary in writing to request a waiver of emergency or penalty fees.