



# EXPEDITED RULE MAKING

**CR-105 (June 2004)**  
(Implements RCW 34.05.353)  
**EXPEDITED RULE MAKING ONLY**

**Agency:** Secretary of State

**Title of rule and other identifying information:** (Describe Subject) In-person or expedited counter service—Special fees for Limited Liability Companies

### NOTICE

**THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO**

Name: Pamela Floyd

Agency: Secretary of State

Address: PO Box 40234, Olympia, WA 98504

**AND RECEIVED BY** (Date) June 18, 2012

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

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.

**Reasons supporting proposal:** Limited Liability Companies are requesting expedited services on specific documents .

**Statutory authority for adoption:** 43.07.120, 25.15.007, 25.15.805, 25.15.810

**Statute being implemented:** 43.07.120

**Is rule necessary because of a:**

- |                         |                              |  |
|-------------------------|------------------------------|--|
| Federal Law?            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

**DATE**

April 10, 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: April 10, 2012**

**TIME: 11:00 AM**

**WSR 12-09-030**

**Name of proponent:** (person or organization)

Division of Corporations, Office of Secretary of State

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Pamela Floyd	801 Capitol Way S Olympia, WA 98504	(360)725-0310
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**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

In the process of updating, clarifying, and streamlining rules in 2010, regarding the filing of documents and special services that businesses ask of our office, we removed the restriction for expedited service on certain documents.

Our intention was to do this for all corporate entities, but we inadvertently missed a section in the rules that apply to limited liability companies only. This expedited rule making will allow expedited services on those particular documents if the entities so choose, i.e. initial reports, license renewals and annual reports, and amended reports for limited liability companies.

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.