

ACT 117

S.B. NO. 2906

A Bill for an Act Relating to Certificates of Good Standing.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 414-13, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The following fees shall be paid to the department director upon the filing of corporate documents:

- (1) Articles of incorporation, \$100;
- (2) Articles of amendment, \$50;
- (3) Restated articles of incorporation, \$50;
- (4) Articles of conversion or merger, \$200;
- (5) Articles of merger (subsidiary corporation), \$100;
- (6) Articles of dissolution, \$50;
- (7) Annual report of domestic and foreign corporations organized for profit, \$25;
- (8) Agent’s statement of change of registered office, \$50 for each affected domestic corporation or foreign corporation, except if simultaneous filings are made the fee is reduced to \$1 for each affected domestic corporation or foreign corporation in excess of two hundred;
- (9) Any other statement, report, certificate, application, or other corporate document, except an annual report, of a domestic or foreign corporation, \$50;

ACT 117

- (10) Application for a certificate of authority, \$100;
- (11) Application for a certificate of withdrawal, \$50;
- (12) Reservation of corporate name, \$20;
- (13) Transfer of reservation of corporate name, \$20;
- (14) Good standing certificate, [~~\$25;~~] \$5;
- (15) Special handling fee for review of corporation documents, excluding articles of conversion or merger, \$50;
- (16) Special handling fee for review of articles of conversion or merger, \$150;
- (17) Special handling fee for certificates issued by the department, \$25 per certificate; and
- (18) Special handling fee for certification of documents, \$25.”

SECTION 2. Section 414D-5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The following fees shall be paid to the department director upon the filing of corporate documents:

- (1) Articles of incorporation, \$50;
- (2) Articles of amendment, \$20;
- (3) Restated articles of incorporation, \$20;
- (4) Articles of merger, \$100;
- (5) Articles of conversion, \$200;
- (6) Articles of dissolution, \$20;
- (7) Annual report of nonprofit domestic or foreign corporation, \$5;
- (8) Any other statement, report, certificate, application, or other corporate document, except an annual report, of a nonprofit domestic or foreign corporation, \$20;
- (9) Application for a certificate of authority, \$50;
- (10) Application for a certificate of withdrawal, \$20;
- (11) Reservation of corporate name, \$20;
- (12) Transfer of reservation of corporate name, \$20;
- (13) Good standing certificate, [~~\$25;~~] \$5;
- (14) Special handling fee for review of corporation documents, excluding articles of merger or conversion, \$50;
- (15) Special handling fee for review of articles of conversion or merger, \$150;
- (16) Special handling fee for certificates issued by the department, \$25 per certificate;
- (17) Special handling fee for certification of documents, \$25; and
- (18) Agent’s statement of change of registered office, \$20 for each affected domestic corporation or foreign corporation; provided that if more than two hundred simultaneous filings are made, the fee shall be reduced to \$1 for each affected domestic corporation or foreign corporation.”

SECTION 3. Section 425-12, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The following fees shall be paid to the director upon the filing of general partnership documents:

- (1) Partnership registration statement, \$25;
- (2) Partnership change of name statement, \$25;
- (3) Partnership dissolution statement, \$25;
- (4) Foreign general partnership registration statement, \$25;
- (5) Statement of change, \$25;
- (6) Application for certificate of withdrawal, \$10;

- (7) Statement of correction, \$25;
- (8) Reservation of name, \$20;
- (9) Transfer of reservation of name, \$20;
- (10) Annual statement for domestic or foreign general partnership, \$10;
- (11) Good standing certificate, [~~\$25;~~] \$5;
- (12) Articles of conversion, \$200;
- (13) Any other statement, certificate, or other document for a domestic or foreign general partnership, \$25;
- (14) Special handling fee for review of any general partnership document, \$50;
- (15) Special handling fee for certificates issued by the director, \$25 per certificate;
- (16) Special handling fee for certification of documents, \$25;
- (17) Special handling fee for review of articles of conversion, \$150; and
- (18) Agent's statement of change of address, \$20 for each affected foreign general partnership; provided that if more than two hundred simultaneous filings are made, the fee shall be reduced to \$1 for each affected foreign general partnership."

SECTION 4. Section 425-168, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The director shall collect the following fees for the following limited liability partnership documents:

- (1) Annual report, \$25;
- (2) Statement of qualification, \$50;
- (3) Statement of foreign qualification, \$100;
- (4) Statement of correction, amendment, restatement, or amendment and restatement, \$50;
- (5) Certificate of good standing, [~~\$25;~~] \$5;
- (6) Articles of conversion, \$200;
- (7) For any other certificate, statement, or document, \$50;
- (8) Certification of domestic or foreign partnership, \$20; and
- (9) For each agent's statement of change of registered office, \$20 for each affected domestic or foreign limited liability partnership; provided that if an agent files more than two hundred statements of change of registered office at the same time, the fee shall be reduced to \$1 for each affected domestic or foreign limited liability partnership."

SECTION 5. Section 425E-211, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The following fees shall be paid to the director upon the filing of limited partnership documents:

- (1) Certificate of limited partnership, \$50;
- (2) Any certificate of amendment, restatement, or correction, \$20;
- (3) Certificate of cancellation, \$20;
- (4) Annual statement for domestic or foreign limited partnership, \$10;
- (5) Any other certificate or document of domestic or foreign limited partnership, \$20;
- (6) Application for registration as a foreign limited partnership, \$100;
- (7) Any certificate of amendment or agent change for foreign limited partnership, \$20;
- (8) Application for certificate of withdrawal of foreign limited partnership, \$20;
- (9) Reservation of name, \$20;

- (10) Transfer of reservation of name, \$20;
- (11) Good standing certificate, [~~\$25;~~] \$5;
- (12) Articles of conversion, \$200;
- (13) Special handling fee for review of articles of conversion, \$150;
- (14) Special handling fee for review of any limited partnership document, \$50;
- (15) Special handling fee for certificates issued by the director, \$25 per certificate;
- (16) Special handling fee for certification of documents, \$25; and
- (17) Agent's statement of change of address, \$20 for each affected foreign limited partnership; provided that if more than two hundred simultaneous filings are made, the fee shall be reduced to \$1 for each affected foreign limited partnership."

SECTION 6. Section 428-1301, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The following fees shall be paid to the director upon the filing and issuance of records under this chapter:

- (1) Articles of organization, \$100;
- (2) Articles of amendment, \$50;
- (3) Restated articles of organization, \$50;
- (4) Articles of merger or conversion, \$200;
- (5) Statement of dissociation, \$50;
- (6) Articles of termination, \$50;
- (7) Application for reinstatement for administratively terminated limited liability company, \$50;
- (8) Annual report, \$25;
- (9) Statement of change of designated office or agent for service of process, or both, for limited liability company or foreign limited liability company, \$50;
- (10) Agent's statement of change of address, \$50 for each affected domestic limited liability company or foreign limited liability company; provided that if more than two hundred simultaneous filings are made, the fee shall be reduced to \$1 for each affected domestic limited liability company or foreign limited liability company;
- (11) Any other statement or document of a domestic or foreign limited liability company, \$50;
- (12) Application for certificate of authority for foreign limited liability company, \$100;
- (13) Application for cancellation of authority of foreign limited liability company, \$50;
- (14) Reservation of name, \$25;
- (15) Good standing certificate, [~~\$25;~~] \$5;
- (16) Any other record not otherwise covered in this part, \$50;
- (17) Certified copy of any record relating to a limited liability company or foreign limited liability company, \$20 for the certificate and affixing the seal thereto;
- (18) Special handling fee for review of any record other than articles of merger or conversion, \$50;
- (19) Special handling fee for review of articles of merger or conversion, \$150;
- (20) Special handling fee for certificate issued by the director not otherwise covered by this section, \$25 per certificate;
- (21) Special handling fee for certification of record, \$25; and

- (22) Any service of notice, demand, or process upon the director as agent for service of process of a limited liability company or foreign limited liability company, \$25, which amount may be recovered as taxable costs by the party to the suit or action causing such service to be made if such party prevails in the suit or action.”

SECTION 7. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 8. This Act shall take effect on July 1, 2004.

(Approved June 15, 2004.)