

JAN 25 2017

A BILL FOR AN ACT

RELATING TO BUSINESS REGISTRATION.

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

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

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

- 5 (1) Articles of incorporation, \$100;
- 6 (2) Articles of amendment, \$25;
- 7 (3) Restated articles of incorporation, \$25;
- 8 (4) Articles of conversion or merger, \$100;
- 9 (5) Articles of merger (subsidiary corporation), \$50;
- 10 (6) Articles of dissolution, \$25;
- 11 (7) Annual report of domestic and foreign corporations
12 organized for profit, \$25;
- 13 (8) Any other statement, report, certificate, application,
14 or other corporate document, except an annual report,
15 of a domestic or foreign corporation, \$25;
- 16 (9) Application for a certificate of authority, \$100;
- 17 (10) Application for a certificate of withdrawal, \$25;



- 1 (11) Reservation of corporate name, \$10;
- 2 (12) Transfer of reservation of corporate name, \$10;
- 3 (13) Good standing certificate, \$5;
- 4 (14) Special handling fee for review of corporation
- 5 documents, excluding articles of conversion or merger,
- 6 \$25;
- 7 (15) Special handling fee for review of articles of
- 8 conversion or merger, \$75;
- 9 (16) Special handling fee for certificates issued by the
- 10 department, \$10 per certificate;
- 11 (17) Special handling fee for certification of documents,
- 12 \$10; and
- 13 (18) For filings relating to registered agents, the fees
- 14 established by section 425R-2[-];

15 provided that any incorporator who is a veteran establishing a
16 new domestic corporation or foreign corporation in this State
17 shall be exempt from all fees for a period of four years from
18 the filing date of the articles of incorporation or certificate
19 of authority, respectively. For purposes of this section,
20 "veteran" means any individual who served in the uniformed



1 services of the United States and was discharged or released
2 under honorable conditions."

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

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

- 7 (1) Articles of incorporation, \$50;
- 8 (2) Articles of amendment, \$10;
- 9 (3) Restated articles of incorporation, \$10;
- 10 (4) Articles of merger, \$50;
- 11 (5) Articles of conversion, \$50;
- 12 (6) Articles of dissolution, \$10;
- 13 (7) Annual report of nonprofit domestic or foreign
14 corporation, \$5;
- 15 (8) Any other statement, report, certificate, application,
16 or other corporate document, except an annual report,
17 of a nonprofit domestic or foreign corporation, \$10;
- 18 (9) Application for a certificate of authority, \$50;
- 19 (10) Application for a certificate of withdrawal, \$10;
- 20 (11) Reservation of corporate name, \$10;
- 21 (12) Transfer of reservation of corporate name, \$10;



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- 1 (13) Good standing certificate, \$5;
- 2 (14) Special handling fee for review of corporation
3 documents, excluding articles of merger or conversion,
4 \$25;
- 5 (15) Special handling fee for review of articles of
6 conversion or merger, \$75;
- 7 (16) Special handling fee for certificates issued by the
8 department, \$10 per certificate;
- 9 (17) Special handling fee for certification of documents,
10 \$10; and
- 11 (18) For filings relating to registered agents, the fees
12 established by section 425R-2[-];
- 13 provided that any incorporator who is a veteran establishing a
14 new domestic corporation or foreign corporation in this State
15 shall be exempt from all fees for a period of four years from
16 the filing date of the articles of incorporation or certificate
17 of authority, respectively. For purposes of this section,
18 "veteran" means any individual who served in the uniformed
19 services of the United States and was discharged or released
20 under honorable conditions."



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

3 "(a) The following fees shall be paid to the director of
4 commerce and consumer affairs upon the filing of general
5 partnership documents:

- 6 (1) Partnership registration statement, \$25;
- 7 (2) Partnership change of name statement, \$10;
- 8 (3) Partnership dissolution statement, \$10;
- 9 (4) Foreign general partnership registration statement,
10 \$25;
- 11 (5) Statement of change, \$10;
- 12 (6) Application for certificate of withdrawal, \$5;
- 13 (7) Statement of correction, \$10;
- 14 (8) Reservation of name, \$10;
- 15 (9) Transfer of reservation of name, \$10;
- 16 (10) Annual statement for domestic or foreign general
17 partnership, \$10;
- 18 (11) Good standing certificate, \$5;
- 19 (12) Articles of conversion or merger, \$100;
- 20 (13) Any other statement, certificate, or other document
21 for a domestic or foreign general partnership, \$10;



- 1 (14) Special handling fee for review of any general
2 partnership document, \$25;
- 3 (15) Special handling fee for certificates issued by the
4 director, \$10 per certificate;
- 5 (16) Special handling fee for certification of documents,
6 \$10;
- 7 (17) Special handling fee for review of articles of
8 conversion or merger, \$75; and
- 9 (18) For filings relating to registered agents, the fees
10 established by section 425R-2[-];
- 11 provided that any partner who is a veteran establishing a new
12 domestic partnership or foreign partnership in this State shall
13 be exempt from all fees for a period of four years from the
14 filing date of the partnership registration statement or foreign
15 general partnership registration statement, respectively. For
16 purposes of this section, "veteran" means any individual who
17 served in the uniformed services of the United States and was
18 discharged or released under honorable conditions."

19 SECTION 4. Section 425-168, Hawaii Revised Statutes, is
20 amended by amending subsections (a) and (b) to read as follows:



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

3 (1) Annual report, \$25;

4 (2) Statement of qualification, \$50;

5 (3) Statement of foreign qualification, \$100;

6 (4) Statement of correction, amendment, restatement, or
7 amendment and restatement, \$25;

8 (5) Certificate of good standing, \$5;

9 (6) Articles of conversion or merger, \$100;

10 (7) For any other certificate, statement, or document,
11 \$25;

12 (8) Certification of domestic or foreign partnership, \$10;
13 and

14 (9) For filings relating to registered agents, the fees
15 established by section 425R-2[-];

16 provided that any partner who is a veteran establishing a new
17 limited liability partnership or foreign limited liability
18 partnership in this State shall be exempt from these fees for a
19 period of four years from the filing date of the statement of
20 qualification or statement of foreign qualification,
21 respectively. For purposes of this section, "veteran" means any



1 individual who served in the uniformed services of the United
2 States and was discharged or released under honorable
3 conditions.

4 (b) The following special handling fees shall be assessed
5 by the director for expeditious handling and review of the
6 following documents:

7 (1) Statement of qualification, \$25;

8 (2) Statement of correction, amendment, restatement, or
9 amendment and restatement, \$25;

10 (3) Annual report, \$25;

11 (4) Certification of domestic or foreign limited liability
12 partnership, \$10;

13 (5) Certificate of good standing for domestic or foreign
14 limited liability partnership, \$10;

15 (6) Articles of conversion or merger for domestic or
16 foreign limited liability partnership, \$75;

17 (7) Statement of foreign qualification, \$25;

18 (8) Statement of correction, amendment, restatement, or
19 amendment and restatement of foreign limited liability
20 partnership, \$25;

21 (9) Annual report, \$25; and



1 (10) For any other certificate or document authorized by
2 this subpart, \$25[-];
3 provided that any partner who is a veteran establishing a new
4 limited liability partnership or foreign limited liability
5 partnership in this State shall be exempt from these special
6 handling fees for a period of four years from the filing date of
7 the statement of qualification or statement of foreign
8 qualification, respectively."

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

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

- 13 (1) Certificate of limited partnership, \$50;
- 14 (2) Any certificate of amendment, restatement, or
15 correction, \$10;
- 16 (3) Statement of termination, \$10;
- 17 (4) Annual statement for domestic or foreign limited
18 partnership, \$10;
- 19 (5) Any other certificate or document of domestic or
20 foreign limited partnership, \$10;
- 21 (6) Application for certificate of authority, \$100;



- 1 (7) Application for certificate of withdrawal of foreign
- 2 limited partnership, \$10;
- 3 (8) For filings relating to registered agents, the fees
- 4 established by section 425R-2;
- 5 (9) Reservation of name, \$10;
- 6 (10) Transfer of reservation of name, \$10;
- 7 (11) Good standing certificate, \$5;
- 8 (12) Articles of conversion or merger, \$100;
- 9 (13) Special handling fee for review of articles of
- 10 conversion or merger, \$75;
- 11 (14) Special handling fee for review of any limited
- 12 partnership document, \$25;
- 13 (15) Special handling fee for certificates issued by the
- 14 director, \$10 per certificate; and
- 15 (16) Special handling fee for certification of documents,
- 16 \$10 [-] ;

17 provided that any partner who is a veteran establishing a new
18 limited liability limited partnership or foreign limited
19 liability limited partnership in this State shall be exempt from
20 all fees for a period of four years from the filing date of the
21 certificate of limited partnership or certificate of authority,



1 respectively. For purposes of this section, "veteran" means any
2 individual who served in the uniformed services of the United
3 States and was discharged or released under honorable
4 conditions."

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

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

- 9 (1) Articles of organization, \$100;
- 10 (2) Articles of amendment, \$25;
- 11 (3) Restated articles of organization, \$25;
- 12 (4) Articles of merger or conversion, \$100;
- 13 (5) Statement of dissociation, \$25;
- 14 (6) Articles of termination, \$25;
- 15 (7) Application for reinstatement for administratively
16 terminated limited liability company, \$25;
- 17 (8) Annual report, \$25;
- 18 (9) Any other statement or document of a domestic or
19 foreign limited liability company, \$25;
- 20 (10) Application for certificate of authority for foreign
21 limited liability company, \$100;



- 1 (11) Application for cancellation of authority of foreign
2 limited liability company, \$25;
- 3 (12) Reservation of name, \$10;
- 4 (13) Good standing certificate, \$5;
- 5 (14) Any other record not otherwise covered in this part,
6 \$25;
- 7 (15) Certified copy of any record relating to a limited
8 liability company or foreign limited liability
9 company, \$10 for the certificate and affixing the seal
10 thereto;
- 11 (16) Special handling fee for review of any record other
12 than articles of merger or conversion, \$25;
- 13 (17) Special handling fee for review of articles of merger
14 or conversion, \$75;
- 15 (18) Special handling fee for certificate issued by the
16 director not otherwise covered by this section, \$10
17 per certificate;
- 18 (19) Special handling fee for certification of record, \$10;
- 19 (20) Any service of notice, demand, or process upon the
20 director as agent for service of process of a limited
21 liability company or foreign limited liability



1 company, \$10, which amount may be recovered as taxable
2 costs by the party to the suit or action causing such
3 service to be made if such party prevails in the suit
4 or action; and

5 (21) For filings relating to registered agents, the fees
6 established by section 425R-2[-];

7 provided that any member of a member-managed limited liability
8 company or manager of a manager-managed limited liability
9 company who is a veteran establishing a new limited liability
10 company or foreign limited liability company shall be exempt
11 from all fees for a period of four years from the filing date of
12 the articles of organization or certificate of authority for
13 foreign limited liability company, respectively. For purposes
14 of this section, "veteran" means any individual who served in
15 the uniformed services of the United States and was discharged
16 or released under honorable conditions."

17 SECTION 7. Section 482-2, Hawaii Revised Statutes, is
18 amended by amending subsection (c) to read as follows:

19 "(c) Upon filing the application, the applicant shall pay
20 to the director a fee of \$50. A special handling fee of \$20 for
21 expediting registration of a trade name shall be assessed by the



1 director. All special handling fees shall be credited to the
 2 compliance resolution fund established under section 26-9(o).
 3 Any applicant who is a veteran registering a trade name for a
 4 new entity established under law shall be exempt for all
 5 registration fees for a period of four years from the filing
 6 date of the application. For purposes of this section,
 7 "veteran" means any individual who served in the uniformed
 8 services of the United States and was discharged or released
 9 under honorable conditions."

10 SECTION 8. Statutory material to be repealed is bracketed
 11 and stricken. New statutory material is underscored.

12 SECTION 9. This Act shall take effect upon its approval.
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INTRODUCED BY:

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S.B. NO. 1166

Report Title:

Business Registration; Trade Name; Military Veterans; Fees

Description:

Exempts veterans who are establishing certain new business entities in this State or registering for a trade name from all registration fees for a period of four years from the filing date of the business entity or trade name registration.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

