



**Montana Legislative Services Division**  
**Legal Services Office**

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**TO:** State Administration and Veterans' Affairs Interim Committee  
**FROM:** K. Virginia Aldrich  
**DATE:** December 21, 2015  
**RE:** Legislative Administrative Rule Review Report

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Pursuant to 5-5-228, MCA, the State Administration and Veterans' Affairs Interim Committee is responsible for reviewing administrative rules within its jurisdiction. Staff for the State Administration and Veterans' Affairs Interim Committee has prepared this report for informational purposes only. This report does not represent any action or opinion of the State Administration and Veterans' Affairs Interim Committee and does not preclude additional action that may be taken by the State Administration and Veterans' Affairs Interim Committee pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

**MAR NOTICE NUMBER:** 44-2-212

**AGENCY/BOARD:** Secretary of State

**RULE CLASSIFICATION:** (e.g. substantive/interpretative/emergency/temporary): Substantive

**SUBJECT:** Fees charged by the Business Services Division for the Filing of Annual Reports

**NOTICE DESCRIPTION:** (e.g. proposal notice/adoption notice): Notice of Public Hearing on Proposed Amendment

**SUMMARY OF RULE(S):** The Secretary of State proposes amending two rules concerning annual reports filed by corporations and limited liability companies. The annual reports filed before April 15th previously required a fee of \$15, and the Secretary of State proposes amending this fee to \$20. Annual reports filed after April 15th previously required a fee of \$30, and the Secretary of State proposes amending this fee to \$35. The Secretary of State believes that the fee change is "warranted based on the fees charged by other states and the overall costs of the office", and the Secretary of State notes that the fees have not been increased since 2002. The total number of corporations and limited liability companies affected is 126,000, and the cumulative amount for the proposed fee change is \$630,000 based on FY 2015 filings.

**NOTES:** A public hearing was held on December 3, 2015, at 9:30 a.m. in Room 260, State Capitol Building, Helena, Montana. The public comment period ended on December 11, 2015. The Secretary of State plans to amend the proposed rules on December 24, 2015.

**FULL TEXT OF NOTICE:** The full text of the notice proposal may be found online at [http://www.mtrules.org/gateway/Cycle\\_Home.asp?CID=2248](http://www.mtrules.org/gateway/Cycle_Home.asp?CID=2248).

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