

BILL ANALYSIS

Senate Research Center
76R5772 WP-F

S.B. 570
By: Shapiro
State Affairs
3/2/1999
As Filed

DIGEST

Currently, the Texas Government Code authorizes the secretary of state to collect fees for the expedited handling, processing, and review of documents, financing statements, and liens. This bill would increase the filing fees, and authorize the secretary of state to revoke the filing of any documents for which the filing fee has not been paid.

PURPOSE

As proposed, S.B. 570 increases filing fees the secretary of state is authorized to collect for filing and handling certain documents, and authorizes the secretary of state to revoke the filing of any document with an unpaid filing fee.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 405.032(a), Government Code, to authorize the secretary of state to collect a maximum fee of \$15, rather than \$5, for the handling of a document in the security interest and financing statement records of the secretary, rather than a document under certain chapters of the Business & Commerce Code and the Property Code. Authorizes the secretary of state to collect a maximum fee of \$25, rather than \$10, for the filing or reviewing of a document relating to an unincorporated nonprofit association. Authorizes the secretary of state to collect a maximum fee of \$10, rather than \$5, for handling a request for information contained in a document filed for public record with the corporations section of the office of the secretary of state.

SECTION 2. Amends Section 405.033, Government Code, to delete the qualification that the secretary of state is authorized to revoke a document if it is filed by or on behalf of a corporation, thereby authorizing the secretary of state to revoke any document with an unpaid or dishonored filing fee.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.