

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_  
Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for House Bill No. 2540, Page 404, Section 320.093, Line 48, by  
2 inserting the following after all of said line:

3 "351.122. 1. Notwithstanding the provisions of section 351.120 to the contrary, beginning January  
4 1, 2010, the secretary of state may provide corporations the option of biennially filing corporate registration  
5 reports. Any corporation incorporated or qualified in an even-numbered year may file a biennial corporate  
6 registration report only in an even-numbered calendar year, and any corporation incorporated or qualified in  
7 an odd-numbered year may file a biennial corporate registration report only in an odd-numbered calendar  
8 year, subject to the following requirements:

9 (1) The fee paid at the time of biennial registration shall be [~~eighty~~] one hundred five dollars if the  
10 report is filed in a written format. The fee shall be [~~thirty~~] fifty-five dollars if the report is filed via an  
11 electronic format prescribed by the secretary of state;

12 (2) A corporation's biennial corporate registration report shall be filed in a format as prescribed by  
13 the secretary of state;

14 (3) The secretary of state may collect an additional fee of ten dollars for each biennial corporate  
15 registration report filed under this section. Such fee shall be deposited into the state treasury and credited to  
16 the secretary of state's technology trust fund account.

17 2. Once a corporation chooses the option of biennial registration, such registration shall be  
18 maintained for the full twenty-four-month period. Once the twenty-four-month period has expired and  
19 another corporate registration report is due, a corporation may choose to file an annual registration report  
20 under section 351.120. However, upon making such choice the corporation may later only choose to file a  
21 biennial corporate registration report in a year appropriate under subsection 1 of this section, based on the  
22 year in which the corporation was incorporated.

23 3. The secretary of state may promulgate rules for the effective administration of this section. Any  
24 rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority  
25 delegated in this section shall become effective only if it complies with and is subject to all of the provisions  
26 of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any  
27 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date,  
28 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking  
29 authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

30 351.125. Every corporation required to register under the provisions of this chapter shall pay to the  
31 state a fee of [~~forty~~] sixty-five dollars for its corporate registration if the report is filed in a written format.  
32 The fee is [~~fifteen~~] forty dollars for each corporate registration report filed via an electronic format prescribed  
33 by the secretary of state. Biennial corporate registration reports filed under section 351.122 shall require the  
34 fee prescribed in that section. If a corporation fails to file a corporation registration report when due, it shall  
35 be assessed, in addition to its regular registration fee, a late fee of fifteen dollars for each thirty-day period  
36 within which the registration report is filed whether in writing or in an electronic format. If the registration  
37 report is not filed within ninety days, the secretary of state may proceed with administrative dissolution of  
38 such corporation under sections 351.484 and 351.486."; and

39  
40 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_