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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15990.3] (Division 3 added by Stats. 1945, Ch. 111.)

PART 2. CONSTITUTIONAL OFFICERS [12001 - 12790] (Part 2 added by Stats. 1945, Ch. 111.)

CHAPTER 3. Secretary of State [12152 - 12279] (Chapter 3 added by Stats. 1945, Ch. 111.)

ARTICLE 3. Business Programs [12180 - 12197] (Article 3 repealed and added by Stats. 1999, Ch. 1000, Sec. 54.)

12180. The Secretary of State's office may adopt rules and regulations as necessary to carry out this article, in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1.

(Repealed and added by Stats. 1999, Ch. 1000, Sec. 54. Effective January 1, 2000.)

12181. The Secretary of State's office may refuse to perform a service or refuse a filing based on a reasonable belief that the service or filing is being requested for an unlawful, false, or fraudulent purpose, to promote or conduct an illegitimate object or purpose, or is being requested or submitted in bad faith or for the purpose of harassing or defrauding a person or entity.

(Added by Stats. 2011, Ch. 269, Sec. 8. (AB 75) Effective January 1, 2012.)

12182. (a) The Secretary of State shall charge and collect fees as provided in this article and may also by regulation establish fees to be charged and collected for copying and special handling in connection with filing documents, issuing of certificates, and other services performed by the office.

(b) Except as provided in subdivision (c), the fees shall approximate the estimated cost of copying and special handling.

(c) Fees charged for preclearance of documents and expedited filings may be in different amounts, that shall not exceed one thousand dollars (\$1,000). Those fees may be charged only if the special handling does not cause disruption or delay in the process of normal handling of documents.

(d) Copying and special handling fees shall be paid into the Secretary of State's Business Fees Fund.

(e) The preclearance or expedited filing of documents by the Secretary of State or the Secretary's employees pursuant to this section shall be considered discretionary pursuant to Section 820.2.

(f) This section shall become operative commencing July 1, 2014.

(Amended by Stats. 2021, Ch. 50, Sec. 51. (AB 378) Effective January 1, 2022.)

12182.1. The Secretary of State shall establish by regulation an application, examination, and commission fee that shall not exceed the amount necessary to cover the costs of commissioning notaries public and the enforcement of laws governing notaries public. The fee shall not exceed one hundred dollars (\$100) per commission.

(Added by Stats. 1999, Ch. 1000, Sec. 54. Effective January 1, 2000.)

12183. The Secretary of State shall charge and collect the following fees for certification:

(a) Certification of a document: Five dollars (\$5).

(b) Certificate of status or filing: Five dollars (\$5).

(c) Certificate of information: Ten dollars (\$10) if the request is communicated in writing, and five dollars (\$5) if the request is communicated by another medium authorized by a rule adopted by the office of the Secretary of State.

(Amended by Stats. 2000, Ch. 1003, Sec. 53. Effective January 1, 2001. Operative July 1, 2001, by Sec. 56 of Ch. 1003.)

12184. (a) The Secretary of State shall charge and collect a fee of one hundred fifty dollars (\$150) from an entity for its conversion made pursuant to Chapter 11.5 (commencing with Section 1150) of Division 1 of Title 1 of the Corporations Code.

(b) This section shall become operative on January 1, 2005.

(Repealed (in Sec. 29) and added by Stats. 2002, Ch. 480, Sec. 30. Effective January 1, 2003. Section operative January 1, 2005, by its own provisions.)

12185. Upon the filing of any document pursuant to any provision of the Corporations Code for which there is a filing fee of twenty-five dollars (\$25) or more, at the time of filing the Secretary of State shall provide a copy without charge.

(Amended by Stats. 2012, Ch. 494, Sec. 55. (SB 1532) Effective January 1, 2013.)

12186. The fees for corporate filings are the following:

(a) Issuing a certificate of reservation of corporate name: Ten dollars (\$10).

(b) Registering a corporate name for the calendar year pursuant to Section 2101 of the Corporations Code: Fifty dollars (\$50).

(c) Filing articles of incorporation providing for shares: One hundred dollars (\$100).

(d) Filing articles of incorporation not providing for shares: Thirty dollars (\$30).

(e) Filing the statement and designation upon the qualification of a foreign, nonprofit, nonstock corporation, and of a foreign corporation organized for educational, religious, scientific, or charitable purposes, and not issuing shares: Thirty dollars (\$30).

(f) Filing the statement and designation upon the qualification of any other foreign corporation not provided for in subdivision (e): One hundred dollars (\$100).

(g) Filing the statement of information for every corporation pursuant to Sections 1502, 6210, 8210, 9660, and 12570 of the Corporations Code and Section 14101.6 of the Financial Code: Twenty dollars (\$20).

(h) Filing the statement of information for every foreign corporation (other than a foreign association) qualified to transact intrastate business pursuant to Section 2117 of the Corporations Code: Twenty dollars (\$20).

(i) Filing changes to any statement of information subject to subdivisions (g) and (h): No fee.

(j) Filing the statement pursuant to Section 1502.1 or 2117.1 of the Corporations Code: No fee.

(k) Filing for the merger of one corporation solely with one or more other corporations: One hundred dollars (\$100).

(l) Filing for the merger of one or more corporations with one or more other types of business entities: One hundred fifty dollars (\$150).

(m) Filing a certificate of amendment changing the status of a nonprofit corporation into a stock corporation: Seventy dollars (\$70).

(n) Filing a certificate of election to dissolve a corporation, a certificate of dissolution of a corporation, or a certificate of surrender, or of change of address: No fee.

(o) Filing a statement of address by a foreign lending institution on or before June 30 of each year pursuant to Section 2104 of the Corporations Code: Fifty dollars (\$50).

(p) Filing any other instrument by or on behalf of a corporation, unless another fee is specified by law: Thirty dollars (\$30).

(Amended by Stats. 2011, Ch. 204, Sec. 18. (AB 657) Effective January 1, 2012.)

12187. The general partnership filing fees are the following:

(a) Filing a statement of partnership: Seventy dollars (\$70).

(b) Filing a statement of dissolution for the purposes of canceling a statement of partnership: No fee.

(c) Filing any other partnership statement pursuant to this chapter, unless another fee is specified by law or the law specifies that no fee is to be charged: Thirty dollars (\$30).

(Added by Stats. 1999, Ch. 1000, Sec. 54. Effective January 1, 2000.)

12188. The limited partnership filing fees are the following:

(a) Issuing a certificate of reservation of limited partnership name: ten dollars (\$10).

(b) Filing a certificate of limited partnership of a limited partnership: seventy dollars (\$70).

(c) Filing an application for registration as a foreign limited partnership: seventy dollars (\$70).

(d) Filing a certificate of amendment to the certificate of limited partnership of a limited partnership: thirty dollars (\$30).

(e) Filing a restated certificate of limited partnership of a limited partnership: thirty dollars (\$30).

- (f) Filing an amendment to the application for registration of a foreign limited partnership: thirty dollars (\$30).
- (g) Filing a certificate of correction for a limited partnership or a foreign limited partnership: thirty dollars (\$30).
- (h) Filing a certificate of revival for a limited partnership: thirty dollars (\$30).
- (i) Filing a certificate of merger solely with one or more other limited partnerships (not including the merger of one or more limited partnerships with one or more other business entities) the fee for filing a certificate of merger: seventy dollars (\$70).
- (j) Filing a certificate of merger of one or more limited partnerships with one or more other business entities: one hundred fifty dollars (\$150).
- (k) Filing a certificate of conversion of a limited partnership into a foreign other business entity or general partnership: thirty dollars (\$30).
- (l) Filing articles of organization or statement of partnership authority containing a statement of conversion of a limited partnership into a domestic limited liability company or a registered general partnership: seventy dollars (\$70).
- (m) Filing the substitute service of a limited partnership: fifty dollars (\$50).
- (n) Filing a certificate of cancellation for a limited partnership or a foreign limited partnership: no fee.
- (o) Filing a statement of resignation as an agent for service of process: no fee.
- (p) Filing any instrument by or on behalf of a limited partnership unless another fee is specified or the law specifies that no fee is to be charged: thirty dollars (\$30).

(Repealed and added by Stats. 2006, Ch. 495, Sec. 34. Effective January 1, 2007.)

12189. The limited liability partnership filing fees are the following:

- (a) Filing a registration for a registered limited liability partnership: Seventy dollars (\$70).
- (b) Filing a registration for a foreign limited liability partnership: Seventy dollars (\$70).
- (c) Filing an amendment to the registration of a limited liability partnership registration: Thirty dollars (\$30).
- (d) Filing an amendment to the registration of a foreign limited liability partnership: Thirty dollars (\$30).
- (e) Filing a notice of change of status pursuant to subdivision (b) of Section 16954 of the Corporations Code: Thirty dollars (\$30).
- (f) Filing any other partnership statement for a limited liability partnership, unless another fee is specified by law or the law specifies that no fee is to be charged: Thirty dollars (\$30).

(Added by Stats. 1999, Ch. 1000, Sec. 54. Effective January 1, 2000.)

12190. The limited liability company filing fees are the following:

- (a) Issuing a certificate of reservation of limited liability company name: Ten dollars (\$10).
- (b) Filing articles of organization of a limited liability company: Seventy dollars (\$70).
- (c) Filing an application for registration as a foreign limited liability company: Seventy dollars (\$70).
- (d) Filing a certificate of amendment to the articles of organization of a limited liability company: Thirty dollars (\$30).
- (e) Filing restated articles of organization of a limited liability company: Thirty dollars (\$30).
- (f) Filing an amendment to the application for registration as a foreign limited liability company: Thirty dollars (\$30).
- (g) Filing a certificate of correction for a limited liability company: Thirty dollars (\$30).
- (h) Filing a certificate of continuation for a limited liability company after a certificate of dissolution has been filed: Thirty dollars (\$30).
- (i) Filing a certificate of merger for a merger of a limited liability company with one or more other limited liability companies: Seventy dollars (\$70).
- (j) Filing a certificate of merger for a merger of one or more limited liability companies with one or more other business entities: One hundred fifty dollars (\$150).
- (k) Filing the statement of information of a limited liability company or of a foreign limited liability company pursuant to Section 17702.09 of the Corporations Code: Twenty dollars (\$20).
- (l) Filing changes to any statement of information: No fee.
- (m) Filing a certificate of dissolution or a certificate of cancellation of articles of organization for purposes of the dissolution of a limited liability company: No fee.
- (n) Filing a certificate of cancellation for purposes of the cancellation of registration of a foreign limited liability company: No fee.

(o) Filing any instrument by or on behalf of a limited liability company, unless another fee is specified by law or the law specifies that no fee is to be charged: Thirty dollars (\$30).

(Amended by Stats. 2012, Ch. 419, Sec. 22. (SB 323) Effective January 1, 2013. Operative January 1, 2014, by Sec. 32 of Ch. 419.)

12191. The miscellaneous business entity filing fees are the following:

(a) Foreign associations, as defined in Sections 170 and 171 of the Corporations Code:

(1) Filing the statement and designation upon the qualification of a foreign association pursuant to Section 2105 of the Corporations Code: One hundred dollars (\$100).

(2) Filing an amended statement and designation by a foreign association pursuant to Section 2107 of the Corporations Code: Thirty dollars (\$30).

(3) Filing a certificate showing the surrender of the right of a foreign association to transact intrastate business pursuant to Section 2112 of the Corporations Code: No fee.

(b) Unincorporated Associations:

(1) Filing a statement in accordance with Section 18200 of the Corporations Code as to principal place of office or place for sending notices or designating agent for service: Twenty-five dollars (\$25).

(2) Insignia Registrations: Ten dollars (\$10).

(c) Community Associations and Common Interest Developments:

(1) Filing a statement by a community association in accordance with Section 5405 or 6760 of the Civil Code to register the common interest development that it manages: An amount not to exceed thirty dollars (\$30).

(2) Filing an amended statement by a community association in accordance with Section 5405 or 6760 of the Civil Code: No fee.

(Amended by Stats. 2013, Ch. 605, Sec. 24. (SB 752) Effective January 1, 2014.)

12192. The filing fees for a nonprofit mutual benefit ridesharing corporation are the following:

(a) Nonprofit mutual benefit corporation having as its sole purpose the operation of a single ridesharing vanpool vehicle designed for transporting at least seven persons, including the driver, under an arrangement in which ridesharing is incidental to another purpose of the driver: No fee.

(b) For purposes of this section ridesharing shall have the meaning specified in Section 522 of the Vehicle Code.

(Repealed and added by Stats. 1999, Ch. 1000, Sec. 54. Effective January 1, 2000.)

12193. The trademark and service mark fees are the following:

(a) Filing an application for registration of a trademark: Seventy dollars (\$70).

(b) Issuing a certificate of assignment of a trademark: Thirty dollars (\$30).

(c) Filing a renewal for registration of a trademark: Thirty dollars (\$30).

(d) Filing of a name, mark, or device used as a brand: Thirty dollars (\$30).

(e) Issuing a certificate of filing of a laundry supply designation: Ten dollars (\$10).

(f) Filing the registration of any name used by an organization: Ten dollars (\$10).

(g) Issuing a certificate with the name of a farm, ranch, or villa: Ten dollars (\$10).

(Repealed and added by Stats. 1999, Ch. 1000, Sec. 54. Effective January 1, 2000.)

12194. The fees for filing liens pursuant to the Code of Civil Procedure and for filing financing statements and other Uniform Commercial Code filings are the following:

(a) Ten dollars (\$10) if the record is communicated in writing and consists of one or two pages.

(b) Twenty dollars (\$20) if the record is communicated in writing and consists of more than two pages.

(c) Five dollars (\$5) if the record is communicated by another medium authorized by a rule adopted by the office of the Secretary of State.

(d) Two dollars (\$2) if the record is a state tax lien certificate of release.

The Secretary of State shall collect a special handling fee for filing records in the manner provided in Section 12182.

Financing statements and other Uniform Commercial Code filings shall be submitted on national standard forms as approved by the office of the Secretary of State or on those national forms but lacking a space identified for the disclosure of the social security number of an individual.

(Amended by Stats. 2003, Ch. 235, Sec. 8. Effective January 1, 2004.)

12195. (a) Special filing fees for joint powers agreements are the following:

(1) Filing a notice of a joint powers agreement: One dollar (\$1).

(2) Filing an amendment of a joint powers agreement: One dollar (\$1).

(3) Filing an executed copy of each agreement, lease, or equipment trust certificate for an agency that financed or refinanced transit equipment or transferred federal income tax benefits with respect to transit equipment pursuant to subdivision (a) of Section 6518: One dollar (\$1).

(b) Special filing fees for athlete agents are the following:

(1) Filing an athlete agent disclosure statement: Thirty dollars (\$30).

(2) Filing an amendment to an athlete agent disclosure statement: Twenty dollars (\$20).

(c) Special filing fees for a durable power of attorney for health care are the following:

(1) Filing a durable power of attorney for health care registration: No fee.

(2) Filing an amendment to a durable power of attorney for health care: No fee.

(d) The special filing fee for registering a claim as successor in interest is ten dollars (\$10).

(e) The special filing fee for issuing a certificate of official character is twenty dollars (\$20).

(Repealed and added by Stats. 1999, Ch. 1000, Sec. 54. Effective January 1, 2000.)

12197. The Secretary of State shall charge and collect, as applicable, fees for the following:

(a) Service of process, as provided in Section 15800 of the Corporations Code, for every partnership other than a foreign limited partnership subject to Article 9 (commencing with Section 15691) of Chapter 3 or Article 9 (commencing with Section 15909.01) of Chapter 5.5 of Title 2 of the Corporations Code or a commercial banking partnership established and transacting business in a place without the United States, which is domiciled without this state and has no regular place of business within the state: Fifty dollars (\$50).

(b) Service of process for each registered limited liability partnership whose principal office is not in this state and each foreign limited liability partnership registered under Section 16959 of the Corporations Code: Fifty dollars (\$50).

(c) Acceptance of copies of process against a corporation, firm, partnership, limited liability company, association, business trust, or natural person: Fifty dollars (\$50), unless another fee is specified by law or the law specifies that no fee is to be charged.

(d) Filing a statement of resignation by an individual or entity previously designated as an agent for service of process by a limited liability company pursuant to the Corporations Code or the Financial Code: No fee.

(Amended by Stats. 2012, Ch. 419, Sec. 23. (SB 323) Effective January 1, 2013. Operative January 1, 2014, by Sec. 32 of Ch. 419.)