

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 910

Introduced by Stinner, 48.

Read first time January 10, 2020

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to the Secretary of State; to amend sections
2 21-186, 21-2216, 21-2924, 25-3308, 33-102, 45-603, 45-606, 45-620,
3 45-806, 48-2609, 52-1313, 52-1316, 64-306, 64-313, 67-293, 67-462,
4 69-1204, 69-1206, 71-3204, 77-3903, 81-1921, 81-1922, 84-511,
5 84-1205, 87-130, 87-133, 87-134, 87-210, 87-211, and 87-212, Reissue
6 Revised Statutes of Nebraska, sections 13-2525, 21-205, 21-414,
7 21-1905, 33-101, 52-1004, 52-1312, 52-1602, and 84-906.03, Revised
8 Statutes Cumulative Supplement, 2018, sections 21-192, 64-405,
9 64-415, and 84-1227, Revised Statutes Supplement, 2019, section
10 9-528, Uniform Commercial Code, Reissue Revised Statutes of
11 Nebraska, and section 9-525, Uniform Commercial Code, Revised
12 Statutes Cumulative Supplement, 2018; to provide for, change, and
13 eliminate fees and the collection and distribution of fees; to
14 create, eliminate, and transfer funds; to eliminate provisions
15 regarding failure to report interests in certain real estate and
16 powers and duties regarding centralized computer system equipment;
17 to eliminate obsolete provisions; to provide an operative date; to
18 repeal the original sections; and to outright repeal sections
19 76-1522 and 84-510, Reissue Revised Statutes of Nebraska, section
20 84-907.03, Revised Statutes Cumulative Supplement, 2018, section
21 45-621, Revised Statutes Supplement, 2019, and section 9-531,
22 Uniform Commercial Code, Revised Statutes Cumulative Supplement,
23 2018.

1 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The Secretary of State Cash Fund is created. The
2 State Treasurer shall transfer the balance of the Administration Cash
3 Fund, the Corporation Cash Fund, the Nebraska Collection Agency Fund, the
4 Secretary of State Administration Cash Fund, and the Uniform Commercial
5 Code Cash Fund on July 1, 2021, to the Secretary of State Cash Fund. The
6 fund shall also include fees and revenue collected by the Secretary of
7 State pursuant to sections 13-2525, 21-186, 21-192, 21-205, 21-414,
8 21-1905, 21-2216, 21-2924, 25-3308, 33-101, 33-102, 45-606, 45-620,
9 45-806, 48-2609, 52-1004, 52-1312, 52-1313, 52-1316, 52-1602, 64-306,
10 64-313, 64-405, 64-415, 67-293, 67-462, 69-1204, 69-1206, 71-3204,
11 77-3903, 81-1921, 81-1922, 84-906.03, 87-130, 87-133, 87-134, and 87-210
12 to 87-212 and sections 9-525 and 9-528, Uniform Commercial Code, and any
13 other fees and revenue designated for credit to the fund.

14 (2) The Secretary of State shall use the Secretary of State Cash
15 Fund for the administration of the office of the Secretary of State,
16 including duties of the Secretary of State relating to oaths and bonds
17 under Chapter 11, corporations and other business entities under Chapter
18 21, address confidentiality under Chapter 42, collection agencies and
19 credit service organizations under Chapter 45, distribution of session
20 laws and legislative journals under Chapter 49, liens, including
21 effective financing statements and the master lien list, under Chapter
22 52, notaries public under Chapter 64, partnerships under Chapter 67, debt
23 management under Chapter 69, private detectives under Chapter 71, truth
24 and deception examiners under Chapter 81, administrative duties, the
25 Great Seal of the State of Nebraska, and rules and regulations, under
26 Chapter 84, trade names, trademarks, and service marks under Chapter 87,
27 and the Uniform Commercial Code, and any other administrative duties as
28 deemed necessary by the Secretary of State.

29 (3) Any money in the Secretary of State Cash Fund available for
30 investment shall be invested by the state investment officer pursuant to
31 the Nebraska Capital Expansion Act and the Nebraska State Funds

1 Investment Act.

2 Sec. 2. Section 13-2525, Revised Statutes Cumulative Supplement,
3 2018, is amended to read:

4 13-2525 (1) Commencing in 2001 and each odd-numbered year
5 thereafter, each joint public agency shall deliver to the Secretary of
6 State a biennial report on a form prescribed and furnished by the
7 Secretary of State that sets forth:

8 (a) The name of the joint public agency;

9 (b) The street address of its principal office and the name of its
10 manager or executive director, if any, at the office in this state;

11 (c) The names and business or residence addresses of its
12 representatives and principal officers;

13 (d) A brief description of the nature of its activities; and

14 (e) The names of the participating public agencies.

15 (2) The information in the biennial report must be current on the
16 date the biennial report is executed on behalf of the joint public
17 agency.

18 (3) The first biennial report must be delivered to the Secretary of
19 State between January 1 and April 1 of the odd-numbered year following
20 the calendar year in which the joint public agency was authorized to
21 transact business. Subsequent biennial reports must be delivered to the
22 Secretary of State between January 1 and April 1 of the following odd-
23 numbered years. The biennial report is due on April 1 of the odd-numbered
24 year in which it must be delivered to the Secretary of State as required
25 by this section.

26 (4) If a biennial report does not contain the information required
27 by this section, the Secretary of State shall promptly notify the
28 reporting joint public agency in writing and return the report to it for
29 correction. If the report is corrected to contain the information
30 required by this section and delivered to the Secretary of State within
31 thirty days after the effective date of notice, it is deemed to be timely

1 filed.

2 (5) Upon the delivery of the biennial report as provided in this
3 section, the Secretary of State shall charge and collect a fee of thirty
4 dollars if the filing is submitted in writing and twenty-five dollars if
5 the filing is submitted electronically pursuant to section 84-511 ~~twenty~~
6 ~~dollars~~. The fee is due on April 1 of the odd-numbered year in which the
7 biennial report must be delivered to the Secretary of State as required
8 by this section.

9 (6) A correction or an amendment to the biennial report may be
10 delivered to the Secretary of State for filing at any time. The fee for
11 filing a correction or an amendment to the biennial report shall be
12 thirty dollars if the filing is submitted in writing and twenty-five
13 dollars if the filing is submitted electronically pursuant to section
14 84-511.

15 (7) The Secretary of State shall collect all fees imposed in this
16 section and shall remit the fees to the State Treasurer. The State
17 Treasurer shall credit sixty percent of the fees to the General Fund and
18 forty percent of the fees to the Secretary of State Cash Fund.

19 Sec. 3. Section 21-186, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 21-186 (1)(a) An application for issuance of a certificate of
22 registration shall be made by the limited liability company to the
23 regulatory body in writing and shall contain the names of all members,
24 managers, professional employees, and agents of the limited liability
25 company who are required by law to be licensed or otherwise authorized to
26 render the professional service for which the limited liability company
27 is organized to do business, the street address at which the applicant
28 proposes to render a professional service, and such other information as
29 may be required by the regulatory body. If it appears to the regulatory
30 body that each member, manager, professional employee, and agent of the
31 applicant required by law to be licensed is licensed or otherwise

1 authorized to practice the profession for which the applicant is
2 organized to do business and that each member, manager, professional
3 employee, or agent required by law to be licensed or otherwise authorized
4 to practice the profession for which the applicant is organized to do
5 business is not otherwise disqualified from rendering the professional
6 service of the applicant, such regulatory body shall issue a certificate
7 in duplicate upon a form bearing its date of issuance and prescribed by
8 such regulatory body certifying that the proposed or existing limited
9 liability company complies with the provisions of the Nebraska Uniform
10 Limited Liability Company Act and of the applicable rules and regulations
11 of the regulatory body. Each applicant for such certificate shall pay the
12 regulatory body a fee of twenty-five dollars for the issuance of the
13 certificate.

14 (b) One copy of a certificate of registration issued pursuant to
15 this subsection shall be prominently displayed to public view upon the
16 premises of the principal place of business of the limited liability
17 company, and, except as provided in subsection (2) of this section, one
18 copy shall be delivered for filing to the Secretary of State who shall
19 charge a fee as specified in section 21-192 ~~of twenty-five dollars~~ for
20 filing the same. The certificate shall be delivered to the Secretary of
21 State for filing with the certificate of organization. A certificate of
22 registration bearing an issuance date more than twelve months old shall
23 not be eligible for filing by the Secretary of State.

24 (2) When licensing records of regulatory bodies are electronically
25 accessible to the Secretary of State, the Secretary of State shall access
26 the records. The access of the records shall be made in lieu of a
27 certificate of registration being prepared and issued by the regulatory
28 body for delivery to the Secretary of State for filing. The limited
29 liability company shall deliver to the Secretary of State for filing an
30 application setting forth the names of all members, managers,
31 professional employees, and agents of such limited liability company who

1 are required by law to be licensed or otherwise authorized to render the
2 professional service for which the limited liability company is organized
3 to do business as of the last day of the month preceding the date of
4 application and shall deliver to the Secretary of State for filing an
5 annual update thereafter. The application shall be completed on a form
6 prescribed by the Secretary of State and shall contain such other
7 information as the Secretary of State may require. The application shall
8 be accompanied by a license verification fee as specified in section
9 21-192 of fifty dollars.

10 The Secretary of State shall verify that all members, managers,
11 professional employees, and agents who are required by law to do so are
12 duly licensed or otherwise legally authorized to render the professional
13 service for which the applicant is organized to do business or ancillary
14 service as those which the limited liability company renders through
15 electronic accessing of the regulatory body's records. If any member,
16 manager, professional employee, or agent who is required by law to be
17 licensed or otherwise authorized to render the professional service for
18 which the limited liability company is organized to do business is not
19 licensed or otherwise legally authorized to render the professional
20 service for which the limited liability company is organized to do
21 business, the limited liability company shall be suspended. The
22 suspension shall remain in effect and a biennial report shall not be
23 delivered to the Secretary of State for filing or filed by the Secretary
24 of State until the limited liability company attests in writing that all
25 members, managers, professional employees, or agents who are required by
26 law to be licensed or otherwise authorized to render the professional
27 service for which the limited liability company is organized to do
28 business are duly licensed or otherwise legally authorized to render the
29 professional service for which the limited liability company is organized
30 to do business and that information is verified by the Secretary of State
31 or all unlicensed or unauthorized members, managers, professional

1 employees, or agents are no longer members, managers, professional
2 employees, or agents of the limited liability company.

3 Sec. 4. Section 21-192, Revised Statutes Supplement, 2019, is
4 amended to read:

5 21-192 (1) The filing fee for all filings under the Nebraska Uniform
6 Limited Liability Company Act, including amendments and name reservation,
7 shall be thirty dollars if the filing is submitted in writing and twenty-
8 five dollars if the filing is submitted electronically pursuant to
9 section 84-511 ten dollars plus the recording fees set forth in
10 subdivision (4) of section 33-101, except that:

11 (a) ~~The~~ the filing fee for filing a certificate of organization
12 under section 21-117 and for filing an application for a certificate of
13 authority to transact business in this state as a foreign limited
14 liability company under section 21-156 shall be one hundred ten dollars
15 if the filing is submitted in writing and one hundred dollars if the
16 filing is submitted electronically pursuant to section 84-511, plus such
17 recording fees and ten dollars for a certificate; and

18 (b) ~~The , and except that~~ the filing fee for filing a protected-
19 series designation under section 21-509 shall be one hundred ten dollars
20 if the filing is submitted in writing and one hundred dollars if the
21 filing is submitted electronically pursuant to section 84-511, for each
22 protected series stated, plus such recording fees and ten dollars for a
23 certificate and the filing fee for an application for a certificate of
24 authority to do business in this state as a foreign protected series
25 under section 21-537 shall be one hundred ten dollars if the filing is
26 submitted in writing and one hundred dollars if the filing is submitted
27 electronically pursuant to section 84-511, plus such recording fees and
28 ten dollars for a certificate.

29 (2) The filing fee for filing a statement of change of address for
30 an agent for service of process under section 21-114 shall be thirty
31 dollars if the filing is submitted in writing and twenty-five dollars if

1 ~~the filing is submitted electronically pursuant to section 84-511 ten~~
2 ~~dollars for each limited liability company or foreign limited liability~~
3 ~~company for which the agent is designated plus the recording fees set~~
4 ~~forth in subdivision (4) of section 33-101.~~

5 (3) The filing fee for filing a statement of designation change
6 under section 21-510 shall be thirty dollars if the filing is submitted
7 in writing and twenty-five dollars if the filing is submitted
8 electronically pursuant to section 84-511 ~~ten dollars~~ for each of the
9 series limited liability company's protected series ~~plus the recording~~
10 ~~fees set forth in subdivision (4) of section 33-101.~~

11 (4) The filing fee for the filing of a biennial report under section
12 21-514 shall be thirty dollars if the filing is submitted in writing and
13 twenty-five dollars if the filing is submitted electronically pursuant to
14 section 84-511 ~~ten dollars~~ for the series limited liability company and
15 thirty dollars if the filing is submitted in writing and twenty-five
16 dollars if the filing is submitted electronically pursuant to section
17 84-511 ~~ten dollars~~ for each of the series limited liability company's
18 protected series.

19 ~~(5) There shall be no recording fee collected for the filing of a~~
20 ~~biennial report required by section 21-125 or any corrections or~~
21 ~~amendments thereto.~~

22 (5) ~~(6)~~ The fee for an application for reinstatement more than five
23 years after the effective date of an administrative dissolution shall be
24 five hundred dollars.

25 (6) The fee for filing a certificate of registration pursuant to
26 section 21-186 shall be thirty dollars if the certificate is submitted in
27 writing and twenty-five dollars if the certificate is submitted
28 electronically pursuant to section 84-511. In lieu of filing such
29 certificate, the fee for application for electronic access to records
30 pursuant to section 21-186 is fifty-five dollars if submitted in writing
31 or fifty dollars if submitted electronically pursuant to section 84-511.

1 (7) A fee of one dollar per page plus ten dollars per certificate
2 shall be paid for a certified copy of any document on file under the act.

3 (8) The fees for filings under the act shall be paid to the
4 Secretary of State. The Secretary of State shall remit the fees and
5 ~~remitted by him or her~~ to the State Treasurer. The State Treasurer shall
6 credit sixty percent ~~two-thirds~~ of the fees to the General Fund and forty
7 ~~percent~~ one-third of the fees to the Secretary of State Corporation Cash
8 Fund.

9 Sec. 5. Section 21-205, Revised Statutes Cumulative Supplement,
10 2018, is amended to read:

11 21-205 (MBCA 1.22) (a) The Secretary of State shall collect the
12 following fees when the documents described in this subsection are
13 delivered to the Secretary of State for filing:

14 (1) Articles of incorporation, articles of domestication, or
15 articles of domestication and conversion:

16 (i) If the filing is submitted in writing ~~capital stock is \$10,000~~
17 ~~or less~~, the fee shall be \$110 ~~\$60~~; and

18 (ii) If the filing is submitted electronically pursuant to section
19 84-511 ~~capital stock is more than \$10,000 but does not exceed \$25,000~~,
20 the fee shall be \$100;

21 ~~(iii) If the capital stock is more than \$25,000 but does not exceed~~
22 ~~\$50,000, the fee shall be \$150;~~

23 ~~(iv) If the capital stock is more than \$50,000 but does not exceed~~
24 ~~\$75,000, the fee shall be \$225;~~

25 ~~(v) If the capital stock is more than \$75,000 but does not exceed~~
26 ~~\$100,000, the fee shall be \$300; and~~

27 ~~(vi) If the capital stock is more than \$100,000, the fee shall be~~
28 ~~\$300, plus \$3 additional for each \$1,000 in excess of \$100,000.~~

29 ~~For purposes of computing this fee, the capital stock of a~~
30 ~~corporation organized under the laws of any other state that domesticates~~
31 ~~in this state, and which stock does not have a par value, shall be deemed~~

1 to have a par value of an amount per share equal to the amount paid in as
2 capital for each of such shares as are then issued and outstanding, and
3 in no event less than one dollar per share;

4 (2) Articles of incorporation or articles of domestication if filed
5 by an insurer holding a certificate of authority issued by the Director
6 of Insurance, the fee shall be \$300;

7 ~~(3) Application for use of deceptively similar name...\$25;~~

8 ~~(4) Application for reserved name...\$25;~~

9 ~~(5) Notice of transfer of reserved name...\$25;~~

10 ~~(6) Application for registered name...\$25;~~

11 ~~(7) Application for renewal of registered name...\$25;~~

12 ~~(8) Corporation's statement of change of registered agent or
13 registered office or both...\$25;~~

14 ~~(3) (9) Agent's statement of change of registered office for each
15 affected corporation...\$30~~ \$25 not to exceed a total of...\$1,000;

16 ~~(4) (10) Agent's statement of resignation...No fee;~~

17 ~~(11) Articles of charter surrender...\$25;~~

18 ~~(12) Articles of nonprofit conversion...\$25;~~

19 ~~(13) Articles of entity conversion...\$25;~~

20 ~~(14) Amendment of articles of incorporation...\$25;~~

21 ~~(15) Restatement of articles of incorporation...\$25~~

22 ~~with amendment of articles...\$25;~~

23 ~~(16) Articles of merger or share exchange...\$25;~~

24 ~~(17) Articles of dissolution...\$45;~~

25 ~~(18) Articles of revocation of dissolution...\$25;~~

26 ~~(5) (19) Certificate of administrative dissolution...No fee;~~

27 ~~(20) Application for reinstatement following administrative
28 dissolution or revocation...\$25;~~

29 ~~(6) (21) Application for reinstatement more than five years after
30 the effective date of an administrative dissolution or administrative
31 revocation...\$500;~~

- 1 ~~(7) (22) Certificate of reinstatement...No fee;~~
- 2 ~~(8) (23) Certificate of judicial dissolution...No fee;~~
- 3 ~~(9) (24) Application for certificate of authority: ...\$130;~~
- 4 ~~(i) If the filing is submitted in writing, the fee shall be \$110;~~
- 5 and
- 6 ~~(ii) If the filing is submitted electronically pursuant to section~~
- 7 ~~84-511, the fee shall be \$100;~~
- 8 ~~(25) Application for amended certificate of authority...\$25;~~
- 9 ~~(26) Application for certificate of withdrawal...\$25;~~
- 10 ~~(27) Application for transfer of authority...\$25;~~
- 11 ~~(10) (28) Certificate of revocation of authority to transact~~
- 12 ~~business...No fee;~~
- 13 ~~(11)(i) Professional certificate submitted pursuant to section~~
- 14 ~~21-2216:~~
- 15 ~~(A) If the professional certificate is submitted, the fee shall be~~
- 16 ~~\$30; and~~
- 17 ~~(B) If electronic verification is submitted in lieu of the~~
- 18 ~~professional certificate, the fee shall be \$55; and~~
- 19 ~~(ii) Such professional certificate submitted pursuant to section~~
- 20 ~~84-511:~~
- 21 ~~(A) If the professional certificate is submitted, the fee shall be~~
- 22 ~~\$25; and~~
- 23 ~~(B) If electronic verification is submitted in lieu of the~~
- 24 ~~professional certificate, the fee shall be \$50; and~~
- 25 ~~(29) Articles of correction...\$25;~~
- 26 ~~(30) Application for certificate of existence or authorization...~~
- 27 ~~\$25; and~~
- 28 ~~(12) (31) Any other document required or permitted to be filed by~~
- 29 ~~the Nebraska Model Business Corporation Act; ...\$25.~~
- 30 ~~(i) If the filing is submitted in writing, the fee shall be \$30; and~~
- 31 ~~(ii) If the filing is submitted electronically pursuant to section~~

1 84-511, the fee shall be \$25;

2 ~~(b) The Secretary of State shall collect a recording fee of five~~
3 ~~dollars per page in addition to the fees set forth in subsection (a) of~~
4 ~~this section.~~

5 (b) (e) The Secretary of State shall collect the following fees for
6 copying and certifying the copy of any filed document relating to a
7 domestic or foreign corporation:

8 (1) One dollar per page for copying; and

9 (2) Ten dollars for the certificate.

10 (c) (d) All fees set forth in this section shall be collected by the
11 Secretary of State and remitted to the State Treasurer and credited sixty
12 percent two-thirds to the General Fund and forty percent to the Secretary
13 of State one-third to the Corporation Cash Fund.

14 Sec. 6. Section 21-414, Revised Statutes Cumulative Supplement,
15 2018, is amended to read:

16 21-414 (1) A benefit corporation shall send its annual benefit
17 report to each shareholder:

18 (a) Within one hundred twenty days following the end of the fiscal
19 year of the benefit corporation; or

20 (b) At the same time that the benefit corporation delivers any other
21 annual report to its shareholders.

22 (2) A benefit corporation shall post all of its benefit reports on
23 the public portion of its Internet web site, if any, except that the
24 compensation paid to directors and financial or proprietary information
25 included in the benefit reports may be omitted from the benefit reports
26 as posted.

27 (3) If a benefit corporation does not have an Internet web site, the
28 benefit corporation shall provide a copy of its most recent benefit
29 report, without charge, to any person that requests a copy, except that
30 the compensation paid to directors and financial or proprietary
31 information included in the benefit report may be omitted from the copy

1 of the benefit report provided.

2 (4)(a) Concurrently with the delivery of the benefit report to
3 shareholders under subsection (1) of this section, the benefit
4 corporation shall deliver a copy of the benefit report to the Secretary
5 of State for filing, except that the compensation paid to directors and
6 financial or proprietary information included in the benefit report may
7 be omitted from the benefit report as delivered to the Secretary of
8 State.

9 (b) The Secretary of State shall charge a fee ~~in the amount~~
10 ~~prescribed in subdivision (1)(z) of section 21-2005 prior to January 1,~~
11 ~~2017, and in the amount prescribed in subdivision (a)(12) (a)(30) of~~
12 ~~section 21-205 on and after January 1, 2017,~~ for filing a benefit report.
13 The Secretary of State shall collect the fees imposed in this section and
14 remit the fees to the State Treasurer. The State Treasurer shall credit
15 sixty percent of the fees to the General Fund and forty percent of the
16 fees to the Secretary of State ~~The fee shall be remitted to the State~~
17 ~~Treasurer for credit to the Corporation Cash Fund.~~

18 Sec. 7. Section 21-1905, Revised Statutes Cumulative Supplement,
19 2018, is amended to read:

20 21-1905 (a) The Secretary of State shall collect the following fees
21 when the documents described in this subsection are delivered for filing:

22 (1)(i) Articles of incorporation or (ii) documents relating to
23 domestication; ~~...\$10.00~~

24 (A) If the filing is submitted in writing, the fee shall be \$30; and

25 (B) If the filing is submitted electronically pursuant to section
26 84-511, the fee shall be \$25;

27 ~~(2) Application for reserved name...\$25.00~~

28 ~~(3) Notice of transfer of reserved name...\$25.00~~

29 ~~(4) Application for registered name...\$25.00~~

30 ~~(5) Application for renewal of registered name...\$25.00~~

31 ~~(6) Corporation's statement of change of registered agent or~~

- 1 ~~registered office or both...\$5.00~~
- 2 (2) (7) Agent's statement of change of registered office for each
3 affected corporation...\$25.00 (not to exceed a total of \$1,000)
- 4 (3) (8) Agent's statement of resignation...no fee
- 5 (9) ~~Amendment of articles of incorporation...\$5.00~~
- 6 (10) ~~Restatement of articles of incorporation with amendments...
7 \$5.00~~
- 8 (11) ~~Articles of merger...\$5.00~~
- 9 (12) ~~Articles of dissolution...\$5.00~~
- 10 (13) ~~Articles of revocation of dissolution...\$5.00~~
- 11 (4) (14) Certificate of administrative dissolution...no fee
- 12 (15) ~~Application for reinstatement following administrative
13 dissolution...\$5.00~~
- 14 (5) (16) Application for reinstatement more than five years after
15 the effective date of an administrative dissolution or administrative
16 revocation...\$500.00
- 17 (6) (17) Certificate of reinstatement...no fee
- 18 (7) (18) Certificate of judicial dissolution...no fee
- 19 (8) (19) Certificate of authority: ~~...\$10.00~~
- 20 (i) If the filing is submitted in writing, the fee shall be \$30; and
21 (ii) If the filing is submitted electronically pursuant to section
22 84-511, the fee shall be \$25;
- 23 (20) ~~Application for amended certificate of authority...\$5.00~~
- 24 (21) ~~Application for certificate of withdrawal...\$5.00~~
- 25 (9) (22) Certificate of revocation of authority to transact
26 business...no fee
- 27 (23) ~~Biennial report...\$20.00~~
- 28 (24) ~~Articles of correction...\$5.00~~
- 29 (10) (25) Application for certificate of good standing...\$10.00
- 30 (11) (26) Any other document required or permitted to be filed by
31 the Nebraska Nonprofit Corporation Act: ~~...\$5.00~~

1 (i) If the filing is submitted in writing, the fee shall be \$30; and
2 (ii) If the filing is submitted electronically pursuant to section
3 84-511, the fee shall be \$25.

4 ~~(i) Amendments...\$5.00~~

5 ~~(ii) Mergers...\$5.00~~

6 ~~(b) The Secretary of State shall collect a recording fee of five~~
7 ~~dollars per page in addition to the fees set forth in subsection (a) of~~
8 ~~this section, except that there shall be no recording fee collected for~~
9 ~~the filing of a biennial report required by section 21-19,172.~~

10 ~~(b) (e)~~ The Secretary of State shall collect the following fees for
11 copying and certifying the copy of any filed document relating to a
12 domestic or foreign corporation:

13 (1) \$1.00 per page; and

14 (2) \$10.00 for the certificate.

15 ~~(c) (d)~~ All fees set forth in this section shall be collected by the
16 Secretary of State and remitted to the State Treasurer and credited sixty
17 percent two-thirds to the General Fund and forty percent to the Secretary
18 of State one-third to the Corporation Cash Fund.

19 Sec. 8. Section 21-2216, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 21-2216 (1) No corporation shall open, operate, or maintain an
22 establishment or do business for any purposes set forth in the Nebraska
23 Professional Corporation Act without (a) filing with the Secretary of
24 State a certificate of registration from the regulating board of the
25 particular profession for which the professional corporation is organized
26 to do business, which certificate shall set forth the name and residence
27 addresses of all shareholders as of the last day of the month preceding
28 such filing, and (b) certifying that all shareholders, directors, and
29 officers, except the secretary and the assistant secretary, are duly
30 licensed to render the same professional services as those for which the
31 corporation was organized. Application for a certificate of registration

1 shall be made by the professional corporation to the regulating board in
2 writing and shall contain the names of all officers, directors,
3 shareholders, and professional employees of the professional corporation,
4 the street address at which the applicant proposes to perform
5 professional services, and such other information as may be required by
6 the regulating board.

7 (2) If it appears to the regulating board that each shareholder,
8 officer, director, and professional employee of the applicant, except the
9 secretary and the assistant secretary, is licensed to practice the
10 profession of the applicant and that each shareholder, officer, director,
11 or professional employee is not otherwise disqualified from performing
12 the professional services of the applicant, such regulating board shall
13 certify, in duplicate upon a form bearing its date of issuance and
14 prescribed by such regulating board, that such proposed or existing
15 professional corporation complies with the provisions of the act and of
16 the applicable rules and regulations of such regulating board. Each
17 applicant for such registration certificate shall pay such regulating
18 board a fee of twenty-five dollars for the issuance of such duplicate
19 certificate.

20 (3) One copy of such certificate shall be prominently exposed to
21 public view upon the premises of the principal place of business of each
22 professional corporation organized under the act, and one copy shall be
23 filed by the professional corporation with the Secretary of State who
24 shall charge a fee as specified in section 21-205 ~~of twenty-five dollars~~
25 ~~for filing the same~~. The certificate from the regulating board shall be
26 filed in the office of the Secretary of State together with the articles
27 of incorporation. A registration certificate bearing an issuance date
28 more than twelve months old shall not be eligible for filing with the
29 Secretary of State.

30 (4) When licensing records of regulating boards are electronically
31 accessible, the Secretary of State shall access the records. The access

1 shall be made in lieu of the certificate of registration or registration
2 certificate being prepared and issued by the regulating board. The
3 professional corporation shall file with the Secretary of State an
4 application setting forth the name and residence addresses of all
5 officers, directors, shareholders, and professional employees as of the
6 last day of the month preceding the date of the application and shall
7 file with the Secretary of State an annual update thereafter. Each
8 application shall be accompanied by a licensure verification fee as
9 specified in section 21-205 ~~of fifty dollars~~. The Secretary of State
10 shall verify that all of the directors, officers, shareholders, and
11 professional employees listed on the application, except for the
12 secretary and assistant secretary, are duly licensed or otherwise legally
13 authorized to render the same professional service or an ancillary
14 service as those for which the professional corporation was organized.
15 Verification shall be done by electronically accessing the regulating
16 board's licensing records. If any director, officer, shareholder, or
17 professional employee is not licensed or otherwise legally authorized to
18 perform the professional service that the professional corporation was
19 organized to render, the corporation will be suspended. The biennial
20 report and tax cannot be filed and paid in the office of the Secretary of
21 State until the corporation attests in writing that the director,
22 officer, shareholder, or professional employee is licensed or otherwise
23 legally authorized to practice, which shall be verified by the Secretary
24 of State, or is no longer a director, officer, shareholder, or
25 professional employee of the corporation. When the biennial report and
26 the tax become delinquent, the corporation shall be dissolved for
27 nonpayment of taxes in compliance with section 21-323.

28 Sec. 9. Section 21-2924, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 21-2924 The filing fees for records filed under the Nebraska Limited
31 Cooperative Association Act ~~this section~~ with the Secretary of State are

1 governed by section 33-101. The fees for filings under the act shall be
2 paid to the Secretary of State, and the Secretary of State shall remit
3 the fees to the State Treasurer. The State Treasurer shall credit sixty
4 percent of the fees to the General Fund and forty percent of the fees to
5 the Secretary of State Cash Fund.

6 Sec. 10. Section 25-3308, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 25-3308 (1) An application for registration or renewal of
9 registration under section 25-3307 shall be accompanied by either an
10 application for registration fee or a renewal of registration fee, as
11 applicable.

12 (2) The Secretary of State may, by rule and regulation, establish
13 fees for applications for registration and renewals of registration at
14 rates sufficient to cover the costs of administering the Nonrecourse
15 Civil Litigation Act, in the event any such fees are required. Such fees
16 shall be collected by the Secretary of State and remitted to the State
17 Treasurer for credit to the Secretary of State ~~Administration~~ Cash Fund.

18 Sec. 11. Section 33-101, Revised Statutes Cumulative Supplement,
19 2018, is amended to read:

20 33-101 There shall be paid to the Secretary of State the following
21 fees:

22 (1) For certificate or exemplification with seal, ten dollars;

23 (2) For copies of records, for each page, a fee of one dollar;

24 (3) For accessing records by electronic means:

25 (a) For batch requests of business entity information, fifteen
26 dollars for up to one thousand business entities accessed and an
27 additional fifteen dollars for each additional one thousand business
28 entities accessed over one thousand;

29 (b) For information in the Secretary of State's Uniform Commercial
30 Code Division data base, including records filed pursuant to the Uniform
31 Commercial Code, Chapter 52, article 2, 5, 7, 9, 10, 11, 12, or 14,

1 Chapter 54, article 2, or the Uniform State Tax Lien Registration and
2 Enforcement Act, for batch requests searched by debtor location, fifteen
3 dollars for up to one thousand records accessed and an additional fifteen
4 dollars for each additional one thousand records accessed over one
5 thousand;

6 (c) For an electronically transmitted certificate indicating whether
7 a business is properly registered with the Secretary of State and
8 authorized to do business in the state, six dollars and fifty cents;

9 (d) For the entire contents of the data base regarding corporations
10 and the Uniform Commercial Code, but excluding electronic images, three
11 hundred dollars weekly subscription rate, one thousand dollars monthly
12 subscription rate for a twice-monthly service, and eight hundred dollars
13 monthly subscription rate;

14 (e) For images of records accessed over the Internet or by other
15 electronic means other than facsimile machine, forty-five cents for each
16 page or image of a page, not to exceed two thousand dollars per request
17 for batch requests; and

18 (f) For the entire contents of the image data base regarding
19 corporations and the Uniform Commercial Code, eight hundred dollars
20 monthly subscription rate;

21 ~~(4) For recording articles of association or incorporation,~~
22 ~~amendments, revised or restated articles, changes of registered office or~~
23 ~~registered agent, increase or decrease of capital stock, merger or~~
24 ~~consolidation, statement of intent to dissolve, and consent to~~
25 ~~dissolution, revocation of dissolution, articles of dissolution, domestic~~
26 ~~or foreign, profit or nonprofit, five dollars per page;~~

27 (4) (5) For taking acknowledgment, ten dollars;

28 (5) (6) For administering oath, ten dollars;

29 (6) (7) For filings by for-profit corporations and associations
30 required or permitted by law to file articles of incorporation or
31 organization with the Secretary of State, the fees provided in section

1 21-205 unless otherwise specifically provided by law; and

2 ~~(7)~~ ~~(8)~~ For filings by nonprofit corporations and associations
3 required or permitted by law to file articles of incorporation or
4 organization with the Secretary of State or for such a filing by any
5 entity declared to be a corporation under section 21-608, the fees
6 provided in section 21-1905 unless otherwise specifically provided by
7 law.

8 The Secretary of State shall remit all fees collected pursuant to
9 subdivisions (1), (2), and (4) through (7) of this section to the State
10 Treasurer for credit to the Secretary of State Cash Fund. The Secretary
11 of State shall remit all ~~All~~ fees collected pursuant to subdivision (3)
12 of this section to the State Treasurer for credit to ~~shall be deposited~~
13 ~~in~~ the Records Management Cash Fund, and such fees shall be distributed
14 as provided in any agreements between the State Records Board and the
15 Secretary of State.

16 Sec. 12. Section 33-102, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 33-102 The Secretary of State shall be entitled to, ~~for receiving,~~
19 ~~affixing the great seal to, and forwarding the commission of a notary~~
20 ~~public,~~ the sum of thirty fifteen dollars for receiving an application
21 for a commission to act as ~~and the additional sum of fifteen dollars for~~
22 ~~filing and approving the bond of a notary public pursuant to section~~
23 64-102. The Secretary of State shall be entitled to the sum of thirty
24 ~~fifteen~~ dollars for receiving a renewal application pursuant to section
25 64-104.

26 The fees received by the Secretary of State pursuant to this section
27 shall be remitted to the State Treasurer for credit seventy-five percent
28 to the General Fund and twenty-five percent to the Secretary of State
29 ~~Administration Cash Fund which is hereby created. Transfers may be made~~
30 ~~from the fund to the General Fund at the direction of the Legislature.~~
31 ~~Any money in the Administration Cash Fund available for investment shall~~

1 ~~be invested by the state investment officer pursuant to the Nebraska~~
2 ~~Capital Expansion Act and the Nebraska State Funds Investment Act.~~

3 Sec. 13. Section 45-603, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 45-603 (1) There is hereby created the Collection Agency Licensing
6 Board which shall consist of the Secretary of State, who shall be
7 chairperson of the board, and four members appointed by the Governor.
8 Three of the members appointed by the Governor shall be licensees
9 actively engaged in the collection business in this state, one of whom
10 shall reside in each of the state's three congressional districts. The
11 remaining member shall be appointed at large as a representative of the
12 public. Such person shall not be a licensee actively engaged in the
13 collection business in this state.

14 (2) The term of office of each appointed member shall be for four
15 years, except that of the members of the first board appointed under this
16 section, two shall be appointed for a term of two years. Before a
17 member's term expires, the Governor shall appoint a successor to take
18 office on the expiration of the member's term. A member shall continue to
19 serve after the expiration of his or her term until a successor is
20 appointed and qualified. A vacancy in the office of a member shall be
21 filled by appointment for the unexpired term.

22 (3) The members of the board shall be reimbursed for their actual
23 and necessary expenses as provided in sections 81-1174 to 81-1177.

24 (4) The board may employ such persons as may be necessary to carry
25 out the Collection Agency Act, fix the salaries of such employees, and
26 make such other expenditures as are necessary to properly carry out the
27 act, except that all remuneration, expenses, salaries, and expenditures
28 provided for in the act shall be paid out of the Secretary of State Cash
29 ~~Nebraska Collection Agency~~ Fund.

30 (5) The Secretary of State shall keep a record of all the
31 proceedings, transactions, communications, and official acts performed

1 pursuant to the act and perform such other duties as may be necessary to
2 carry out the intent and purpose of the act.

3 Sec. 14. Section 45-606, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 45-606 Any person, firm, corporation, or association desiring to
6 engage in this state in the collection business as defined in the
7 Collection Agency Act shall make written and sworn application for a
8 license therefor to the board upon a form to be prescribed by the board,
9 which application shall be accompanied by an investigation fee of not to
10 exceed two hundred fifty dollars. The amount of the fee shall be fixed by
11 the board and shall not exceed the amount actually necessary to sustain
12 the administration and enforcement of the act. Such application shall be
13 accompanied by a duly verified financial statement of the applicant in
14 form prescribed by the board. The Secretary of State shall remit the fees
15 received pursuant to this section to the State Treasurer for credit to
16 the Secretary of State Cash Fund.

17 Sec. 15. Section 45-620, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 45-620 No license, renewal of license, branch office certificate, or
20 solicitor's certificate, as provided for in the Collection Agency Act,
21 shall be issued by the board until the following fees have been paid to
22 the Secretary of State: For a license, not to exceed two hundred dollars;
23 for renewal of a license, not to exceed one hundred dollars; for a branch
24 office certificate, not to exceed fifty dollars; for renewal of a branch
25 office certificate, not to exceed thirty-five dollars; for a solicitor's
26 certificate and for renewal of a solicitor's certificate, not to exceed
27 ten dollars. The amount of the fees shall be fixed by the board and shall
28 not exceed the amounts actually necessary to sustain the administration
29 and enforcement of the act. The Secretary of State shall remit the fees
30 received pursuant to this section to the State Treasurer for credit to
31 the Secretary of State Cash Fund.

1 Sec. 16. Section 45-806, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 45-806 (1) A credit services organization shall file a registration
4 statement with the Secretary of State before conducting business in this
5 state. The registration statement shall contain:

6 (a) The name and address of the credit services organization; and

7 (b) The name and address of any person who directly or indirectly
8 owns or controls ten percent or more of the outstanding shares of stock
9 in the credit services organization.

10 (2) The registration statement shall also contain either:

11 (a) A full and complete disclosure of any litigation or unresolved
12 complaint filed with a governmental authority of this state relating to
13 the operation of the credit services organization; or

14 (b) A notarized statement that there has been no litigation or
15 unresolved complaint filed with a governmental authority of this state
16 relating to the operation of the credit services organization.

17 (3) The credit services organization shall update the registration
18 statement within ninety days after the date on which a change in the
19 information required in the statement occurs.

20 (4) Each credit services organization registering under this section
21 shall maintain a copy of the registration statement in the files of the
22 credit services organization. The credit services organization shall
23 allow a buyer to inspect the registration statement on request.

24 (5) The Secretary of State may charge each credit services
25 organization that files a registration statement with the Secretary of
26 State a reasonable fee not to exceed one hundred dollars to cover the
27 cost of filing. The Secretary of State shall remit the fees received
28 pursuant to this section to the State Treasurer for credit to the
29 Secretary of State Cash Fund. The Secretary of State shall not require a
30 credit services organization to provide information other than that
31 provided in the registration statement.

1 Sec. 17. Section 48-2609, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 48-2609 (1) An application for registration or renewal of
4 registration must be accompanied by either an application for
5 registration fee or a renewal of registration fee, as applicable.

6 (2) The Secretary of State may, by rule and regulation, establish
7 fees for applications for registration and renewals of registration at
8 rates sufficient to cover the costs of administering the Nebraska Uniform
9 Athlete Agents Act, in the event any such fees are required. Such fees
10 shall be collected by the Secretary of State and remitted to the State
11 Treasurer for credit to the Secretary of State ~~Administration~~ Cash Fund.

12 Sec. 18. Section 52-1004, Revised Statutes Cumulative Supplement,
13 2018, is amended to read:

14 52-1004 (1) The uniform fee, payable to the Secretary of State, for
15 presenting for filing and indexing and for filing and indexing each
16 notice of lien or certificate or notice affecting the lien pursuant to
17 the Uniform Federal Lien Registration Act shall be two times the fee
18 required for recording instruments with the register of deeds as provided
19 in section 33-109. There shall be no fee for the filing of a termination
20 statement. The uniform fee for each county more than one designated
21 pursuant to subsection (1) of section 52-1001 shall be the fee required
22 for recording instruments with the register of deeds as provided in
23 section 33-109. The Secretary of State shall remit ~~deposit~~ each fee
24 received pursuant to this subsection to the State Treasurer for credit to
25 ~~in the Secretary of State Uniform Commercial Code Cash Fund, except that~~
26 of ~~of~~ the fees received and ~~deposited~~ pursuant to this subsection, the
27 Secretary of State shall remit the fee required for recording instruments
28 with the register of deeds as provided in section 33-109 to the register
29 of deeds of a county for each designation of such county in a filing
30 pursuant to subsection (1) of section 52-1001.

31 (2) The Secretary of State shall bill the district directors of

1 internal revenue or other appropriate federal officials on a monthly
2 basis for fees for documents presented or filed by them.

3 Sec. 19. Section 52-1312, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 52-1312 The Secretary of State shall design and implement a central
6 filing system for effective financing statements. The Secretary of State
7 shall be the system operator. The system shall provide a means for filing
8 effective financing statements or notices of such financing statements on
9 a statewide basis. The system shall include requirements:

10 (1) That an effective financing statement or notice of such
11 financing statement shall be filed in the office of the Secretary of
12 State. A debtor's residence shall be presumed to be the residence shown
13 on the filing. The showing of an improper residence shall not affect the
14 validity of the filing. The filing officer shall mark the statement or
15 notice with a consecutive file number and with the date and hour of
16 filing and shall hold the statement or notice or a microfilm or other
17 digital copy thereof for public inspection. In addition, the filing
18 officer shall index the statements and notices according to the name of
19 the debtor and shall note in the index the file number and the address of
20 the debtor given in the statement;

21 (2) That the Secretary of State compile information from all
22 effective financing statements or notices filed with the Secretary of
23 State into a master list (a) organized according to farm product, (b)
24 arranged within each such product (i) in alphabetical order according to
25 the last name of the individual debtors or, in the case of debtors doing
26 business other than as individuals, the first word in the name of such
27 debtors, (ii) in numerical order according to the approved unique
28 identifier of the debtors, (iii) geographically by county, and (iv) by
29 crop year, and (c) containing the information referred to in subdivision
30 (4) of section 52-1307;

31 (3) That the Secretary of State cause the information on the master

1 list to be published in lists (a) by farm product arranged alphabetically
2 by debtor and (b) by farm product arranged numerically by the debtor's
3 approved unique identifier. If a registered buyer so requests, the list
4 or lists for such buyer may be limited to any county or group of counties
5 where the farm product is produced or located or to any crop year or
6 years or a combination of such identifiers;

7 (4) That all buyers of farm products, commission merchants, selling
8 agents, and other persons may register with the Secretary of State to
9 receive or obtain lists described in subdivision (3) of this section. Any
10 buyer of farm products, commission merchant, selling agent, or other
11 person conducting business from multiple locations shall be considered as
12 one entity. Such registration shall be on an annual basis. The Secretary
13 of State shall provide the form for registration which shall include the
14 name and address of the registrant and the list or lists described in
15 subdivision (3) of this section which such registrant desires to receive
16 or obtain. A registration shall not be completed until the form provided
17 is properly completed and received by the Secretary of State accompanied
18 by the proper registration fee. The fee for annual registration shall be
19 thirty dollars.

20 A registrant shall pay an additional annual fee to receive or obtain
21 lists described in subdivision (3) of this section. For each farm product
22 list, the fee shall be an amount determined by the Secretary of State not
23 to exceed two hundred dollars per year.

24 The Secretary of State shall maintain a record of the registrants
25 and the lists and contents of the lists received or obtained by the
26 registrants for a period of five years;

27 (5) That the lists as identified pursuant to subdivision (4) of this
28 section be distributed or published by the Secretary of State not more
29 often than once every month and not less often than once every three
30 months as determined by the Secretary of State. The Secretary of State
31 may provide for the distribution or publication of the lists on any

1 medium and establish reasonable charges for such lists, not to exceed the
2 charges provided for in subdivision (4) of this section.

3 The Secretary of State shall, by rule and regulation, establish the
4 dates upon which the distributions or publications will be made, the
5 dates after which a filing of an effective financing statement will not
6 be reflected on the next distribution or publication of lists, and the
7 dates by which a registrant must complete a registration to receive or
8 obtain the next list; and

9 (6) That the Secretary of State remove lapsed and terminated
10 effective financing statements or notices of such financing statements
11 from the master list prior to preparation of the lists required to be
12 distributed or published by subdivision (5) of this section.

13 Effective financing statements or any amendments or continuations of
14 effective financing statements originally filed in the office of the
15 county clerk that have been indexed and entered on the Secretary of
16 State's central filing system need not be retained by the county filing
17 office and may be disposed of or destroyed.

18 The Secretary of State shall apply to the Secretary of the United
19 States Department of Agriculture for (a) certification of the central
20 filing system and (b) approval of the system or method of selecting an
21 approved unique identifier.

22 The Secretary of State shall ~~remit deposit~~ any funds received
23 pursuant to subdivision (4) of this section to the State Treasurer for
24 credit to ~~in the Secretary of State Uniform Commercial Code~~ Cash Fund.

25 Sec. 20. Section 52-1313, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 52-1313 (1) Presentation for filing of an effective financing
28 statement and the acceptance of the statement by the Secretary of State
29 constitutes filing under sections 52-1301 to 52-1322.

30 (2) The fee for filing and indexing and for stamping a copy
31 furnished by the secured party to show the date and place of filing of an

1 effective financing statement, an amendment, or a continuation statement
2 shall be fourteen dollars if the record is communicated in writing and
3 eleven dollars if the record is communicated by another medium authorized
4 by the Secretary of State ~~ten dollars~~. There shall be no fee for the
5 filing of a termination statement.

6 ~~(3) The fee for attachments to all instruments submitted for filing~~
7 ~~shall be fifty cents per page.~~

8 ~~(3) (4)~~ The Secretary of State shall remit ~~deposit~~ any fees received
9 pursuant to this section to the State Treasurer for credit to in the
10 Secretary of State Uniform Commercial Code Cash Fund.

11 Sec. 21. Section 52-1316, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 52-1316 (1) Oral and written inquiries regarding information
14 provided by the filing of effective financing statements may be made at
15 any county clerk's office or the office of the Secretary of State during
16 regular business hours. For each debtor name searched by the county clerk
17 or Secretary of State, the ~~The~~ fee for furnishing file information shall
18 be five dollars for each inquiry communicated in writing and four dollars
19 and fifty cents if the inquiry is communicated by another medium
20 authorized by the ~~for each debtor name searched by the county clerk or~~
21 Secretary of State. Written confirmation of an oral or written inquiry
22 shall be mailed no later than the end of the next business day after the
23 inquiry is received.

24 (2) The Secretary of State shall provide a system that assigns an
25 identifying number to each inquiry made pursuant to subsection (1) of
26 this section. Such number shall be given to the inquiring party at the
27 time of the oral response and shall be included in the written
28 confirmation. The Secretary of State and the county clerks shall maintain
29 a record of inquiries made under this section identifying who made the
30 inquiry, on whom the inquiry was made, and the date of the inquiry.

31 (3) The Secretary of State may provide for a computerized system for

1 inquiry and confirmation which may be used in lieu of the inquiry and
2 confirmation under subsection (1) of this section. When such a system is
3 implemented and used, it shall have the same effect as an inquiry and
4 confirmation under subsection (1) of this section.

5 ~~(4) There shall be no fee charged for actual inspection of records~~
6 ~~of effective financing statements kept by the county clerk or the~~
7 ~~Secretary of State for the inspection of ten names or less per day by a~~
8 ~~single person. There shall be a uniform fee, in addition to any other~~
9 ~~charge for services payable to the county clerk or the Secretary of~~
10 ~~State, of one dollar per name for each inspection in excess of ten names~~
11 ~~per day by a single person.~~

12 ~~(4)~~ (5) The county clerk and Secretary of State and their employees
13 or agents shall be exempt from all personal liability as a result of any
14 error or omission in providing information as required by this section
15 except in cases of willful misconduct or gross negligence.

16 ~~(5)~~ (6) Fees received pursuant to this section by county clerks
17 shall be deposited in the county general fund. The Secretary of State
18 shall remit the fees received by the Secretary of State pursuant to this
19 section to the State Treasurer for credit to the Secretary of State ~~Of~~
20 ~~the fees received pursuant to this section by the Secretary of State for~~
21 ~~furnishing file information by electronic or other means, three dollars~~
22 ~~and fifty cents of each fee shall be deposited in the Uniform Commercial~~
23 ~~Code Cash Fund and one dollar of each fee shall be deposited in the~~
24 ~~Records Management Cash Fund.~~

25 Sec. 22. Section 52-1602, Revised Statutes Cumulative Supplement,
26 2018, is amended to read:

27 52-1602 (1) The master lien list prescribed in section 52-1601 shall
28 be distributed or published by the Secretary of State not more often than
29 once every month and not less often than once every three months on the
30 date corresponding to the date on which the lists provided pursuant to
31 sections 52-1301 to 52-1322 are distributed or published.

1 (2) Any person may register with the Secretary of State to receive
2 or obtain the master lien list prescribed in section 52-1601. Such
3 registration shall be on an annual basis. The Secretary of State shall
4 provide the form for registration. A registration shall not be completed
5 until the form provided is properly completed and received by the
6 Secretary of State accompanied by the proper registration fee. The fee
7 for annual registration shall be thirty dollars, except that a registrant
8 under sections 52-1301 to 52-1322 shall not be required to pay the
9 registration fee provided by this section in addition to the registration
10 fee paid pursuant to sections 52-1301 to 52-1322 for the same annual
11 registration period. A registrant under sections 52-1601 to 52-1605 shall
12 pay an additional annual fee to receive or obtain the master lien lists
13 prescribed in section 52-1601. For each master lien list, the fee shall
14 be an amount determined by the Secretary of State not to exceed two
15 hundred dollars per year. The Secretary of State may provide for the
16 distribution or publication of master lien lists on any medium and may
17 establish reasonable charges for such lists, not to exceed the charges
18 provided for in this subsection.

19 (3) The Secretary of State, by rule and regulation, shall establish
20 the dates after which a filing of liens will not be reflected on the next
21 distribution or publication of the master lien list and the date by which
22 a registrant shall complete a registration in order to receive or obtain
23 the next master lien list.

24 (4) The Secretary of State shall remit ~~deposit~~ any funds received
25 pursuant to subsection (2) of this section to the State Treasurer for
26 credit to in the Secretary of State Uniform Commercial Code Cash Fund.

27 Sec. 23. Section 64-306, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 64-306 The fee for registering or reregistering as an electronic
30 notary shall be in addition to the fee required in section 33-102. The
31 Secretary of State shall establish the fee by rule and regulation in an

1 amount sufficient to cover the costs of administering the Electronic
2 Notary Public Act, but the fee shall not exceed one hundred dollars. The
3 Secretary of State shall remit fees received under this section to the
4 State Treasurer for credit to the Secretary of State Administration ~~Administration~~ Cash
5 Fund for use in administering the Electronic Notary Public Act.

6 Sec. 24. Section 64-313, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 64-313 (1) An electronic certificate of authority evidencing the
9 authenticity of the notary public's electronic signature and electronic
10 notary seal of an electronic notary public of this state shall contain
11 substantially the following words:

12 Certificate of Authority for an Electronic Notarial Act
13 I(name, title, jurisdiction of commissioning
14 official) certify that (name of electronic notary
15 public), the person named as an electronic notary public in the attached
16 or associated document, was indeed registered as an electronic notary
17 public for the State of Nebraska and authorized to act as such at the
18 time of the document's electronic notarization. To verify this
19 Certificate of Authority for an Electronic Notarial Act, I have included
20 herewith my electronic signature this day
21 of, 20..... .

22 (Electronic signature (and seal) of commissioning official)

23 (2) The Secretary of State may charge a fee of twenty dollars for
24 issuing an electronic certificate of authority. The Secretary of State
25 shall remit the fees to the State Treasurer for credit to the Secretary
26 of State Administration ~~Administration~~ Cash Fund.

27 Sec. 25. Section 64-405, Revised Statutes Supplement, 2019, is
28 amended to read:

29 64-405 The fee for registering or renewing a registration as an
30 online notary public shall be in addition to the fee required in section
31 33-102. The Secretary of State shall establish the fee by rule and

1 regulation in an amount sufficient to cover the costs of administering
2 the Online Notary Public Act, but the fee shall not exceed one hundred
3 ~~fifty~~ dollars. The Secretary of State shall remit fees received under
4 this section to the State Treasurer for credit to the Secretary of State
5 ~~Administration~~ Cash Fund for use in administering the Online Notary
6 Public Act.

7 Sec. 26. Section 64-415, Revised Statutes Supplement, 2019, is
8 amended to read:

9 64-415 (1) Electronic evidence of the authenticity of the electronic
10 signature and online notary seal of an online notary public of this
11 state, if required, shall be attached to, or logically associated with, a
12 document with an online notary public's electronic signature transmitted
13 to another state or nation and shall be in the form of an electronic
14 certificate of authority signed by the Secretary of State in conformance
15 with any current and pertinent international treaties, agreements, and
16 conventions subscribed to by the United States Government.

17 (2) An electronic certificate of authority evidencing the
18 authenticity of the electronic signature and online notary seal of an
19 online notary public of this state shall contain substantially the
20 following words:

21 Certificate of Authority for an Online Notarial Act
22 I (name, title, jurisdiction of commissioning
23 official) certify that (name of online notary
24 public), the person named as an online notary public in the attached or
25 associated document, was indeed registered as an online notary public for
26 the State of Nebraska and authorized to act as such at the time of the
27 document's electronic notarization. To verify this Certificate of
28 Authority for an Online Notarial Act, I have included herewith my
29 electronic signature this day
30 of, 20.....

31 (Electronic signature (and seal) of commissioning official)

1 (3) The Secretary of State may charge a fee of twenty dollars for
2 issuing an electronic certificate of authority. The Secretary of State
3 shall remit the fees to the State Treasurer for credit to the Secretary
4 of State Administration Cash Fund for use in administering the Online
5 Notary Public Act.

6 Sec. 27. Section 67-293, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 67-293 The filing fee for all filings pursuant to the Nebraska
9 Uniform Limited Partnership Act, including amendments and name
10 reservation, shall be thirty dollars if the filing is submitted in
11 writing and twenty-five dollars if the filing is submitted electronically
12 pursuant to section 84-511 ~~ten dollars plus the recording fees set forth~~
13 ~~in subdivision (4) of section 33-101~~, except that the filing fee for
14 filing a certificate of limited partnership pursuant to section 67-240
15 and for filing an application for registration as a foreign limited
16 partnership pursuant to section 67-281 shall be one hundred ten dollars
17 if the filing is submitted in writing and one hundred dollars if the
18 filing is submitted electronically pursuant to section 84-511 ~~two hundred~~
19 ~~dollars plus such recording fees~~. A fee of one dollar per page shall be
20 paid for a certified copy of any document on file pursuant to the act.
21 The fees for filings pursuant to the act shall be paid to the Secretary
22 of State and by him or her remitted to the State Treasurer. The State
23 Treasurer shall credit sixty ~~fifty~~ percent of such fees to the General
24 Fund and forty ~~fifty~~ percent of such fees to the Secretary of State
25 ~~Corporation~~ Cash Fund.

26 Sec. 28. Section 67-462, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 67-462 The filing fee for filing a statement of partnership
29 authority pursuant to section 67-415, a statement of qualification
30 pursuant to section 67-454, or a statement of foreign qualification
31 pursuant to section 67-458 is one hundred ten dollars if the filing is

1 submitted in writing and one hundred dollars if the filing is submitted
2 electronically pursuant to section 84-511 two hundred dollars plus the
3 recording fees specified in subdivision (4) of section 33-101. The filing
4 fee for all other filings by partnerships or limited liability
5 partnerships pursuant to the Uniform Partnership Act of 1998 is thirty
6 dollars if the filing is submitted in writing and twenty-five dollars if
7 the filing is submitted electronically pursuant to section 84-511 ten
8 dollars plus recording fees. A fee of one dollar per page shall be paid
9 for a certified copy of any document on file pursuant to the act and ten
10 dollars for the certificate. The filing fees pursuant to the act shall be
11 paid to the Secretary of State and remitted to the State Treasurer. The
12 State Treasurer shall credit sixty fifty percent of the fees to the
13 General Fund and forty fifty percent of the fees to the Secretary of
14 State Corporation Cash Fund.

15 Sec. 29. Section 69-1204, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 69-1204 (1) Any person desiring to obtain a license to engage in
18 the debt management business in this state shall file with the secretary
19 an application in writing, under oath, setting forth the person's his or
20 her business name, the person's his or her social security number if the
21 applicant is an individual, the exact location of the person's his or her
22 office, the names and addresses of all officers and directors if an
23 association or a corporation, if a partnership, the partnership name and
24 the names and addresses of all partners, and if a limited liability
25 company, the company name and the names and addresses of all members, and
26 a copy of the certificate of registration of trade name, certificate of
27 partnership, articles of organization, or articles of incorporation.

28 (2) At the time of filing the application, the applicant shall pay
29 to the secretary a license fee of two hundred dollars for the main office
30 within each county and one hundred dollars for each additional office. An
31 initial investigation fee of two hundred dollars shall also be paid to

1 the secretary at the time of filing the application.

2 (3) At the time of filing the application, the applicant shall
3 furnish a bond to the people of the state in the sum of ten thousand
4 dollars, conditioned upon the faithful accounting of all money collected
5 upon accounts entrusted to such person engaged in debt management, and
6 the person's ~~their~~ employees and agents. The aggregate liability of the
7 surety to all claimants doing business with the office for which the bond
8 is filed shall in no event exceed the amount of such bond. The bond or
9 bonds shall be approved by the secretary and filed in the office of the
10 Secretary of State. No person, firm, limited liability company, or
11 corporation shall engage in the business of debt management until a good
12 and sufficient bond is filed in accordance with ~~the provisions of~~
13 sections 69-1201 to 69-1217.

14 (4) Each licensee shall furnish with the ~~his or her~~ application a
15 blank copy of the contract that the licensee ~~he or she~~ intends to use
16 between the licensee ~~himself or herself~~ and the debtor and shall notify
17 the secretary of all changes and amendments thereto within thirty days
18 after ~~of~~ such changes and amendments.

19 (5) The license issued under sections 69-1201 to 69-1217 shall
20 expire on December 31 next following its issuance unless sooner
21 surrendered, revoked, or suspended, but may be renewed as provided in
22 such sections.

23 (6) The secretary shall remit the fees received pursuant to this
24 section to the State Treasurer for credit to the Secretary of State Cash
25 Fund.

26 Sec. 30. Section 69-1206, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 69-1206 Each licensee on or before December 1 may make application
29 to the secretary for renewal of its license. The application shall be on
30 the form prescribed by the secretary, and shall be accompanied by a fee
31 of one hundred dollars, together with a bond as in the case of an

1 original application. A separate application shall be made for each
2 office. The secretary shall remit the fees received pursuant to this
3 section to the State Treasurer for credit to the Secretary of State Cash
4 Fund.

5 Sec. 31. Section 71-3204, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 71-3204 (1) The secretary ~~may~~ shall have power and authority to
8 adopt and promulgate and to alter from time to time rules and regulations
9 relating to the administration of, but not inconsistent with, the
10 ~~provisions of~~ sections 71-3201 to 71-3213.

11 (2) The secretary shall establish fees for initial and renewal
12 applications for applicants at rates sufficient to cover the costs of
13 administering sections 71-3201 to 71-3213. The secretary shall remit the
14 fees received pursuant to this section to the State Treasurer for credit
15 to the Secretary of State Cash Fund.

16 Sec. 32. Section 77-3903, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 77-3903 (1)(a) A notice of lien provided for in the Uniform State
19 Tax Lien Registration and Enforcement Act upon real property shall be
20 presented in the office of the Secretary of State. Such notice of lien
21 shall be transmitted by the Secretary of State to and filed in the office
22 of the register of deeds by the register of deeds of the county or
23 counties in which the real property subject to the lien is situated as
24 designated in the notice of lien. The register of deeds shall enter the
25 notice in the alphabetical state tax lien index, showing on one line the
26 name and residence of the person liable named in such notice, the last
27 four digits of the social security number or the federal tax
28 identification number of such person, the Tax Commissioner's or
29 Commissioner of Labor's serial number of such notice, the date and hour
30 of filing, and the amount due. Such presentments to the Secretary of
31 State may be made by direct input to the Secretary of State's data base

1 or by other electronic means. All such notices of lien shall be retained
2 in numerical order in a file designated state tax lien notices, except
3 that in offices filing by the roll form of microfilm pursuant to section
4 23-1517.01, the original notices need not be retained. A lien subject to
5 this subsection shall be effective upon real property when filed by the
6 register of deeds as provided in this subsection.

7 (b) A notice of lien provided for in the Uniform State Tax Lien
8 Registration and Enforcement Act upon personal property shall be filed in
9 the office of the Secretary of State. The Secretary of State shall enter
10 the notice in the state's central tax lien index, showing on one line the
11 name and residence of the person liable named in such notice, the last
12 four digits of the social security number or the federal tax
13 identification number of such person, the Tax Commissioner's or
14 Commissioner of Labor's serial number of such notice, the date and hour
15 of filing, and the amount due. Such filings with the Secretary of State
16 may be filed by direct input to the Secretary of State's data base or by
17 other electronic means. All such notices of lien shall be retained in
18 numerical order in a file designated state tax lien notices.

19 (2) The uniform fee, payable to the Secretary of State, for
20 presenting for filing, releasing, continuing, or subordinating or for
21 filing, releasing, continuing, or subordinating each tax lien pursuant to
22 the Uniform State Tax Lien Registration and Enforcement Act shall be two
23 times the fee required for recording instruments with the register of
24 deeds as provided in section 33-109. There shall be no fee for the filing
25 of a termination statement. The uniform fee for each county more than one
26 designated pursuant to subdivision (1)(a) of this section shall be the
27 fee required for recording instruments with the register of deeds as
28 provided in section 33-109. The Secretary of State shall remit deposit
29 each fee received pursuant to this subsection to the State Treasurer for
30 credit to the Secretary of State in the Uniform Commercial Code Cash
31 Fund, except that of . Of the fees received and deposited pursuant to

1 this subsection, the Secretary of State shall remit the fee required for
2 recording instruments with the register of deeds as provided in section
3 33-109 to the register of deeds of a county for each designation of such
4 county in a filing pursuant to subdivision (1)(a) of this section.

5 (3) The Secretary of State shall bill the Tax Commissioner or
6 Commissioner of Labor on a monthly basis for fees for documents presented
7 to or filed with the Secretary of State. No payment of any fee shall be
8 required at the time of presenting or filing any such lien document.

9 Sec. 33. Section 81-1921, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 81-1921 The fee for all initial examiner's licenses shall be fifty
12 dollars. The license shall expire on December 31 following its issuance.
13 An examiner's license may be renewed from year to year upon payment of a
14 fee of twenty-five dollars. Additional provisions for licenses may be
15 provided for by rules and regulations adopted and promulgated by the
16 secretary. The secretary shall remit the fees received pursuant to this
17 section to the State Treasurer for credit to the Secretary of State Cash
18 Fund.

19 Sec. 34. Section 81-1922, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 81-1922 The fee for all intern licenses shall be fifteen dollars.
22 The license shall expire twelve months following its issuance. The
23 secretary may renew or extend an intern's license upon a showing of good
24 cause for any period not to exceed six months for a fee of fifteen
25 dollars. The secretary shall remit the fees received pursuant to this
26 section to the State Treasurer for credit to the Secretary of State Cash
27 Fund.

28 Sec. 35. Section 84-511, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 84-511 The Secretary of State may provide for the electronic
31 transmission and filing of documents delivered for filing under (1) the

1 Joint Public Agency Act, the Nebraska Benefit Corporation Act, the
2 Nebraska Limited Cooperative Association Act, the Nebraska Model Business
3 Corporation Act, the Nebraska Nonprofit Corporation Act, the Nebraska
4 Professional Corporation Act, the Nebraska Uniform Limited Liability
5 Company Act, the Nebraska Uniform Limited Partnership Act, the Nebraska
6 Uniform Protected Series Act, the Nonstock Cooperative Marketing Act, the
7 Trademark Registration Act, and the Uniform Partnership Act of 1998 and
8 (2) any filing provisions of sections 21-1301 to 21-1306, 21-1333 to
9 21-1339, and 87-208 to 87-219.01. The Secretary of State shall adopt and
10 promulgate rules and regulations to implement this section.

11 Sec. 36. Section 84-906.03, Revised Statutes Cumulative Supplement,
12 2018, is amended to read:

13 84-906.03 It shall be the duty of the Secretary of State:

14 (1) To establish and cause to be compiled, indexed by subject, and
15 published a codification system for all rules and regulations filed to be
16 designated the Nebraska Administrative Code;

17 (2) To cause the Nebraska Administrative Code to be computerized to
18 facilitate agencies in revision of their rules and regulations and
19 provide research capabilities;~~and~~

20 (3) To post a current copy of existing rules and regulations as
21 accepted by the Secretary of State ~~him or her~~ as filed on the ~~his or her~~
22 web site of the Secretary of State; to distribute a current copy of any
23 existing rules and regulations as accepted by the Secretary of State ~~him~~
24 ~~or her~~ as filed to all interested persons on request at a price fixed to
25 cover costs of printing, handling, and mailing; and to distribute, on a
26 regular basis, copies of any or all modifications or amendments to agency
27 rules and regulations as accepted by the Secretary of State ~~him or her~~ as
28 filed to all interested persons on request at a price fixed to cover
29 costs of printing, handling, and mailing; and -

30 (4) To remit fees collected pursuant to this section to the State
31 Treasurer for credit to the Secretary of State Cash Fund.

1 Sec. 37. Section 84-1205, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 84-1205 (1) The board may employ or contract with a network manager.
4 A network manager may be an individual, a private entity, a state agency,
5 or another governmental subdivision. The board shall prepare criteria and
6 specifications for the network manager in consultation with the
7 Department of Administrative Services. Such criteria shall include
8 procedures for submission of proposals by an individual, a private
9 entity, a state agency, or another governmental subdivision. Selection of
10 the network manager shall comply with all applicable procedures of the
11 department. The board may negotiate and enter into a contract with the
12 selected network manager which provides the duties, responsibilities, and
13 compensation of the network manager.

14 (2) The network manager shall provide the infrastructure and
15 services needed to implement and operate the portal and shall direct and
16 supervise the day-to-day operations and expansion of the portal. The
17 network manager shall (a) attend meetings of the board, (b) keep a record
18 of all portal operations, which shall be the property of the board, (c)
19 maintain and be the custodian of all financial and operational records,
20 and (d) annually update and revise the business plan for the portal in
21 consultation with and under the direction of the board.

22 (3) The board shall finance the operation and maintenance of the
23 portal from revenue generated pursuant to sections ~~52-1316~~, 60-483, and
24 84-1205.02 ~~and subsection (d) of section 9-525, Uniform Commercial Code.~~

25 Sec. 38. Section 84-1227, Revised Statutes Supplement, 2019, is
26 amended to read:

27 84-1227 There is hereby established in the state treasury a special
28 fund to be known as the Records Management Cash Fund which, when
29 appropriated by the Legislature, shall be expended by the Secretary of
30 State for the purposes of providing records management services and
31 assistance to state and local agencies, for development and maintenance

1 of the portal for providing electronic access to public records or
2 electronic information and services, and for grants to a state or local
3 agency as provided in subdivision (1)(j) of section 84-1204. All fees and
4 charges for the purpose of records management services and analysis
5 received by the Secretary of State from the local agencies shall be
6 remitted to the State Treasurer for credit to such fund. Transfers may be
7 made from the fund to the General Fund, the Secretary of State
8 Administration Cash Fund, or the Election Administration Fund at the
9 direction of the Legislature. ~~The State Treasurer, at the direction of~~
10 ~~the budget administrator of the budget division of the Department of~~
11 ~~Administrative Services, shall transfer five hundred thousand dollars~~
12 ~~from the Records Management Cash Fund to the Information Management~~
13 ~~Revolving Fund on or before June 30, 2016.~~ Any money in the Records
14 Management Cash Fund available for investment shall be invested by the
15 state investment officer pursuant to the Nebraska Capital Expansion Act
16 and the Nebraska State Funds Investment Act.

17 Sec. 39. Section 87-130, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 87-130 Subject to the limitations set forth in the Trademark
20 Registration Act, any person who uses a mark may file in the office of
21 the secretary, in a manner complying with the requirements of the
22 secretary, an application for registration of that mark including, but
23 not limited to, the following information:

24 (1) The name and business address of the person applying for such
25 registration and, if a corporation or other type of business entity
26 except a partnership, the state of incorporation or organization, or if a
27 partnership, the state in which the partnership is organized and the
28 names of the general partners, as specified by the secretary;

29 (2) The goods or services on or in connection with which the mark is
30 used and the mode or manner in which the mark is used on or in connection
31 with such goods or services and the class in which such goods or services

1 fall;

2 (3) The date when the mark was first used anywhere and the date when
3 it was first used in this state by the applicant or a predecessor in
4 interest; and

5 (4) A statement that the applicant is the owner of the mark, that
6 the mark is in use, and that, to the knowledge of the person verifying
7 the application, no other person has registered, either federally or in
8 this state, or has the right to use such mark either in the identical
9 form or in such near resemblance as to be likely, when applied to the
10 goods or services of such other person, to cause confusion or mistake or
11 to deceive.

12 The secretary may also require a statement as to whether an
13 application to register the mark, or portions or a composite thereof, has
14 been filed by the applicant or a predecessor in interest in the United
15 States Patent and Trademark Office, and if so, the applicant shall
16 provide full particulars with respect thereto, including the filing date
17 and serial number of each application, the status of each application,
18 and if any application was finally refused registration or has otherwise
19 not resulted in a registration, the reasons for the refusal or rejection.
20 The secretary may also require that a drawing of the mark, complying with
21 such requirements as the secretary may specify, accompany the
22 application. The application shall be signed and verified, by oath,
23 affirmation, or declaration subject to perjury laws, by the applicant or
24 by a member of the firm or an officer of the corporation or association
25 applying. The application shall be submitted in duplicate and shall be
26 accompanied by three specimens showing the mark as actually used and by
27 the application fee of one hundred ten dollars if submitted in writing
28 and one hundred dollars if submitted electronically pursuant to section
29 84-511. The fee for filing under this section shall be payable to the
30 Secretary of State. The Secretary of State shall remit all such fees
31 collected to the State Treasurer. The State Treasurer shall credit sixty

1 percent of the fees to the General Fund and forty percent of the fees to
2 the Secretary of State Cash Fund payable to the secretary.

3 Sec. 40. Section 87-133, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 87-133 (1) A registration of a mark under the Trademark Registration
6 Act is effective for ten years after the date of registration and, upon
7 application filed within six months prior to the expiration, in a manner
8 complying with the requirements of the secretary, the registration may be
9 renewed for a like term from the end of the expiring term. A renewal fee
10 ~~of one hundred dollars, payable to the secretary,~~ shall accompany the
11 application for renewal of the registration. The renewal fee shall be one
12 hundred ten dollars if the filing is submitted in writing and one hundred
13 dollars if the filing is submitted electronically pursuant to section
14 84-511. A registration may be renewed for successive periods of ten years
15 in like manner.

16 (2) Any registration in force under sections 87-111 to 87-125 on
17 July 13, 2000, as such sections existed prior to such date, is effective
18 and shall continue in full force and effect for the unexpired term of
19 such registration. Such registration may be renewed by filing an
20 application for renewal with the secretary complying with the
21 requirements of the secretary and paying the renewal fee within six
22 months prior to the expiration of the registration.

23 (3) Any suit, proceeding, or appeal pending on July 13, 2000, shall
24 be decided according to sections 87-111 to 87-125 as such sections
25 existed prior to July 13, 2000.

26 (4) All applications for renewal under the act shall include a
27 verified statement that the mark has been and is still in use and include
28 a specimen showing actual use of the mark on or in connection with the
29 goods or services.

30 (5) The fees imposed under this section shall be payable to the
31 Secretary of State. The Secretary of State shall remit all such fees

1 collected to the State Treasurer. The State Treasurer shall credit sixty
2 percent of the fees to the General Fund and forty percent of the fees to
3 the Secretary of State Cash Fund.

4 Sec. 41. Section 87-134, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 87-134 (1) Any mark and its registration under the Trademark
7 Registration Act is assignable with the goodwill of the business in which
8 the mark is used or with that part of the goodwill of the business
9 connected with the use of and symbolized by the mark. Assignment shall be
10 by instruments in writing duly executed and may be recorded with the
11 secretary upon the payment of a the recording fee payable to the
12 secretary who, upon recording of the assignment, shall issue in the name
13 of the assignee a new certificate for the remainder of the term of the
14 registration or of the last renewal thereof. The fee shall be thirty
15 dollars if the instrument is submitted in writing and twenty-five dollars
16 if the instrument is submitted electronically pursuant to section 84-511.
17 An assignment of any registration under the Trademark Registration Act is
18 void as against any subsequent purchaser for valuable consideration
19 without notice unless it is recorded with the secretary within three
20 months after the date of the assignment or prior to such subsequent
21 purchase.

22 (2)(a) Any registrant or applicant effecting a change of the name of
23 the person to whom the mark was issued or for whom an application was
24 filed or a change of address or state of incorporation or organization
25 may record a certificate of such change with the secretary upon the
26 payment of a the recording fee of thirty dollars if submitted in writing
27 and twenty-five dollars if submitted electronically pursuant to section
28 84-511. A registrant or an applicant may be required to submit documented
29 proof of its name change at the discretion of the secretary.

30 (b) The secretary may issue in the name of the assignee a
31 certificate of registration of an assigned application. The secretary may

1 issue in the name of the assignee a new certificate of registration for
2 the remainder of the term of the registration or last renewal of the
3 registration.

4 (3) Other instruments which relate to a mark registered or
5 application pending pursuant to the act, such as licenses, security
6 interests, or mortgages, may be recorded in the discretion of the
7 secretary if the instrument is in writing and duly executed.

8 (4) Acknowledgment shall be prima facie evidence of the execution of
9 an assignment or other instrument and, when recorded by the secretary,
10 the record shall be prima facie evidence of execution.

11 (5) A photocopy of any instrument referred to in this section shall
12 be accepted for recording if it is certified by any of the parties to the
13 instrument, or their successors, to be a true and correct copy of the
14 original.

15 (6) In a registration that resulted from an application that was
16 filed before the effective date of a change to the Trademark Registration
17 Act or any rules or regulations adopted and promulgated pursuant to the
18 act, the registrant may be allowed to file an amendment to the
19 registration in order to comply with the current requirements of the act
20 and the rules and regulations. The registrant shall pay a ~~recording~~ fee
21 for such amendment of thirty dollars if submitted in writing and twenty-
22 five dollars if submitted electronically pursuant to section 84-511.

23 (7) The fees imposed under this section shall be payable to the
24 Secretary of State. The Secretary of State shall remit all such fees
25 collected to the State Treasurer. The State Treasurer shall credit sixty
26 percent of the fees to the General Fund and forty percent of the fees to
27 the Secretary of State Cash Fund.

28 Sec. 42. Section 87-210, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 87-210 (1) Subject to the limitations set forth in sections 87-208
31 to 87-219.01, any person who adopts a trade name for use in this state

1 may file in the office of the Secretary of State on a form furnished by
2 the Secretary of State an application, in duplicate, for registration of
3 the trade name setting forth, but not limited to, the following
4 information:

5 (a) The name and street address of the applicant for registration
6 and, if a corporation or other type of business entity, the state of
7 incorporation or organization;

8 (b) The trade name sought to be registered;

9 (c) The general nature of the business in fact conducted by the
10 applicant;

11 (d) The length of time during which the trade name has been used in
12 this state;

13 (e) The signature of the applicant; and

14 (f) A filing fee of one hundred ten dollars if the application is
15 submitted in writing and one hundred dollars if the application is
16 submitted electronically pursuant to section 84-511.

17 (2) Upon compliance by the applicant with the requirements of
18 sections 87-208 to 87-219.01, the Secretary of State shall return the
19 duplicate copy stamped with the date of filing to the applicant or the
20 representative submitting the applications for filing.

21 (3) The fees for filing under this section shall be payable to the
22 Secretary of State. The Secretary of State shall remit all such fees
23 collected to the State Treasurer. The State Treasurer shall credit sixty
24 percent of the fees to the General Fund and forty percent of the fees to
25 the Secretary of State Cash Fund.

26 Sec. 43. Section 87-211, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 87-211 (1) Registration of a trade name under sections 87-208 to
29 87-219.01 shall be effective for a term of ten years from the date of
30 registration and, upon application filed in duplicate within six months
31 prior to the expiration of such term on a form to be furnished by the

1 Secretary of State, the registration may be renewed for a like term. A
2 renewal fee of ~~one hundred dollars payable to the Secretary of State~~
3 shall accompany the application for renewal of the registration. The
4 renewal fee shall be one hundred ten dollars if the filing is submitted
5 in writing and one hundred dollars if the filing is submitted
6 electronically pursuant to section 84-511.

7 (2) A trade name registration may be renewed for successive periods
8 of ten years in like manner.

9 (3) The Secretary of State shall notify registrants of trade names
10 under sections 87-208 to 87-219.01 of the necessity of renewal within the
11 year next preceding the expiration of the ten years from the date of
12 registration or of last renewal by writing to the last-known street
13 address of the registrants.

14 (4) Any registration in force on August 27, 1971, shall expire ten
15 years from the date of the registration or of the last renewal thereof,
16 whichever is later, and may be renewed by filing an application with the
17 Secretary of State on a form furnished by him or her and paying the
18 renewal fee as provided in this section within six months prior to the
19 expiration of the registration.

20 (5) All applications for renewals under sections 87-208 to 87-219.01
21 whether of registrations made under sections 87-208 to 87-219.01 or of
22 registrations effected under any prior act shall include a statement that
23 the trade name is still in use in this state.

24 (6) A registrant may change its name, street address, and, if the
25 registrant is a corporation or other type of business entity, its state
26 of incorporation or organization by filing a statement of change with the
27 Secretary of State on a form to be furnished by the Secretary of State
28 and paying a fee of thirty ten dollars if the filing is submitted in
29 writing and twenty-five dollars if the filing is submitted electronically
30 pursuant to section 84-511. A registrant may be required to submit
31 documented proof of its name change at the discretion of the Secretary of

1 State.

2 (7) The fees imposed under this section shall be payable to the
3 Secretary of State. The Secretary of State shall remit all such fees to
4 the State Treasurer. The State Treasurer shall credit sixty percent of
5 the fees to the General Fund and forty percent of the fees to the
6 Secretary of State Cash Fund.

7 Sec. 44. Section 87-212, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 87-212 Any trade name registered under sections 87-208 to 87-219.01
10 shall be assignable with the goodwill of the business in which the trade
11 name is used. Assignment shall be by an instrument in writing duly
12 executed, in duplicate, and may be recorded with the Secretary of State
13 upon the payment of a fee of thirty dollars if the filing is submitted in
14 writing and twenty-five dollars if the filing is submitted electronically
15 pursuant to section 84-511 ~~five dollars~~. The street address, city, and
16 state of the assignee must be included in the assignment. Upon recording
17 of the assignment, the Secretary of State shall return the duplicate copy
18 stamped with the date of filing to the applicant or the representative
19 submitting the applications for filing. An assignment of any registration
20 under sections 87-208 to 87-219.01 shall be void as against any
21 subsequent purchaser for value without notice unless the assignment is
22 recorded with the Secretary of State prior to the subsequent purchase.
23 The fees imposed under this section shall be payable to the Secretary of
24 State. The Secretary of State shall remit all such fees to the State
25 Treasurer. The State Treasurer shall credit sixty percent of the fees to
26 the General Fund and forty percent of the fees to the Secretary of State
27 Cash Fund.

28 Sec. 45. Section 9-525, Uniform Commercial Code, Revised Statutes
29 Cumulative Supplement, 2018, is amended to read:

30 9-525 Fees.

31 (a) The fee for filing and indexing a record under this part is:

1 (1) Except as provided in subdivision ~~(a)(3)~~ ~~(a)(4)~~ of this section,
2 fourteen ~~ten~~ dollars if the record is communicated in writing ~~and~~
3 ~~consists of one page;~~

4 ~~(2) Except as provided in subdivision (a)(4) of this section, ten~~
5 ~~dollars plus fifty cents per page for the second page and for each~~
6 ~~additional page if the record is communicated in writing and consists of~~
7 ~~more than one page;~~

8 ~~(2)~~ ~~(3)~~ Except as provided in subdivision ~~(a)(3)~~ ~~(a)(4)~~ of this
9 section, eleven ~~eight~~ dollars if the record is communicated by another
10 medium authorized by filing-office rule; and

11 ~~(3)~~ One hundred ~~(4)~~ ~~Seventy-five~~ dollars, ~~plus fifty cents per page~~
12 ~~for the second and each subsequent page of the filing,~~ if the debtor is a
13 transmitting utility and the filing so indicates.

14 (b) The number of names required to be indexed does not affect the
15 amount of the fee in subsection (a).

16 (c) There is no fee for the filing of a termination statement.

17 ~~(d)(1)~~ The fee for responding to a request for information from the
18 filing office, including for communicating whether there is on file any
19 financing statement naming a particular debtor, is five ~~four~~ dollars if
20 the request is communicated in writing and fifty cents.

21 ~~(2)~~ The fee for responding to a request for information from the
22 filing office, including for communicating whether there is on file any
23 financing statement naming a particular debtor, is four dollars and fifty
24 cents if the request is communicated by another medium authorized by
25 filing-office rule.

26 ~~(e)~~ The fees charged by county clerks for inquiries and other
27 services regarding information in the centralized computer system shall
28 be the same as set forth in this section.

29 ~~(f)~~ The Secretary of State shall remit the fees received by the
30 Secretary of State pursuant to this section to the State Treasurer for
31 credit to the Secretary of State Cash Fund.

1 ~~(2) Of the fees received pursuant to this subsection by the~~
2 ~~Secretary of State, one dollar of each fee shall be remitted to the State~~
3 ~~Treasurer for credit to the Records Management Cash Fund.~~

4 Sec. 46. Section 9-528, Uniform Commercial Code, Reissue Revised
5 Statutes of Nebraska, is amended to read:

6 9-528 Information provided by filing; telephone and written
7 inquiries; filing office; Secretary of State; duties; fees; liability;
8 when.

9 ~~(a) Inquiries regarding information contained in a record maintained~~
10 ~~by the filing office shall be accepted and answered by the filing office.~~
11 ~~The fee for attestation of the information by the filing office, in~~
12 ~~addition to any other charges for services payable to the filing office,~~
13 ~~is four dollars.~~

14 ~~(a) (b) Officials, employees, and agents of the filing office are~~
15 ~~exempted from all personal liability as a result of any error or omission~~
16 ~~in providing information as required by this part except in cases of~~
17 ~~willful misconduct or gross negligence.~~

18 ~~(c) There is no fee for actual inspection of records maintained by~~
19 ~~the Secretary of State for the inspection of ten names or less per day by~~
20 ~~a single person. The fee, in addition to any other charge for services~~
21 ~~payable to the Secretary of State, for each inspection in excess of ten~~
22 ~~names per day by a single person, is one dollar per name.~~

23 ~~(b) (d) The Secretary of State shall provide twenty-four-hours-a-day~~
24 ~~seven-days-a-week service for inquiries made by electronic means. The fee~~
25 ~~for providing a printed copy of the information by the Secretary of State~~
26 ~~is fifty cents per page.~~

27 (c) The Secretary of State shall remit the fees received pursuant to
28 this section to the State Treasurer for credit to the Secretary of State
29 Cash Fund.

30 Sec. 47. This act becomes operative on July 1, 2021.

31 Sec. 48. Original sections 21-186, 21-2216, 21-2924, 25-3308,

1 33-102, 45-603, 45-606, 45-620, 45-806, 48-2609, 52-1313, 52-1316,
2 64-306, 64-313, 67-293, 67-462, 69-1204, 69-1206, 71-3204, 77-3903,
3 81-1921, 81-1922, 84-511, 84-1205, 87-130, 87-133, 87-134, 87-210,
4 87-211, and 87-212, Reissue Revised Statutes of Nebraska, sections
5 13-2525, 21-205, 21-414, 21-1905, 33-101, 52-1004, 52-1312, 52-1602, and
6 84-906.03, Revised Statutes Cumulative Supplement, 2018, sections 21-192,
7 64-405, 64-415, and 84-1227, Revised Statutes Supplement, 2019, section
8 9-528, Uniform Commercial Code, Reissue Revised Statutes of Nebraska, and
9 section 9-525, Uniform Commercial Code, Revised Statutes Cumulative
10 Supplement, 2018, are repealed.

11 Sec. 49. The following sections are outright repealed: Sections
12 76-1522 and 84-510, Reissue Revised Statutes of Nebraska, section
13 84-907.03, Revised Statutes Cumulative Supplement, 2018, section 45-621,
14 Revised Statutes Supplement, 2019, and section 9-531, Uniform Commercial
15 Code, Revised Statutes Cumulative Supplement, 2018.