

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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**SENATE BILL 234*
Finance Committee Substitute Adopted 6/28/01**

Short Title: Notice of Annual Report Filing Requirement.

(Public)

Sponsors:

Referred to:

February 22, 2001

A BILL TO BE ENTITLED

1
2 AN ACT TO REQUIRE THE SECRETARY OF STATE TO NOTIFY LIMITED
3 LIABILITY COMPANIES OF THE ANNUAL REPORT FILING
4 REQUIREMENT AND TO EARMARK A PORTION OF THE ANNUAL
5 REPORT FILING FEE FOR THIS PURPOSE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 57C-1-22 is amended by adding a new subsection to read:

8 "(f) The Secretary of State shall retain six dollars (\$6.00) of each annual report
9 filing fee paid under this section, but the balance of the fee shall be deposited into the
10 General Fund. That portion of the fee retained by the Secretary of State shall not revert
11 to the General Fund, but shall be used for the purpose of notifying limited liability
12 companies of the annual report requirement and for carrying out the requirements of this
13 section (processing annual reports that are delivered for filing). Monies received and
14 spent pursuant to this subsection shall be subject to audit pursuant to the Executive
15 Budget Act, Article 1 of Chapter 143 of the General Statutes."

16 **SECTION 2.** G.S. 57C-1-22 is amended by adding a new subsection to read:

17 "(f) The Secretary of State shall retain three dollars (\$3.00) of each annual report
18 filing fee paid under this section, but the balance of the fee shall be deposited into the
19 General Fund. That portion of the fee retained by the Secretary of State shall not revert
20 to the General Fund, but shall be used for the purpose of notifying limited liability
21 companies of the annual report requirement and for carrying out the requirements of this
22 section (processing annual reports that are delivered for filing). Monies received and
23 spent pursuant to this subsection shall be subject to audit pursuant to the Executive
24 Budget Act, Article 1 of Chapter 143 of the General Statutes."

25 **SECTION 3.** G.S. 57C-2-23(c) reads as rewritten:

26 "(c) The Secretary of State must notify limited liability companies of the annual
27 report filing requirement. The annual report shall be delivered to the Secretary of State
28 by the fifteenth day of the fourth month following the close of the limited liability
29 company's fiscal April 15th of each year."

1 **SECTION 4.** Section 1 of this act is effective when it becomes law and
2 expires on June 30, 2002. Section 2 of this act becomes effective July 1, 2002. Section
3 3 of this act becomes effective September 1, 2001. The remainder of this act is effective
4 when it becomes law.