

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

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FILED

1991 JUN 19 AM 11:02

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Form #7

Effective Date

July 21, 1991

NOTICE OF AN EMERGENCY RULE

AGENCY: Secretary of State TITLE NUMBER: 153

CITE AUTHORITY: West Virginia Code § 46A-6C-5(e)

EMERGENCY AMENDMENT TO AN EXISTING RULE: YES _____ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED _____

IF NO, SERIES NUMBER OF RULE BEING FILED AS AN EMERGENCY: _____ 15

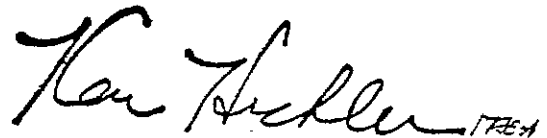
TITLE OF RULE BEING FILED AS AN EMERGENCY: _____

Filing Fee for Credit Service Organizations

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY SECRETARY OF STATE OR 35TH DAY AFTER FILING, WHICHEVER OCCURS FIRST.

THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

The West Virginia Legislature passed a law in its last session that places the registration of Credit Service Organizations in the Secretary of State's Office. Section 46A-6C-5(e) calls on the Secretary of State to set a reasonable filing fee, of not more than \$100, for every registration statement filed under the act. The law takes effect on July 1, 1991 and this emergency rule is being filed to meet the time limit established by this deadline.



Signature

Use Additional Sheets if Necessary.

2.50

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

FILED

Rule Title: Filing Fee for Credit Service Organizations 21

Type of Rule: X Legislative Interpretive Federal

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Agency Secretary of State Address Rm. 157, Capitol Bldg.; Charleston, WV 25305

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$ 500	\$	\$ 500	\$500	\$ 500
Personal Services					
Current Expense	500		500	500	500
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates:

We are told that there are approximately ten Credit Service Organizations in West Virginia at this time. So a \$50 filing fee for each of their registration statements would bring in \$500. We plan to use this money to offset the office costs of the program (ie postage, paper, a filing cabinet, etc...). The funds go into the general revenue fund.

3. Objectives of these rules:

To set the filing fee envisioned in § 46A-6C-5(e) that will offset the costs of implementing this registration of credit service organizations program.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

\$500 to the general revenue fund.

B. Economic Impact on Political Subdivisions; Specific Industries;
Specific groups of citizens.

None

C. Economic Impact on Citizens/Public at Large.

None

Date: June 19, 1991.

Signature of Agency Head or Authorized Representative

Robert E. Wilkinson

FILED

1991 JUN 19 AM 11: 21

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

DATE: June 19, 1991

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: Secretary of State's Office

EMERGENCY RULE TITLE: Filing Fee for Credit Service Organizations

1. Date of filing: June 19, 1991
2. Statutory authority for promulgating the emergency rule:
W. Va. Code § 46A-6C-5(e)
3. Date of filing of proposed legislative rule: June 19, 1991
4. Does the emergency rule adopt new language or does it amend or repeal a current legislative rule?
All new Language
5. Has the same or similar emergency rule previously been filed and expired?
No
6. State, with particularity, those facts and circumstances which make the emergency rule necessary for the immediate preservation of public peace, health, safety or welfare
N/A

7. If the emergency rule was promulgated in order to comply with a time limit established by the Code or federal statute or regulation, cite the Code provision, federal statute or regulation and time limit established therein.

The new Credit Service Organizations Registration Act,
which goes into effect on July 1, 1991, allows for a fee
to be set by the Secretary of State for every registration
statement filed. This rule sets that fee effective July 1.

8. State, with particularity, those facts and circumstances which make the emergency rule necessary to prevent substantial harm to the public interest.

N/A

153 CSR 15
LEGISLATIVE RULE
SECRETARY OF STATE

FILED

1991 JUN 19 AM 11: 21

SERIES 15
FILING FEE FOR CREDIT SERVICE ORGANIZATIONS

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

§153-14-1. General

1.1. Scope.-- This rule provides for the establishment of a filing fee for every registration statement filed with the Secretary of State by a Credit Service Organization.

1.2. Authority.-- WV Code §46A-6C-5(e).

1.3. Filing Date.-- June 19, 1991.

1.4. Effective Date.-- July 1, 1991.

§153-14-2. Filing Fee.

2.1. Any organization required to file a registration statement with the Secretary of State's office, pursuant to the provisions of article six-c, chapter forty-six-a of the West Virginia Code, shall pay a fee of 50 (fifty) dollars. A registration statement shall not be considered to be complete without this fee accompanying it. A registration statement shall be considered to be invalid, if the check used to pay the fee is returned, due to a lack of funds, effective the day the returned check is received by the Secretary of State.