

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #3

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1991 OCT -7 PM 3:01  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: Secretary of State TITLE NUMBER: 153

CITE AUTHORITY W.Va. Code § 46A-6C-5(e)

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 15

TITLE OF RULE BEING PROPOSED: Filing Fee for Credit Service  
Organizations

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

*Ken Hechler*

RECEIVED

OCT 08 1991

Legislative Rule Making  
Committee

RULE SUMMARY  
FILING FEE FOR CREDIT SERVICE ORGANIZATIONS  
153 CSR 15

Section 46A-6C-5(e) calls on the Secretary of State to establish a filing fee of not more than \$100 as part of establishing the Credit Service Organization Registration program passed by the legislature in its 1991 session. This rule sets the filing fee at \$50. The rule is needed to establish the filing fee and carry out the provisions of this code section.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Filing Fee for Credit Service Organizations

Type of Rule:  Legislative  Interpretive  Procedural

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

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DATE: October 7, 1991

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: Secretary of State's Office

LEGISLATIVE RULE TITLE: Filing Fee for Credit Service Organizations

1. Authorizing statute(s) citation § 46A-6C-5(e)

2. a. Date filed in State Register with Notice of Hearing:

June 19, 1991

b. What other notice, including advertising, did you give of the hearing?

None

c. Date of hearing(s): Not applicable

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached \_\_\_\_\_ No comments received X

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing:  
(be exact)

October 7, 1991

f. Name and phone number(s) of agency person(s) to contact for additional information:

Bob Wilkinson

Secretary of State's Office

State Capitol Bldg.

Charleston, WV 25305

345-4000

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

TITLE 153  
LEGISLATIVE RULES  
SECRETARY OF STATE

SERIES 15  
FILING FEE FOR CREDIT SERVICE ORGANIZATIONS

§153-15-1. 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. -- W.Va. Code §46A-6C-5(e)

1.3. Filing Date. --

1.4. Effective Date. --

§153-15-2. 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.