



NOTICE OF CHANGE

Business Entities Filing and Order Services and Fees

Effective September 15, 2008

The Secretary of State is pleased to announce that expedited filing services will be expanded to include same-day service for filing business entity documents in person at the Sacramento office. In addition to the new service, the Secretary of State offers various levels of service for business entity filing and order (copy and certificate) requests as described below.

Mail Service: Filing and order requests submitted by mail to the Sacramento office are generally processed within 10 to 20 business days and do not require payment of a special handling fee.

Drop-Off Services:

- *Filing requests* submitted in person to the Sacramento or any regional office (located in Fresno, San Francisco, Los Angeles and San Diego) along with a \$15 special handling fee and applicable filing fee will be processed in priority over documents submitted by mail. The average processing time for drop-off services is three to seven business days.
- *Order requests* submitted in person to the Sacramento office, along with a \$10 special handling fee and applicable copy/certification fee(s), will be processed in priority over requests submitted by mail. The average processing time for drop-off services is three to seven business days.
- *Certificate of Status requests* submitted in person to the Sacramento office, along with a \$10 special handling fee and \$5 certificate fee, generally will be processed within 24 hours.

4-Hour Filing Service (Class A): Filing requests submitted in person to the Sacramento office along with a \$500 expedite fee and applicable filing fee are guaranteed to be processed within four hours. Note: Preclearance approval (fees ranging from \$250 to \$500) is required to be eligible for the 4-hour filing service. Additional information regarding preclearance services is available on the Secretary of State's website at www.sos.ca.gov/business/precexp.htm.

Same-Day Filing Service (Class B – New): Filing requests submitted in person to the Sacramento office by 9:30 a.m., along with a \$750 expedite fee and applicable filing fee, are guaranteed to be processed by or before 4:00 p.m.

24-Hour Filing Service (Class C – *previously Class B*): Filing requests submitted in person to the Sacramento office, along with a \$350 expedite fee and applicable filing fee, are guaranteed to be processed within 24 hours.

Request for Specific File Date: If a customer initially requests the date of submission as the file date and the document is returned for correction, the requested file date will be honored as long as the document is resubmitted by the end of the third day following the date of return and conforms to law. Note: If a business entity document is resubmitted more than once, each resubmission will be treated as an original submission and the document will receive the earliest file date available based on the criteria specified above.

Authority cited: Title 2, California Code of Regulations, sections 21903, 21905, 21905.5, as amended; and Government Code section 12182. A copy of the text of the amended regulations is available on the Secretary of State's website at www.sos.ca.gov/business/bpd_shregs.htm.



PRECLEARANCE AND EXPEDITED FILING SERVICES

The Secretary of State offers preclearance and expedited filing services (as described below) for all documents filed with the Secretary of State pursuant to the [California Corporations Code](#), the [California Financial Code](#) or the [California Insurance Code](#).

- [Preclearance service](#) provides a customer with the opportunity to submit a business entity document in person to the Secretary of State's Sacramento office prior to filing to determine if the document conforms to law and to receive a preclearance response within a guaranteed time frame.
- [Expedited filing service](#) provides a customer with the opportunity to submit for filing a business entity document in person to the Secretary of State's Sacramento office and to receive a filing response within a guaranteed time frame.

On occasion, preclearance and expedited services may need to be suspended due to circumstances beyond our control. In the event of suspension of service, a notice will appear at the top of the Secretary of State's Preclearance and Expedited Filing Services web page at <http://www.sos.ca.gov/business/precexp.htm>. The notice will be removed when the service is reinstated.

PRECLEARANCE SERVICE			
Level of Service	Response Time	Fee	Examples
Class I Service	24 hours	\$500.00	Document submitted Monday at 9:00 a.m., preclearance response available Tuesday by 9:00 a.m.
Class II Service	72 hours	\$400.00	Document submitted Tuesday at 11:00 a.m., preclearance response available Friday by 11:00 a.m.
Class III Service	5 business days	\$300.00	Document submitted Wednesday at 2:00 p.m.; preclearance response available the following Wednesday by 2:00 p.m.
Class IV Service	10 business days	\$250.00	Document submitted Friday at 8:00 a.m.; preclearance response available by 8:00 a.m. the second Friday following submittal.

A customer may submit a business entity document for preclearance prior to an intended filing date, requesting completion of preclearance in one of four of the above-specified time frames.

Preclearance requests must be delivered in person at the public counter in Sacramento, 1500 11th Street, Room 390, during regular business hours. Regular business hours are Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding state holidays in which the Secretary of State's office is closed for business. Preclearance service is only available in the Sacramento office.

A document submitted to the Secretary of State for preclearance:

- shall contain the name of the business entity.

NOTE: Preclearance approval does not guarantee name availability of a proposed corporation, limited liability company or limited partnership name at the time of filing. While not required, a [request to reserve a proposed name](#) for a period of 60 days, along with a \$20.00 name reservation fee, can be included with the preclearance request and the applicable preclearance fee.

- may be submitted with designated blank spaces for information that does not affect the determination of the Secretary of State as to whether the eligible document will conform to law. Such information may include, but is not limited to, names of executing officers, required signatures, and dollar amounts; and
- will be reviewed and a preclearance response provided within the time frame requested, indicating whether the preclearance has been approved or denied. If the preclearance is denied, the preclearance response will state the reason(s) for the denial. A customer may request delivery of the preclearance response by one of the following means: customer pick up; email; fax; first class mail; or overnight courier (prepaid, pre-addressed overnight courier envelope must be included).

Preclearance requests must include:

- the document, in the form for which preclearance is sought (personally delivered to the Secretary of State's Sacramento office);
- the applicable preclearance fee (as described above);
- instructions as to the class of service requested and the preferred means of delivery of the preclearance response; and
- the name and telephone number of the customer to whom any questions regarding the document or service requested may be directed.

EXPEDITED FILING SERVICE			
Level of Service	Response Time	Fee	Examples
Class A Service (Preclearance approval required)	4 hours	\$500.00	Document submitted Monday at 10:00 a.m., filing confirmation or filing response available Monday by 2:00 p.m.
Class B Service	24 hours	\$350.00	Document submitted Tuesday at 11:00 a.m., filing confirmation or filing response available Wednesday by 11:00 a.m.

A customer may submit a business entity document for expedited filing, requesting completion in one of two of the above-specified time frames:

Expedited filing requests must be delivered in person at the public counter in Sacramento, 1500 11th Street, Room 390, during regular business hours. Regular business hours are Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding state holidays in which the Secretary of State's office is closed for business. The expedited filing service is only available in the Sacramento office.

A document submitted to the Secretary of State for expedited filing will be reviewed and a filing response will be provided within the time frame requested, indicating whether the document has been filed or rejected. A document must be precleared and approved to be eligible for Class A Service. If the document is rejected, the filing response will state the reason(s) for the rejection. A customer may request delivery of the filing confirmation or filing response by one of the following means: customer pick up; email; fax; first class mail; or overnight courier (prepaid, pre-addressed overnight courier envelope must be included).

Expedited filing requests must include:

- the document, containing required signatures (personally delivered to the Secretary of State's Sacramento office);
- two copies of the document;
- a copy of the approved preclearance response, if Class A Service is requested;
- the applicable filing fee;
- the applicable expedite fee (as described above). The expedite fee must be remitted by separate check and will be retained whether the document is filed or rejected;
- instructions as to the class of service requested and the preferred means of delivery of the filing confirmation or filing response; and
- the name and telephone number of the customer to whom any questions regarding the document or service requested may be directed.