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HOUSE BILL NO. 2367

Offered January 12, 2005

Prefiled January 12, 2005

A BILL to amend and reenact § 12.1-21.1 of the Code of Virginia, relating to fees charged by the clerk of the State Corporation Commission.

Patron—Bryant

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:**1. That § 12.1-21.1 of the Code of Virginia is amended and reenacted as follows:**

§ 12.1-21.1. Fees to be charged by clerk for certain information and certificates.

A. When a request made under subdivision 3 of § 12.1-19 or under § 12.1-20 relates to the Uniform Commercial Code, or when a request for information is made under Title 8.9A, the clerk of the Commission shall charge and collect the following fees, except as otherwise provided in subsection D of § 12.1-21.2:

1. For a search and written response, ~~seven dollars~~ \$7;

2. For a search and provision of a copy of a record, ~~seven dollars~~ \$7 plus ~~one dollar~~ \$1 for each of the first two pages and ~~fifty cents~~ \$0.50 for each additional page thereafter;

3. For affixing the seal of the Commission to a certificate, ~~one dollar~~ \$1; and

4. For furnishing or making available information contained in the Commission's records by computer or other means, reasonable fees as are fixed by Commission order or rule that reflect all costs related to furnishing or making available the information and providing the service.

B. Any response or certificate shall be signed by the clerk or a member of his staff. Any signature may be a facsimile.

C. Any certificate to which the seal of the Commission is affixed shall be admitted in evidence in all cases, civil and criminal, as prima facie evidence of the facts contained in it.

D. No action shall be brought against the Commission or any member of its staff claiming damages for alleged errors or omissions in any response or certificate.

E. *Notwithstanding the provisions of § 8.9A-525, if the Commission determines that a person was falsely identified as a debtor on a financing statement filed in the office of its clerk, it may waive payment of the fees for that person to file a termination statement pursuant to subdivision (d) (2) of § 8.9A-509 and a correction statement pursuant to § 8.9A-518.*

INTRODUCED

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