

Regulations of Connecticut State Agencies

TITLE 3. State Elective Officers

Agency

Secretary of the State

Subject

Expedited Services

Inclusive Sections

§§ 3-99a-1—3-99a-25

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Expedited Services

Sec. 3-99a-1. Procedure governed

Sections 3-99a-1 to 3-99a-10, inclusive, of the Regulations of Connecticut State Agencies govern practice and procedure before the Office of the Secretary of the State, Commercial Recording Division under the applicable laws of the State of Connecticut for expedited services, except where statute otherwise provides.

(Effective December 30, 1986; Amended May 13, 1998)

Sec. 3-99a-2. Definitions

As used in sections 3-99a-1 through 3-99a-11 of these regulations:

(a) “Division” means the Commercial Recording Division of the Office of the Secretary of the State.

(b) “Expedited Service” shall mean the completion of a request within twenty-four hours of its receipt by the Division, except in those cases where the twenty-four hour period for performance as described in section 3-99a-7 of these regulations ends on a Saturday, Sunday, holiday or day on which the division is not open for business, in which case the twenty-four hour period shall be extended to the appropriate hour of the next succeeding business day on which the division is open for business.

(c) “Request” means a specific directive to process one or more transactions, as defined in section 3-99a-2 of these regulations, on an expedited basis. Requests shall be made on a form prescribed by the Secretary of the State which shall set forth: (1) the name of the entity or organization, such as a corporation, limited partnership, limited liability company or limited liability partnership which identifies the subject matter of the transaction; (2) the name of the person submitting the request; (3) any other information the Secretary of the State may deem necessary and proper to perform his duties under these regulations. Only one entity or organization shall be named in each request.

(d) “Secretary of the State” means Secretary of the State of Connecticut.

(e) “Person” means any natural person, individual, limited partnership, partnership, corporation, limited liability company, limited liability partnership, association, union, governmental subdivision, public or other organization capable of suing or being sued in a court of law.

(f) “Mail” means any request for expedited service delivered to the division by the United States Postal Service or any courier service in the delivery business.

(g) “Transaction” means any submission under section 3-99a-3 (a) of these regulations for which a distinct fee has been established by the titles and sections of the Connecticut General Statutes referenced in section 3-99a-3a of these regulations, except that the simultaneous submission of a certificate of incorporation and an organization and first report under a single corporate name pursuant to Title 33 of the Connecticut General Statutes or of a transfer of reserved name and filing which uses that name under either Title 33 or Title 34 of the Connecticut General Statutes shall be considered one transaction.

(h) “Public service counter” means the counter over which the Division receives requests

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in hand located at 30 Trinity Street, Hartford, CT.

(Effective December 30, 1986; Amended May 13, 1998)

Sec. 3-99a-3. Applicability

(a) The division may expedite any transaction authorized under the following titles and sections of the Connecticut General Statutes: Title 33 & Title 34; 16-230; 45-191; 47a-21 (f); 47-6a; 13b-208; 20-329c; 29-138; 29-100; 12-301; 16-280 except for requests directing the Division to process documents submitted for filing by insurance companies and banks.

(b) Notwithstanding anything to the contrary contained in the provisions of these regulations, expedited services shall not apply to any request for the copy or examination of any filed documents or records which are located outside the Division at 30 Trinity Street, Hartford, Connecticut, including but not limited to documents or records being microfilmed or prepared for microfilming.

(Effective December 30, 1986; Amended May 13, 1998)

Sec. 3-99a-4. Form of requests

All requests shall be made in writing. A separate request shall be submitted for each subject entity or organization.

(Effective December 30, 1986; Amended May 13, 1998)

Sec. 3-99a-5. Method of payment

(a) All expedited service requests shall be accompanied by the fee prescribed in section 3-99a-8 of these regulations at the time the request is submitted.

(b) The expedited service fee shall be payable to the Secretary of the State. Failure to include the fee set forth in 3-99a-8 of these regulations upon request for expedited service shall be reason for the rejection of such request and forfeiture of the expedited service fee. Requests failing to meet the form requirements set forth in section 3-99a-4 shall be processed with other work received on the same day in the ordinary course of the division's business.

(c) All filing fees and/or other fees payable in connection with the filing of documents shall accompany the request for expedited service at the time of its submission.

(Effective December 30, 1986; Amended May 13, 1998)

Sec. 3-99a-6. Requests for expedited service by mail

(a) All requests made by mail or similar means, shall be addressed to Secretary of the State, Commercial Recording Division, 30 Trinity Street, Hartford, Connecticut 06106.

(b) The outer envelope enclosing an expedited service request shall be clearly marked with the words "Expedited Services". Each mailed request shall be stamped with the date of receipt by the Division and hour of 8:30 A.M., on which date and time the period for performance by the Division shall commence.

(Effective December 30, 1986; Amended May 13, 1998)

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§3-99a-12—3-99a-25

Sec. 3-99a-7. Expedited service requests

(a) The Division shall receive in hand expedited requests during hours in which the public service counter is open. Each request received in hand by the Division shall be stamped with the date and hour of receipt thereof, on which date and time the period for performance by the Division shall commence.

(b) Expedited service shall be considered to have been performed when a document has been reviewed for statutory compliance and either filed or rejected or when a transaction which does not involve the filing of a document has been completed or rejected and supporting documentation for either has been forwarded to the requesting party within the time period prescribed in 3-99a-2 (b) of these regulations.

(Effective December 30, 1986; Amended May 13, 1998)

Sec. 3-99a-8. Fee for expedited service

The expedited service fee for each transaction shall be \$25.00.

(Effective December 30, 1986; Amended May 13, 1998)

Sec. 3-99a-9. Multiple transactions in a single request for expedited services

(a) A separate expedited fee shall be submitted for each individual transaction as defined in 3-99a-2 (g) to be performed by the Division.

(b) A single request may order the processing of up to ten transactions for one specified entity or organization. Where more than one transaction is specified in a request, the fee for expedited service shall be multiplied by the number of transactions ordered.

(Effective December 30, 1986; Amended May 13, 1998)

Sec. 3-99a-10. Refund of expedited service fee

(a) If the Division fails to complete a transaction or transactions within the time period for performance established under section 3-99a-2 (b) of these regulations, it shall refund the particular expedited service fee or fees collected in connection with such transaction or transactions.

(b) If an expedited transaction has been erroneously rejected by the Division, it shall, upon resubmission, be processed on an expedited basis without any new expedited fee. The erroneous or improper rejection letter shall accompany the document upon resubmission.

(Effective December 30, 1986; Amended May 13, 1998)

Sec. 3-99a-11. Repealed

Repealed May 13, 1998.

Sec. 3-99a-12—3-99a-25. Reserved