

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Third-party filers.

Sponsored by: Joint Corporations, Elections & Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to registered offices and agents; requiring
2 third-party filers to register with the secretary of state;
3 authorizing fees; specifying a penalty; providing a
4 definition; requiring rulemaking; and providing for
5 effective dates.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 17-28-112 is created to read:

10

11 **17-28-112. Third-party filer registration.**

12

1 (a) As used in this section, "third-party filer"
2 means a natural person who receives compensation to file
3 documents with the secretary of state on behalf of one (1)
4 or more business entities and who is not a direct employee,
5 shareholder, director, member or otherwise under the direct
6 management or supervision of the business entity on whose
7 behalf the documents are filed. A "third-party filer" may
8 include an employee of a commercial registered agent or
9 another business entity.

10

11 (b) A third-party filer shall register with the
12 secretary of state after filing ten (10) documents with the
13 secretary of state in one (1) calendar year. If a third-
14 party filer files ten (10) documents with the secretary of
15 state in one (1) calendar year, no further filings shall be
16 accepted from the third-party filer unless the third-party
17 filer is registered as required under this section. The
18 secretary of state may reject any document filed in
19 violation of this subsection up to ninety (90) days after
20 discovery of the violation.

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 2 *****
 3 STAFF COMMENT
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 5 The Committee may wish to consider whether to specify a
 6 time limit for when a violation can be discovered.
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11 (c) A third-party filer shall obtain a registration
 12 by filing an application with the secretary of state. The
 13 application shall be notarized, executed and sworn under
 14 penalty of perjury and contain the following information:

15
 16 (i) The third-party filer's legal name;

17
 18 (ii) The third-party filer's home address, phone
 19 number and email address;

20
 21 (iii) If applicable, the third-party filer's
 22 business address, phone number and email address;

23
 24 (iv) A copy of the third-party filer's valid
 25 state issued driver's license or identification card.
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1 (d) Every applicant for registration under this
 2 section shall pay a filing fee as set by rule adopted
 3 pursuant to this chapter. The fee shall be designed to
 4 recover the cost of administering the provisions of this
 5 section relating to third-party filers and shall not exceed
 6 fifty dollars (\$50.00). If an application is withdrawn or
 7 denied, the secretary of state shall retain the entire fee.

8
 9 (e) A registered third-party filer shall notify the
 10 secretary of state of any changes to the information
 11 included in the third-party filer's application under
 12 subsection (c) of this section as required by rule adopted
 13 pursuant to this chapter.

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17 **STAFF COMMENT**

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19 **The fee provision in subsection (d) of this bill draft is**
 20 **modeled after W.S. 17-28-106(b), which specifies fees for**
 21 **commercial registered agents. As drafted, there would be a**
 22 **one-time registration requirement and then the third-party**
 23 **filer would be required to update their information.**

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28 (f) The secretary of state may impose a civil penalty
 29 not to exceed five hundred dollars (\$500.00) for each

1 violation if a third-party filer who is required to
2 register under subsection (b) of this section files or
3 attempts to file a document without registering.

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7 **STAFF COMMENT**

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9 **The penalty in subsection (f) of this bill draft is modeled**
10 **after W.S. 17-28-109(a), which authorizes the Secretary of**
11 **State to impose civil penalties against registered agents**
12 **for various statutory violations.**

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17 (g) The secretary of state shall hold third-party
18 filer registration records confidential. The secretary of
19 state may release third-party filer registration records
20 only pursuant to a court ordered subpoena or to a bona fide
21 law enforcement agency for use in a criminal investigation.

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25 **STAFF COMMENT**

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27 **The confidentiality provision in subsection (g) of this**
28 **bill draft is modeled after W.S. 17-28-108(c), which**
29 **requires the Secretary of State to hold specified records**
30 **maintained by registered agents confidential.**

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1 **Section 2.** The secretary of state shall promulgate
2 all rules and forms necessary to implement this act.

3

4 **Section 3.**

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6 (a) Except as otherwise provided in subsection (b) of
7 this section, this act is effective July 1, 2025.

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9 (b) Sections 2 and 3 of this act are effective
10 immediately upon completion of all acts necessary for a
11 bill to become law as provided by Article 4, Section 8 of
12 the Wyoming Constitution.

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STAFF COMMENT

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18 **The Committee may wish to consider whether to include a**
19 **delayed effective date for Section 1 of this act.**

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(END)