

Digest for Adopted Regulation R_074-11

Existing law requires the Secretary of State to charge a person, for each returned check or other negotiable instrument: (1) a fee of \$25; and (2) if the returned check or other instrument was presented to pay a filing fee for more than one business entity, an additional fee in an amount equal to the actual cost incurred by the Office of the Secretary of State to reverse the status of the business entities and recoup any fees charged for services rendered by the Office in connection with the filing. The Secretary of State is required to adopt regulations to establish procedures for the imposition of these fees and the manner in which the additional fee is calculated. (NRS 225.140)

This regulation adopts provisions concerning the fees imposed by the Secretary of State for returned checks or other negotiable instruments. **Section 3** of this regulation sets forth the circumstances under which the Secretary of State will reverse or cancel a filing associated with a returned check or negotiable instrument and the consequences of such a reversal or cancellation. **Section 4** of this regulation establishes the additional fee for a returned check or negotiable instrument at \$25 for each hour of staff time necessary to perform certain actions after a check or negotiable instrument has been returned to the Office. **Section 5** of this regulation authorizes the Secretary of State to: (1) refuse to accept a filing submitted by a person who has not paid the fees and penalties for a returned check or negotiable instrument associated with a previous filing by that person; and (2) under certain circumstances, require a person to pay in cash or by credit card a fee or penalty required by law.