

TITLE 75 SECRETARY OF STATE

Notice of First Public Comment Period

LSA Document #25-149

ENHANCED ACCESS UCC STATEMENT FILING FEES RULE

PURPOSE OF NOTICE

The Secretary of State – Business Services Division (division) is soliciting public comment on adding rules at [75 IAC 10](#) concerning enhanced access (EA) fees associated with filing UCC statements, as required by House Enrolled Act 1623-2023 (HEA 1623). The division seeks comment on the affected citations listed and any other provisions of Title 75 that may be affected by this rulemaking.

ADDITIONAL DOCUMENTS

Regulatory Analysis: [20250326-IR-075250149RAA](#)

Notice of Public Hearing: [20250326-IR-075250149PHA](#)

CITATIONS AFFECTED: [75 IAC 10](#)

AUTHORITY: [IC 4-5-10-2](#); [IC 26-1-9.1-501](#); [IC 26-1-9.1-526](#)

OVERVIEW

Basic Purpose and Background

Under the directives of HEA 1623, the division is promulgating rules that specify the EA fees authorized by [IC 4-5-10-2](#) for UCC related services. UCC EA fees are collected instead of statutory paper filing fees under [IC 26-1-9.1-525](#). This rulemaking establishes in rule the exact EA fees already being collected by the division for online UCC transactions. These are not new fees, but are simply the promulgation in rule of already established existing fees. As no changes in fees are being made, no impact is expected for online UCC customers. Online UCC services are primarily used by UCC service providers, financial institutions, and law firms.

For purposes of [IC 4-22-2-28.1](#), small businesses affected by this rulemaking may contact the Small Business Regulatory Coordinator:

Scott Willis
Business Services Director
Indiana Secretary of State
302 West Washington Street, Room E-018
Indianapolis, IN 46204
awillis@sos.in.gov
317-775-1769

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-6](#) is:

David Watkins
Small Business Ombudsman
Indiana Economic Development Corporation
One North Capitol Avenue, Suite 700
Indianapolis, IN 46204
(317) 607-9176
DWatkins@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-6](#), specifically [IC 5-28-17-6\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

REQUEST FOR PUBLIC COMMENT

The division is soliciting public comment on the proposed rule. Comments may be submitted in one of the following ways:

(1) By mail or common carrier to the following address:

LSA Document #25-149 Enhanced Access UCC Statement Filing Fees Rule

Scott Willis, Director
Indiana Secretary of State
302 West Washington Street, Room E-018
Indianapolis, IN 46204

(2) By email to legal@sos.in.gov. PLEASE NOTE: Email comments will not be considered part of the official written comment period unless they are sent to the address indicated in this notice.

(3) Attend scheduled public hearing.

COMMENT PERIOD DEADLINE

All comments must be postmarked or time stamped not later than April 25, 2025.

The rule, Regulatory Analysis, appendices referenced in the Regulatory Analysis, and materials incorporated by reference (if applicable) are on file at the Indiana Secretary of State – Business Services Division, 302 West Washington Street, Room E-018, Indianapolis, Indiana and are available for public inspection. Copies of the rule, Regulatory Analysis, and appendices referenced in the Regulatory Analysis are available at the Secretary of State – Business Services Division office.

If the division does not receive substantive comments during the public comment period or public hearing, the rule may be adopted with text that is the same as or does not substantially differ from the text of the proposed rule published in this notice.

PROPOSED RULE

SECTION 1. [75 IAC 10](#) IS ADDED AS FOLLOWS:

ARTICLE 10. UCC APPLICATION GOVERNANCE

[Rule 1.](#)

Definitions

[Rule 2.](#)

Enhanced Access Fees

Rule 1. Definitions

[75 IAC 10-1-1](#) Applicability

Authority: [IC 26-1-9.1-526](#)

Affected: [IC 26-1](#)

Sec. 1. The definitions in this rule and [IC 26-1](#) apply throughout this article, unless the context clearly indicates otherwise.

(Secretary of State; [75 IAC 10-1-1](#))

Rule 2. Enhanced Access Fees

[75 IAC 10-2-1](#) Initial financing statement

Authority: [IC 4-5-10-2](#); [IC 26-1-9.1-501](#); [IC 26-1-9.1-526](#)

Affected: [IC 4-5-10-5](#); [IC 26-1-9.1-525](#)

Sec. 1. For the electronic filing of a financing statement, the secretary of state shall collect fees for the enhanced access fund established by [IC 4-5-10-5](#) as follows:

(1) Three dollars (\$3) if the financing statement shows it is filed in connection with a public finance or manufactured home transaction.

(2) Thirteen dollars (\$13) for any other initial financing statement.

(Secretary of State; [75 IAC 10-2-1](#))

75 IAC 10-2-2 Financing statement amendment

Authority: [IC 4-5-10-2](#); [IC 26-1-9.1-501](#); [IC 26-1-9.1-526](#)

Affected: [IC 4-5-10-5](#); [IC 26-1-9.1-525](#)

Sec. 2. For the electronic filing of a financing statement amendment, the secretary of state shall collect thirteen dollars (\$13) for the enhanced access fund established by [IC 4-5-10-5](#).

(Secretary of State; [75 IAC 10-2-2](#))

75 IAC 10-2-3 Information statement

Authority: [IC 4-5-10-2](#); [IC 26-1-9.1-501](#); [IC 26-1-9.1-526](#)

Affected: [IC 4-5-10-5](#); [IC 26-1-9.1-525](#)

Sec. 3. For the electronic filing of an information statement, the secretary of state shall collect thirteen dollars (\$13) for the enhanced access fund established by [IC 4-5-10-5](#).

(Secretary of State; [75 IAC 10-2-3](#))

75 IAC 10-2-4 Search certification or information request

Authority: [IC 4-5-10-2](#); [IC 26-1-9.1-501](#); [IC 26-1-9.1-526](#)

Affected: [IC 4-5-10-5](#); [IC 26-1-9.1-525](#)

Sec. 4. For an electronic request for information from the filing office, including for issuing a certificate showing whether any financing statement naming a particular debtor is on file, the secretary of state shall collect eleven dollars (\$11) for the enhanced access fund established by [IC 4-5-10-5](#).

(Secretary of State; [75 IAC 10-2-4](#))

75 IAC 10-2-5 Bulk data fees

Authority: [IC 4-5-10-2](#); [IC 26-1-9.1-501](#); [IC 26-1-9.1-526](#)

Affected: [IC 4-5-10-5](#); [IC 26-1-9.1-525](#)

Sec. 5. For bulk data requests, the secretary of state shall collect fees for the enhanced access fund established by [IC 4-5-10-5](#) as follows:

- (1) Three thousand dollars (\$3,000) for a one (1) time bulk download.
- (2) Two thousand nine hundred dollars (\$2,900) for a bulk download with a weekly update subscription.
- (3) Four hundred twenty-five dollars (\$425) for weekly update downloads.

(Secretary of State; [75 IAC 10-2-5](#))

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