

**CHAPTER 35**

**DIVISION OF COMMERCIAL RECORDING**

**Authority**

N.J.S.A. 52:16A-11, 52:16A-3, 52:16A-40, 14A:1-1 et seq., 14A:1-10, 56:1-1 et. seq. and 56:3-1 et seq.

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R.2003 d.361, effective August 13, 2003.  
See: 35 N.J.R. 2411(b), 35 N.J.R. 4296(a).

**Chapter Expiration Date**

Chapter 35, Division of Commercial Recording, expires on August 13, 2008.

**Chapter Historical Note**

Chapter 2 of Title 15, Division of Commercial Recording, was recodified as N.J.A.C. 17:35 and readopted as R.2003 d.361, effective August 13, 2003. See: Source and Effective Date. See, also, section annotations.

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**SUBCHAPTER 1. EXPEDITED SERVICES**

**17:35-1.1 Services which will be provided on an expedited basis**

(a) The Department of the Treasury's Filing Office shall provide expedited over the counter corporate services for the following requests:

1. Any information contained in the annual report of a corporation or a limited partnership;
2. A certificate of standing, either long form, short form, or certificate listing charter documents;
3. A certified or uncertified copy of document, except trade name filing, filed with the Filing Office;
4. A certificate as to the existence or nonexistence of any document, except trade name filings on record with the Filing Office;
5. The availability of a corporate name or a limited partnership name;
6. Filing corporate documents or limited partnership documents;
7. The name and address of the registered agent of a corporation or limited partnership;
8. The filing date of a certificate of incorporation for a domestic corporation or the filing date of a certificate of limited partnership or the filing date for a certificate of qualification for a foreign corporation or limited partnership;
9. The name and address of the corporation's or a limited partnership's registered agent;
10. A U.C.C. 1 filing pursuant to N.J.S.A. 12A:9-516 et seq.;
11. A U.C.C. 3 filing pursuant to N.J.S.A. 12A:9-516 et seq.;
12. A U.C.C. 3 filing pursuant to N.J.S.A. 12A:9-516 et seq. provided that the U.C.C. 11 search shall not exceed 20 filings. Searches over 20 filings can be expedited but may not be completed within the same day;
13. An application to be a Notary Public;
14. An application to renew one's commission as a Notary Public;
15. Certification of an official signature of a document, when the official's signature is on file with the Filing Office. This includes the issuances of apostilles.

(b) The Filing Office shall provide expedited telephone service for the following requests:

1. The availability of a corporate name or limited partnership name;
2. Whether or not a corporation's certificate of incorporation or authority has been voided or revoked;
3. The name and address of the registered agent of a corporation or limited partnership;
4. The filing date of a certificate of incorporation for a domestic corporation or limited partnership or the filing date for a certificate of qualification for a foreign corporation or limited partnership;
5. The name and address of the registered agent of a corporation or limited partnership which has filed a fictitious/alternate name certificate;
6. The date when the last annual report was filed for a corporation or limited partnership.

(c) The Department of the Treasury may add to or modify its expedited services program in order to take advantage of technological advances or to respond to new/evolving filing and information access needs of the business community and general public. All expedited program changes must be published on the Filing Office website at [www.state.nj.us/treasury/revenue](http://www.state.nj.us/treasury/revenue).

Amended by R.1985 d.327, effective July 1, 1985.  
See: 17 N.J.R. 897(a), 17 N.J.R. 1670(a).  
Amended by R.1988 d.202, effective May 2, 1988.  
See: 20 N.J.R. 522(b), 20 N.J.R. 997(a).  
Amended by R.2003 d.361, effective September 15, 2003.  
See: 35 N.J.R. 2411(b), 35 N.J.R. 4296(a).  
Amended N.J.S.A. references throughout; added (c).

### 17:35-1.2 Definitions

The words and terms used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Expedited service" means priority same day service effected in a fast and efficient manner.

"Filing Office" means the Department of the Treasury, Division of Revenue, Bureau of Business Support Services.

"Over the counter services" means:

1. Documents delivered to the Filing Office's expedited services counter by hand or by express mail (Federal Express, etc.);
2. Subject to the approval of the Filing Office, documents telefaxed or transmitted electronically to the Filing Office;
3. Information requests made at the Filing Office's expedited service counter or any other location designated by the Filing Office.

"Same Day" means as soon as possible by no later than 8.5 business hours from the time the request is received. The business day runs from 8:30 A.M. to 5:00 P.M. on all weekdays other than State holidays.

Amended by R.1988 d.202, effective May 2, 1988.  
See: 20 N.J.R. 522(b), 20 N.J.R. 997(a).  
Amended by R.2003 d.361, effective September 15, 2003.  
See: 35 N.J.R. 2411(b), 35 N.J.R. 4296(a).  
Added "Filing Office".

### 17:35-1.3 Exceptions

(a) Expedited service shall be rendered as soon as possible, but may extend beyond 8.5 business hours if the computer system utilized by the Filing Office is down, or if the Filing Office experiences other difficulties beyond its control, making an 8.5 business hour response impossible. In such cases, upon resuming normal operations, the Filing Office will process 8.5 business hour requests on a first-in first-out basis, with priority over mail-in requests.

(b) Any over the counter service may be rejected by the Filing Office unless the submission has a cover sheet issued by the Filing Office. The Filing Office may design the cover sheet and may from time to time redesign the cover sheet.

Amended by R.1985 d.327, effective July 1, 1985.  
See: 17 N.J.R. 897(a), 17 N.J.R. 1670(a).  
"Commercial" substituted for "corporate".  
Amended by R.1988 d.202, effective May 2, 1988.  
See: 20 N.J.R. 522(b), 20 N.J.R. 997(a).  
Amended by R.1998 d.295, effective June 15, 1998.  
See: 30 N.J.R. 796(a), 30 N.J.R. 2269(b).  
In (a), substituted references to 8.5 business hours for references to the same day.  
Amended by R.2003 d.361, effective September 15, 2003.  
See: 35 N.J.R. 2411(b), 35 N.J.R. 4296(a).  
Rewrote (a).

### 17:35-1.4 Fees for expedited service

(a) Fees for over the counter corporation service shall be as follows:

1. Filing of document:
  - i. Without certified copy; statutory fee plus \$15.00;
  - ii. With copy to be certified: statutory filing fee, certification fee of \$25.00 plus \$15.00.
2. Request for copy of annual report requested at the same time:
  - i. One report—\$2.00 plus \$15.00;
  - ii. Two reports—\$4.00 plus \$15.00;
  - iii. Three reports—\$6.00 plus \$15.00;
  - iv. Four reports—\$8.00 plus \$20.00;
  - v. Five reports—\$10.00 plus \$20.00;
  - vi. Six reports—\$12.00 plus \$20.00;
  - vii. Seven reports—\$14.00 plus \$25.00;