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Pennsylvania Gives Some Businesses More Time to File Corrected Paperwork During Coronavirus Emergency

Summary:

Regulations for the Bureau of Corporations and Charitable Organizations (BCCO) give filers 30 days from the mailing (or emailing) of a rejection notice to resubmit corrected paperwork in order to retain the original receipt date as the filing date.

While BCCO continues to receive resubmitted paperwork during the COVID-19 emergency, processing delays and limited staff availability have led to processing times that approach 30 days. Because these delays are no fault of the filer, the Department of State requested, and Governor Wolf granted, a waiver of the applicable 30-day resubmission rule and an extension to 60 days. This waiver will give filers additional time to correct rejected filings without penalizing them for processing delays. The waiver applies only to association filings. It will not apply to Uniform Commercial Code filings, which may not be corrected and resubmitted.

In addition, because submissions may be rejected more than once if all the corrections are not made, a new window of 60 days will start with each rejection notice. As long as each resubmission is received within 60 days of the rejection notice to which it relates, the initial submission date of the filing will be preserved. This additional time to retain the original filing date is still subject to the remainder of the regulation, which stipulates that (1) the name of the association has been reserved or there has been no definitive filing or interim filing using the association name, and (2) the dates on documents needed to support the original submission are effective on the original filing date. In other words, filers will receive the original date and name they submitted, as long as no other filing is completed and takes the name in the meantime, and as long as all the relevant approvals needed are dated on the original submission date.

For more information please contact the [Bureau of Corporations and Charitable Organizations](#).