

**Secretary of State's Office  
Annual Report FY2019**

**Agency Information:**

**Director:**

Edward Buchanan  
Secretary of State

**Agency Contact:**

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Cheyenne, WY 82002

**Website:**

<http://sos.wyo.gov>

**Statutory References:**

7-3-223 Criminal Procedure: Extraditions  
7-3-909 Law Enforcement Mutual Aid Agreement  
8-3-117: Bucking Horse and Rider  
9-1-102 Administration of Government  
9-1-301 through 9-1-308: Secretary of State  
9-13-101 through 9-13-109 Ethics Disclosure  
16-2-102 City, County, State and Local Powers  
16-3-101 through 16-3-115: State Agency Rules  
17-3-101 through 17-3-104 Professional Corporations  
17-4-101 through 17-4-132 Securities  
17-8-101 through 17-8-117 Churches and Religious Societies  
17-10-101 through 17-10-126 Cooperative Marketing Associations  
17-10-201 through 17-10-253 Processing Cooperative  
17-11-101 through 17-11-120 Industrial Corporations  
17-12-101 through 17-12-107 Miscellaneous Companies  
17-14-201 through 17-14-1104 Uniform Limited Partnership Act  
17-16-101 through 17-16-1810 Wyoming Business Corporation Act  
17-17-101 through 17-17-151 Close Corporation Supplement  
17-18-101 through 17-18-403 Wyoming Management Stability Act  
17-19-101 through 17-19-1807 Nonprofit Corporation Act  
17-20-101 through 17-20-1402 Wyoming Cooperative Utilities Act  
17-21-101 through 17-21-1107 Uniform Partnership Act  
17-22-101 through 17-22-115 Uniform Unincorporated Nonprofit Association Act  
17-23-101 through 17-23-302 Wyoming Statutory Trust Act  
17-24-101 Business Names  
17-25-101 through 17-25-111 Close Limited Liability Company Supplement  
17-26-101 Conversion  
17-27-101 Electronic Annual Reports  
17-28-101 through 17-28-111 Commercial Registered Agents  
17-29-101 through 17-29-1105 Limited Liability Companies  
17-30-101 through 17-30-1102 Statutory Foundation  
18-7-105 Counties: Libraries  
18-8-104 Counties: Memorial Hospitals  
18-9-102 Counties: Fairgrounds, Airports, Parks, Pleasure Grounds and Recreational System  
22-1-101 through 22-29-601 Elections and Campaign Finance Disclosure  
28-2-116 Legislature: Apportionment of Members  
28-7-101 through 28-7-201 Lobbyists Registration and Disclosure

29-7-101 through 29-7-106 Personal Property  
 29-7-201 through 29-7-206 Breeders  
 29-8-101 through 29-8-109 Agricultural Producers Liens  
 32-1-101 through 32-1-109 Notaries Public  
 32-1-114 Authentications  
 32-26-101 through 32-26-304 Wyoming Uniform Law on Notarial Acts  
 34-21-1101 through 34-21-1107 Central Filing System  
 34-29-101 Digital Assets  
 34-29-106 Wyoming Utility Token Act  
 34.1-9-101 through 34.1-9-809 Uniform Commercial Code  
 37-4-101 through 37-4-104 Transmitting Utility Act  
 40-1-101 through 40-1-116 Trademarks and Service Marks  
 40-2-101 through 40-2-109 Trade Names  
 40-13-103, 106 and 108 Trade Commerce: Copyrighted Music  
 40-28-101 through 40-28-109 Financial Technology Sandbox Act  
 41-3-725 Water: Rights, Administration and Control  
 P.L.107-252 Implementation of the Help America Vote Act

**Agency Overview**

Number of Employees: 31 positions (authorized 2018 Budget Session)

Clients Served: Elected Officials, individuals, businesses, government agencies, nonprofit organizations and foreign companies. These constituents include attorneys; bankers; financial institutions; accountants; candidates for elected office; individual stock, bond and mutual fund investors; stock brokers; notaries public; and people from locations across the state, nation, and globe.

Budget: For the Biennium ended June 30, 2020

General Fund	\$8,261,237
Federal Fund	\$171,901
Other Fund	\$648,326
Total Funds	\$9,081,464

**Core Business / Primary Functions**

**Executive Division (Secretary of State, Deputy Secretary of State and 3 staff)**

The executive Offices Division provides the leadership and direction to the Office. The Secretary serves on five Boards and Commissions as one of Wyoming’s five statewide Elected Officials. Along with policy and operational control, the division preserves the Great State Seal, legislative journals, and other vital state documents. The Division affixes the great state seal to proclamations and extraditions. It files Oaths of Office and handles all correspondence and communication with constituents and welcomes visiting dignitary.

**Administration Division (7 Staff Members)**

The second largest division for the agency, this division is split into two support units; Fiscal and Technology. The Fiscal unit provides all accounting, human resources and office support functions to the agency. The Fiscal unit is also charged with being the registrar of the Wyoming Administrative Rules System for state agencies; and administers the use of the iconic Bucking Horse and Rider trademark. The Technology unit provides project management, maintenance and support for the agencies applications which include business registration and reporting, UCC lien filing, securities, elections, statewide voter registration, campaign finance, notaries public, state rules, receipting, lobbyists and the Office websites.

### **Business Division (11 Staff Members)**

The Business Division is the largest Division serving as the Chief Registrar of all business entities. The Division files registrations for the following business entity types: Profit Corporations, Non-Profit Corporations, Limited Liability Company, Limited Partnerships, Trade Name, Trademark, Reserve Name, Statutory Trust, Unincorporated Non-Profit, General Partnership, Registered Limited Liability Partnership, Statutory Foundations and Commercial Registered Agents. The Division is also responsible for filing Uniform Commercial Code liens and Effective Financing Statement Filings.

### **Compliance (5 Staff Members)**

The compliance Division oversees Wyoming's securities industry as well as regulation activities regarding Utility Tokens. Responsible for registering securities (investments) offered or sold in Wyoming as well as the individuals working for those firms selling securities. This Division provides investor protection education to the public, commissions notaries and issues apostilles and certifications documents which authenticate signatures of state officials.

### **Elections (3 Staff Members)**

The Election Division ensures uniformity in the application and operation of Wyoming's elections. The Division assists with general, primary, bond, municipal and special district elections; files campaign finance disclosure reports; verifies petitions for independent candidates, initiatives, referendums and new political parties; generates voter registration lists; processes candidate applications; produces election publications; and registers lobbyists.

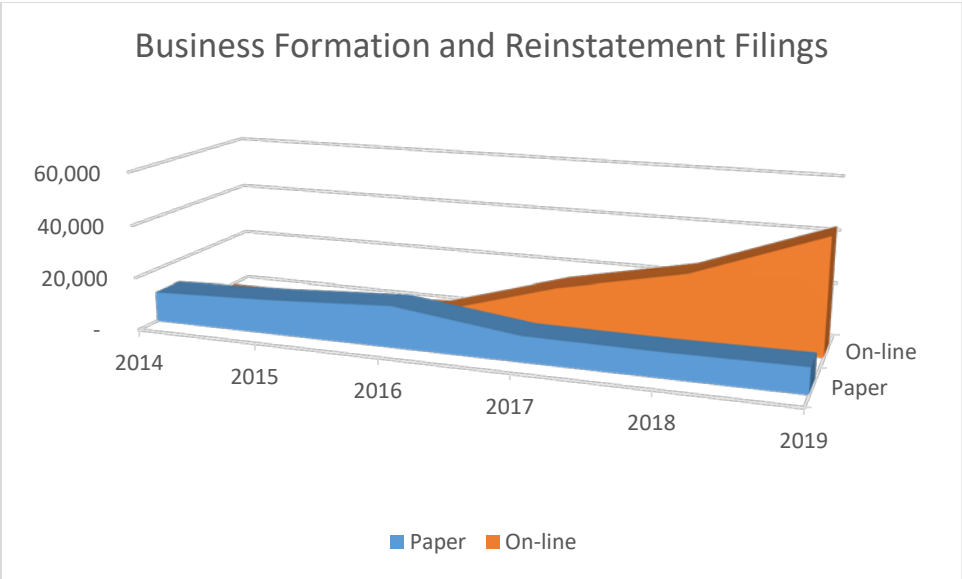
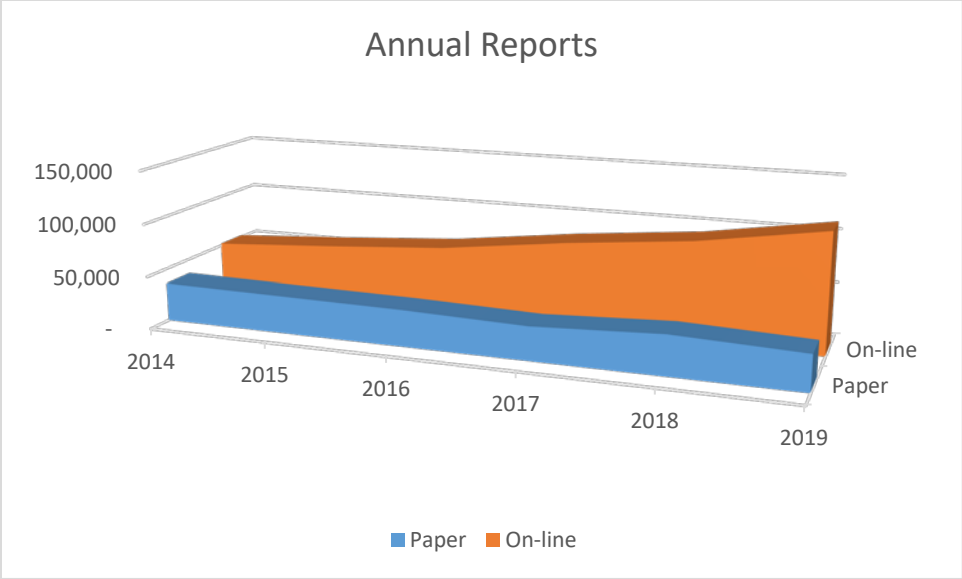
## **Performance Measures**

### **Performance Measure #1 – On-line Filing**

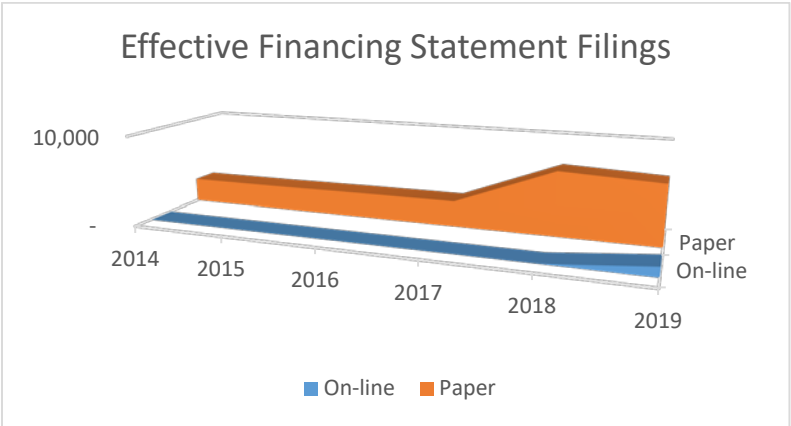
#### **Story behind the last year of performance:**

The Business Division has been operating in a 24/7 environment with Annual Report and reinstatement filings as well as a select number of domestic formations. The Office has seen an increased desire to have more and more filing types placed on this on-line platform. The graph below depicts the utilization of this technology and provides visualization of the amount of filings that are received, while we are not seeing a significant drop in paper filings, we are seeing a tremendous growth in our on-line filings. In FY19, there were 199,019 active registrations that is a 30% increase from the prior year.

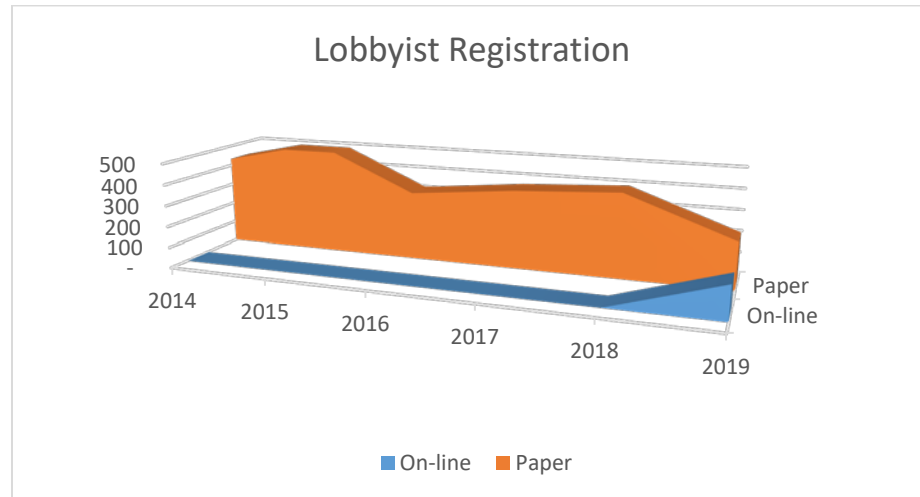
Effective Financing Statements has been an area that over the last couple years we have seen a significant increase, which drove providing a new mechanism for filing. With position reductions and budget cuts, the increase was not manageable with our current resources. Providing an on-line environment for these filings is proving that there is interest from this industry. The Office will continue to communicate with the lending industry regarding their ability to file on-line.



**What has been accomplished?**



The business division brought Effective Financing Statement on-line allowing the lending industry to file liens electronically. The graph above shows that roughly 16% of EFS filers used this new platform for filing.



The election division brought lobbyist registration on-line in 2018. The graph above shows that on-line option was a success with more than 41% of lobbyist utilizing the ability to file on-line.

## Performance Measure #2 – Investor Awareness

### Story behind the last year of performance:

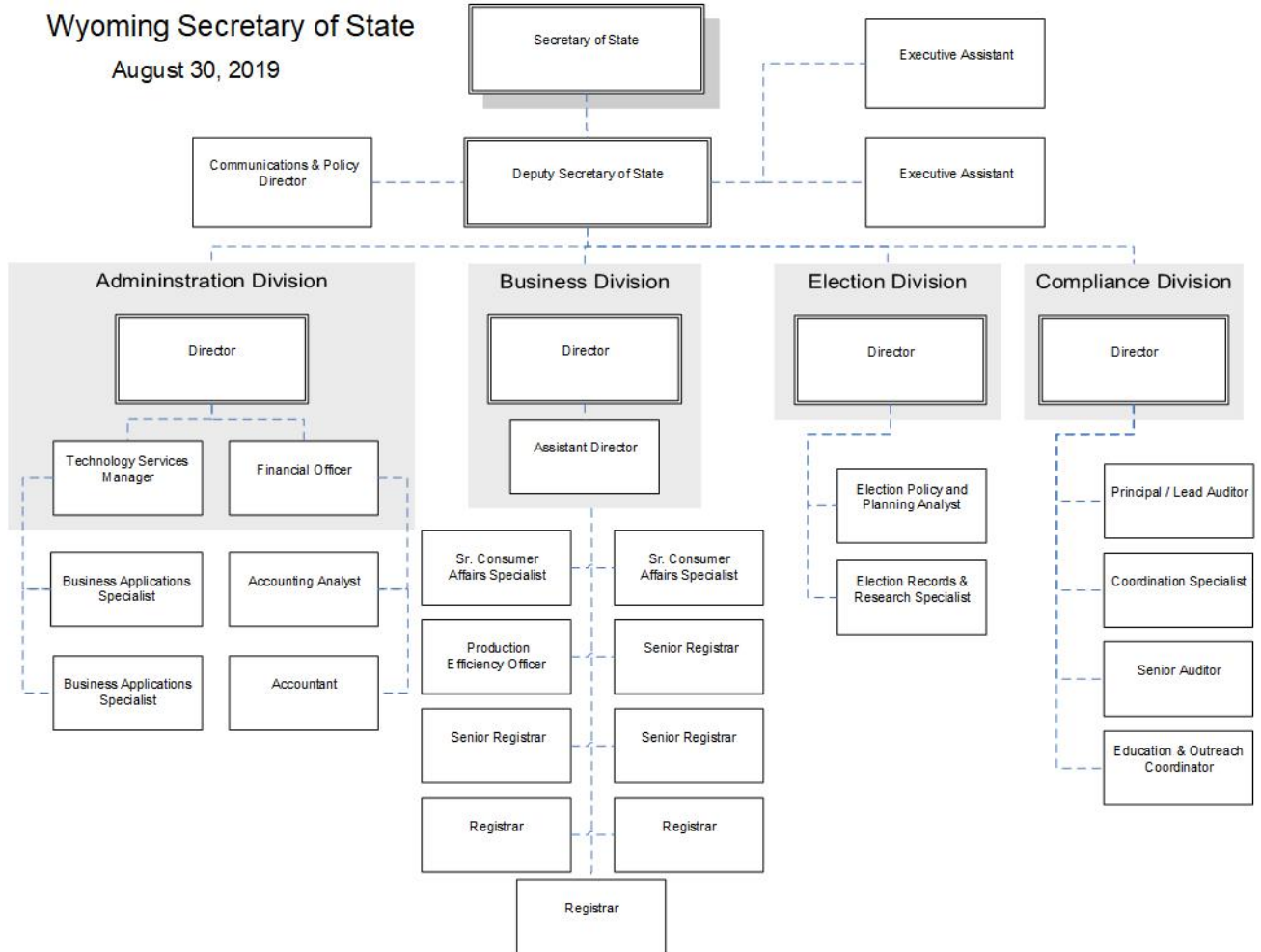
Education is key to ensuring Wyoming has wise investors. This area has been stagnant over the last couple years as we have been working on Wyoming Invest Now (WIN). WIN is an equity crowdfunding option for Wyoming businesses and investors. It creates an easier way for companies to raise money without the regulatory burdens of registration. The law creating this exemption went into effect in 2017 and the first WIN filing was made in 2018.

### What has been accomplished?

In 2019, the Compliance Division hired an Investor Education Coordinator who will be building a new Investor Education Program for the Secretary of State's Office. The program will include: presentations, PSA announcements, radio spots, press releases, newsletters and other means of communication. This involves statewide travel to present investor education and fraud prevention messages at service organizations, AARP, senior centers and targeted groups. Investor education includes frequent updates and additions to the webpage and social media outlets. Prior to the hiring of a Coordinator, the Division had limited time reserved for such activities.

# Office Organizational Chart

## Wyoming Secretary of State August 30, 2019



## Office Statistical Information

The Office is doing more with less. Technology is an area that we are not in favor of turning back, we have successfully brought many filing types on-line and are continuously looking for areas of improvement. Below is a chart that outlines the increase in all of our filing areas that are being reviewed to ensure that we are using technology to the best of our ability to aid in the increased workflow.

	<b><u>FY19</u></b>	<b><u>FY18</u></b>
Active Notaries	12,054	12,053
Apostilles Processed	1,998	1,777
Authentication Processed	189	230
	<b><u>FY19</u></b>	<b><u>FY18</u></b>
Broker-Dealers and Salespersons	103,608	102,726
Security Offerings	907	685
Registered Investment Advisers	1,117	1,024
Investment Adviser Firms	707	546
<b>Active Business Registrations</b>		
Profit Corporations	45,666	38,771
Nonprofit Corporations	7,229	6,489
Limited Liability Companies	28,689	91,877
Limited Partnerships	2,744	2,512
Trade Names	11,249	9,878
Trademarks	1,102	966
Reserved Name	43	4
Statutory Trusts	1,766	1,472
Registered Limited Liability Partnerships	287	257
Unincorporated Nonprofit	218	212
General Partnerships	26	23
Uniform Commercial Code Filings	121,914	108,956
Effective Financing Statements	7,686	7,054