

Proof of Beneficial filed without a filing fee when one is required. Collection of license exam fee according to 42-217.

When a proof is filed without a filing fee you must inform the permit holder that he has 15-days to pay the fee to the department. Inform the permit holder that if the fee is not paid, he risks loss of the permit's priority date or lapsing of the permit.

The Department may advance the priority date 1 day for each day after the proof deadline if the fee is not paid within the 15-day grace period. If the fee is paid after the 15-day period then the priority is advanced the entire number of days the fee was late.

Additionally, if the fee is not paid within 1-year, a lapse notice is issued and the proof returned according to I.C. § 42-218a. This lapse notice does not provide an opportunity for the permit holder to file a request for extension, but it does allow them to resubmit the proof with the filing fee during the 60-days. If they submit the proof and the fee during the 60-days the priority will be calculated from the date the proof was due to the date the proof and filing fee were received. A proof filed after the 60-days would require the evidence for reinstatement according to I.C. § 42-218a(2).

Notes per Jeff Peppersack (11/30/07 & 12/5/07)