

Topic: Question Regarding a Special Search Request  
 Question by: Rebecca Longfellow  
 Jurisdiction: Indiana  
 Date: June 20, 2013

Jurisdiction	Question(s)
	<p>I had a company by the name of Go Leads request a list of business entities who owe a business entity report. I asked what the list would be used for, and he stated it would be given to an Indiana CPA firm that would be reaching out to the companies and offering their services.</p> <p>With the amount of fraud we have all been experiencing, I am a little hesitant to proceed with the request.</p> <p>Do any other states create lists of business entities that owe reports?</p>
<b>Manitoba</b>	
<b>Corporations Canada</b>	
<b>Alabama</b>	
<b>Alaska</b>	
<b>Arizona</b>	
<b>Arkansas</b>	
<b>California</b>	
<b>Colorado</b>	
<b>Connecticut</b>	<p>We have not been asked to provide lists of entities in default of their annual filing requirement, however we regularly sell lists of "All Actives," "All Actives in a given town or county," etc. Sadly, even when customers get the All Actives list, they are likely to automatically get the names of about 35% of our entities that are noncompliant with their Report filing, but hey...we're actively working on that! Also, it should be noted that we do nothing to vet the folks who request lists and we know many of the requests are for marketing purposes. It is the public record that we maintain, so we take the position that, if we can provide it, we will (for a reasonable price).</p>
<b>Delaware</b>	
<b>District of Columbia</b>	<p>In the District of Columbia I do not recall getting any such request. If we are to get it via FOIA, then we will look into it and possibly process it.</p>
<b>Florida</b>	

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<b>Georgia</b>	
<b>Hawaii</b>	<p>In Hawaii, if you have a subscriber account, we provide an online service where you can purchase a customized list. It is called entity list builder &amp; the subscriber will be billed 5 cents per record.</p>
<b>Idaho</b>	
<b>Illinois</b>	<p>No, not in Illinois</p>
<b>Indiana</b>	
<b>Iowa</b>	
<b>Kansas</b>	<p>I believe the Kansas Open Record Act would require us to provide this information as long as the person signed a document stating that they wouldn't use the information for solicitation purposes. It doesn't sound like he would be able to sign that statement.</p> <p>Does Kansas have a statute prohibiting the use of public information for solicitation purposes?</p> <p>Yes, Kansas law requires all records to be open unless that record falls under an exception in the act or a specific exception in another act.</p> <p>The first link is to the entire Open Records Act. The second link is to the list of exemptions.</p> <p><a href="http://www.kslegislature.org/li_2012/b2011_12/statute/045_000_0000_chapter/045_002_0000_article/">http://www.kslegislature.org/li_2012/b2011_12/statute/045_000_0000_chapter/045_002_0000_article/</a></p> <p><a href="http://www.kslegislature.org/li_2012/b2011_12/statute/045_000_0000_chapter/045_002_0000_article/045_002_0030_section/045_002_0030_k/">http://www.kslegislature.org/li_2012/b2011_12/statute/045_000_0000_chapter/045_002_0000_article/045_002_0030_section/045_002_0030_k/</a></p>
<b>Kentucky</b>	
<b>Louisiana</b>	<p>Louisiana would also if requested to do so. There is a charge for the list depending on the number of the entities returned in the search.</p>
<b>Maine</b>	
<b>Maryland</b>	

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<b>Massachusetts</b>	
<b>Michigan</b>	
<b>Minnesota</b>	
<b>Mississippi</b>	
<b>Missouri</b>	
<b>Montana</b>	
<b>Nebraska</b>	
<b>Nevada</b>	<p>In Nevada, the customer can access that information using our bulk data download service and querying by annual list due date. There is a fee for this reporting service. We do not question the reason why they are asking as this is public information.</p>
<b>New Hampshire</b>	
<b>New Jersey</b>	
<b>New Mexico</b>	
<b>New York</b>	
<b>North Carolina</b>	
<b>North Dakota</b>	
<b>Ohio</b>	<p>I have never received a request like this in Ohio, but my response would be no, we do not create public records. That is not a report we otherwise generate, and would not produce that information, but I would inform the customer that all business data is on our public site and they may do a search to find that information. They could also request a specific business report that we do generate (at no cost) and sort the data in a way to find the information they need.</p>
<b>Oklahoma</b>	

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<b>Oregon</b>	<p>I think that's how the scammers get the targeting info. They order our active filings list, then sort it by anniversary date. Easy to do and perfectly legal. As they say, it's all public information. The nice thing is that, if they do that, you now have a money trail. We used the purchasing info to trace back a bad guy who was doing one of the previous scams. Almost caught him, too, but the mailbox service he used accidentally scared him off.</p>
<b>Pennsylvania</b>	
<b>Rhode Island</b>	
<b>South Carolina</b>	
<b>South Dakota</b>	
<b>Tennessee</b>	
<b>Texas</b>	<p>Texas would if requested to do so. The request would be considered a public information request under the Texas Public Information Act. Under that Act we could not ask the requesting party for what purpose the request was made.</p>
<b>Utah</b>	<p>Utah produces lists but I don't think status date is a sorting criteria. Like stated before, they could certainly manipulate the data to get what they want.....</p>
<b>Vermont</b>	
<b>Virginia</b>	
<b>Washington</b>	<p>In Washington State we provide a free download of our entire searchable data. The searchable data includes annual report/expiration dates.</p> <p>Although our download is stated to not be used for commercial purpose, it could be manipulated to search upcoming due dates. The same goes for our API that is offered to the public for the same data.</p>
<b>West Virginia</b>	
<b>Wisconsin</b>	
<b>Wyoming</b>	

**Additional comments:**

**Full text of email:**

Hi all,

I had a company by the name of Go Leads request a list of business entities who owe a business entity report. I asked what the list would be used for, and he stated it would be given to an Indiana CPA firm that would be reaching out to the companies and offering their services.

With the amount of fraud we have all been experiencing, I am a little hesitant to proceed with the request.

Do any other states create lists of business entities that owe reports?

Thanks for your input.

Rebecca Longfellow

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