

Topic: Business Entity Filings

Question by: Rebecca Morris

Jurisdiction: Alabama

Date: December 12, 2011

Jurisdiction	Question(s)			
	Does your state file business entities online?	If so, which types – or all?	Are business entities filed directly with the SOS or do they have to file through some other entity prior to filing with you (our filings for domestic entities have to be filed on paper in the 67 county probate offices and are forwarded to us by those offices – on paper)? Anybody else have that situation?	Do you have standardized forms? Required?
Manitoba				
Corporations Canada	Yes	All	Not Corporations Canada. Business corporations file directly with us.	Yes
Alabama	Yes	Everything but limited partnerships	Directly with the SOS. Our database does sync with the Master Licensing system so that other agencies and counties can access the information.	We have done standard forms, but they are not required.
Alaska				

Jurisdiction	Question(s)			
	Does your state file business entities online?	If so, which types – or all?	Are business entities filed directly with the SOS or do they have to file through some other entity prior to filing with you (our filings for domestic entities have to be filed on paper in the 67 county probate offices and are forwarded to us by those offices – on paper)? Anybody else have that situation?	Do you have standardized forms? Required?
Arizona	Only name reservations and corporation annual reports.		We handle LLCs and corps - SOS handles partnerships and trade names. No county involvement at all.	Standardized, required form for corporation annual report only. We do have other forms, but their use is optional.
Arkansas				
California	Yes	Corporation required annual Statements of Information, See Below		
Colorado	Yes	All, except corporations sole.	Directly with the SOS	Yes, we require the use of a form, but additional information can be attached.
Connecticut				
Delaware				
District of Columbia	Yes, we have online formation and registration process.	Yes, all types.	Directly with us.	Yes, we have standardized forms. Required for foreign filers but optional for domestic. Most customers are using our forms.

Jurisdiction	Question(s)			
	Does your state file business entities online?	If so, which types – or all?	Are business entities filed directly with the SOS or do they have to file through some other entity prior to filing with you (our filings for domestic entities have to be filed on paper in the 67 county probate offices and are forwarded to us by those offices – on paper)? Anybody else have that situation?	Do you have standardized forms? Required?
Florida	Yes	New Florida corporations (profit and non-profit), Florida LLCs, Florida LPs, Fictitious Name Registrations, Annual Reports and Reinstatements, and Judgment Liens. Our computer system is currently being re-written in-house and Amendments and Foreign entities will be added to the list.	New business entities are filed directly and only with the Division of Corporations. They are immediately available on our website and accessible to anyone, the counties included.	Yes we have standardized forms but they are not required.
Georgia				

Jurisdiction	Question(s)			
	Does your state file business entities online?	If so, which types – or all?	Are business entities filed directly with the SOS or do they have to file through some other entity prior to filing with you (our filings for domestic entities have to be filed on paper in the 67 county probate offices and are forwarded to us by those offices – on paper)? Anybody else have that situation?	Do you have standardized forms? Required?
Hawaii	Yes	All, domestic & foreign corporations, LLCs, general & limited partnerships, trade names, trademarks, service marks, name change amendments, name reservation applications, commercial registered agent forms, registered agent forms and annual reports.	Directly filed with our office.	Some forms are official forms, which are required to be used by the public. Some of our official forms are name reservation applications, trade name, trademark, service mark applications, annual reports, foreign corporation applications and general partnership registration statements. We also provide unofficial forms, optional forms provided by our division for a majority of all our entity registrations. Follow up: The attachment (good standing certificates, etc.) for Hawaii's online filings should be PDF, JPG, BMP or TIF file. 2 MB limit.

Jurisdiction	Question(s)			
	Does your state file business entities online?	If so, which types – or all?	Are business entities filed directly with the SOS or do they have to file through some other entity prior to filing with you (our filings for domestic entities have to be filed on paper in the 67 county probate offices and are forwarded to us by those offices – on paper)? Anybody else have that situation?	Do you have standardized forms? Required?
Idaho				
Illinois	Yes	Corps. And LLC	No	Yes and Yes
Indiana				
Iowa				
Kansas				
Kentucky				
Louisiana	Yes	All but partnerships	Directly with SOS	Yes and No Follow-up: When a foreign entity is filed online we will only accept a PDF of the certificate from the home state.
Maine				
Maryland				
Massachusetts				

Jurisdiction	Question(s)			
	Does your state file business entities online?	If so, which types – or all?	Are business entities filed directly with the SOS or do they have to file through some other entity prior to filing with you (our filings for domestic entities have to be filed on paper in the 67 county probate offices and are forwarded to us by those offices – on paper)? Anybody else have that situation?	Do you have standardized forms? Required?
Michigan	No	N/A	No – filed by paper directly with our office.	Yes – forms are prescribed by our office, and typically these forms are required. There are very few exceptions to this requirement. (See below)
Minnesota				
Mississippi				
Missouri	Yes	Currently only LLCs and Fictitious Name Registrations are filed online.	No	We do have standardized forms, but they are not required.
Montana	Annual Reports for Corporations and LLC's only		The documents are filed directly with the Secretary of State	Yes. Some forms are required. Most customers use our forms.
Nebraska				
Nevada	Yes	Domestic Corps and LLCs	Directly with SOS	We require our standard forms for all paper filings

Jurisdiction	Question(s)			
	Does your state file business entities online?	If so, which types – or all?	Are business entities filed directly with the SOS or do they have to file through some other entity prior to filing with you (our filings for domestic entities have to be filed on paper in the 67 county probate offices and are forwarded to us by those offices – on paper)? Anybody else have that situation?	Do you have standardized forms? Required?
New Hampshire	New Hampshire only has online Annual Report filing at this time.	We are currently developing our requirements for online certificates and online creation filing.		
New Jersey				
New Mexico				
New York	Yes	Basic business corporation incorporation and LLC formation. We will have online filing for biennial statements for these entities soon.	Directly with SOS. We have to send copies of corporation certificates and assumed names filings to county clerks offices.	Yes but not required.

Jurisdiction	Question(s)			
	<p>Does your state file business entities online?</p>	<p>If so, which types – or all?</p>	<p>Are business entities filed directly with the SOS or do they have to file through some other entity prior to filing with you (our filings for domestic entities have to be filed on paper in the 67 county probate offices and are forwarded to us by those offices – on paper)? Anybody else have that situation?</p>	<p>Do you have standardized forms? Required?</p>
<p>North Carolina</p>	<p>North Carolina does not have any creation documents or name reservations online. NC does provide a means for ordering an electronic Certificate of Existence or any certified document of a filed document.</p> <p>The only document filed online in the business registrar section "Corporations Division", is the annual report for Business Corporations, Limited Liability Companies and Limited Liability Partnerships.</p> <p>If an entity is going to do business under a different name, they are required to file this paperwork with the county register of deeds office.</p>			

Jurisdiction	Question(s)			
	Does your state file business entities online?	If so, which types – or all?	Are business entities filed directly with the SOS or do they have to file through some other entity prior to filing with you (our filings for domestic entities have to be filed on paper in the 67 county probate offices and are forwarded to us by those offices – on paper)? Anybody else have that situation?	Do you have standardized forms? Required?
North Dakota	North Dakota does not yet have any business filings filed online. We are building a new software system to make that functionality available.		Business entity filings are only filed with the Secretary of State's Office.	Forms are prescribed for most filings but are only required to be used to file annual reports.
Ohio	No	N/A	No – filed by paper directly with our office.	Yes – forms are prescribed by our office, and typically these forms are required. There are very few exceptions to this requirement.
Oklahoma				
Oregon	Yes. Some new entity organization and most renewals are online.	Business corp, LLC, ABN/DBA, Foreign business corp, domestic nonprofit corp. Nearly 70% of new filings.	Filed directly	We have standard forms for paper, they must use our wizard for online filing, and they can do their own forms by paper.
Pennsylvania				

Jurisdiction	Question(s)			
	Does your state file business entities online?	If so, which types – or all?	Are business entities filed directly with the SOS or do they have to file through some other entity prior to filing with you (our filings for domestic entities have to be filed on paper in the 67 county probate offices and are forwarded to us by those offices – on paper)? Anybody else have that situation?	Do you have standardized forms? Required?
Rhode Island	Yes	Almost all domestic forms (no dissolutions, conversions or mergers.) Some foreign forms (no qualification forms or forms that require attachments (i.e. evidence from home state or other licensing agency)	Direct filings. We don't have a County Government structure in RI.	YES. We have a form for almost every filing. Not statutorily mandated but widely utilized, non-standard forms are a rare exception. http://sos.ri.gov/business/filings/corporateforms/
South Carolina				
South Dakota				
Tennessee				

Jurisdiction	Question(s)			
	Does your state file business entities online?	If so, which types – or all?	Are business entities filed directly with the SOS or do they have to file through some other entity prior to filing with you (our filings for domestic entities have to be filed on paper in the 67 county probate offices and are forwarded to us by those offices – on paper)? Anybody else have that situation?	Do you have standardized forms? Required?
Texas	Yes	Online filing available for certificates of formation and applications for registration for all entity types created under general law. Does not include entities created under special statutes.	Directly with the SOS.	We have standardized forms but use of the forms is permissive rather than mandatory.
Utah	Yes	All	Directly with us	Yes and no
Vermont				
Virginia				
Washington				
West Virginia				
Wisconsin				
Wyoming				

Additional comments

Michigan's answers are below:

The only documents that can be filed online are the annual reports and annual statements at this time in Michigan. The Division provides services that enable corporations, limited partnerships, limited liability companies, and limited liability partnerships to be formed, and for foreign entities to obtain a certificate of authority to transact business . The documents are filed directly with this office.

The Corporation Division does have standard forms; however, if a document is submitted and it substantially conforms to the requirements of the applicable statute it will be accepted for filing in this office.

Julia Dale

Director, Corporation Division

2501 Woodlake Circle

Okemos, MI 48864-5955

(517) 241-6463

Happy Holidays from California. Our specific answers are below. While we currently have limited business entity online filings (corporations annual Statements of Information), we are in the requirements gathering stage for a Request for Proposal for a system integration vendor to automate all of our Business Entities, UCC Filings, trademarks and other special filings as well as our order requests.

A follow up question to Rebecca's questions:

For those of you that qualify foreign entities online, how do you deal with attachment (good standing certificates, etc.)? Do you have specific requirements for attachments? (e.g. PDF?)

Full text of email:

Happy Holidays from Alabama,

I wanted to see if we are the only state in our particular boat on business entity (corporations, LLC, LLP, etc) filings. We have very little online – just Certificates of Existence and Domestic Name Reservations. Does your state:

1. File business entities online?
2. If so, which types – or all?
3. Are business entities filed directly with the SOS or do they have to file through some other entity prior to filing with you (our filings for domestic entities have to be filed on paper in the 67 county probate offices and are forwarded to us by those offices – on paper)? Anybody else have that situation?
4. Do you have standardized forms? Required?

I would be really grateful for any information. Thanks,

[Rebecca Morris, CPM](#)

Director of Business Services

Office of Alabama Secretary of State

334-242-7221

Thanks, Betsy:

On your follow-up. We do not file any of the foreign filings that require documentation online at this point. We are looking at an interactive system that would allow the filer to submit the filing and someone in my office to review it and approve or decline – it may be faster and would definitely eliminate the paper handling and scanning. It is about a year down the road though. L

Happy Holidays,

Rebecca Morris, CPM

Director of Business Services

Office of Alabama Secretary of State

334-242-7221