
“LEGAL CONSIDERATIONS FOR STARTING AND SUSTAINING A BUSINESS.”

by Dr. Reginal D. Harris, Esq.

BUSINESS START-UP TOOL KIT

Business Start-up Checklist



Types of Business Entities



Legal Formation Requirements



Employer Identification Number (SS-4)



County Clerk's Office & Resources



Small Business & Entrepreneurship Services



Local & State Business Certifications & Benefits



Veterans Entrepreneur Program Support & Services



Business Startup & Counseling Support Organizations

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BIOGRAPHY

ATTORNEY • CONSULTANT • EDUCATOR • ENTREPRENEUR • PHARMACIST



Dr. Reginal D. Harris is a native of Los Angeles, California, but about the age of six moved to Bainbridge, Georgia, where he was raised by his grandmother, the late Mrs. Judie A. Belvin. In 1987, at age seventeen, Dr. Harris graduated from Bainbridge High School, in the top 5% of his class. He entered the U.S. Army's weeks after his eighteenth birthday. During his enlistment, he achieved the rank of Sergeant. He earned a **Green-to-Gold Scholarship to pursue a direct commission in the Army Reserve Officer's Training Corps**. He used the scholarship to pay for his first three years of pharmacy school, at Florida A&M University (Tallahassee). He also served in the Army Reserve in Tallahassee, Florida.

In April 1997, he earned a Bachelor of Science in Pharmacy and Pharmaceutical Sciences (Cum laude) and was sworn in as a Second Lieutenant in the U.S. Air Force (Biomedical Services Corps). He honorably served as a Pharmacist at Wilford Hall Medical Center, Lackland Air Force Base. He achieved the rank of First Lieutenant before transitioning back to civilian life, March 2000. During his military service, Dr. Harris received over forty military honors that include an Army Commendation Medal, Army Achievement Medal (4 Oak Leaf Clusters), Air Force Achievement Medal, Good Conduct Medal, Expert Field Medical Badge, Parachutist Badge, and host of certificates, letters, and plaques. In 2008, Dr. Harris earned a Doctor of Pharmacy degree (Cum laude) from the University of Colorado Skaggs School of Pharmacy (Aurora).

In March 2000, he founded InfoSource Communications as a sole proprietorship. At that time, the company provided consulting, research, and training services (San Antonio). In 2004, he restructured InfoSource into a Limited Liability Company (LLC) and S Corporation, in Florida and in Texas in 2005, as its Managing Member and Senior Consultant. Today InfoSource focuses on legal, administrative, pharmacy, business, and management consulting and training for individuals, companies, corporations, non-profits, government, healthcare, and educational entities. InfoSource is certified as an African American, Disabled, Emerging Small, Minority, Service Disabled, and Veteran-Owned Business Enterprise by the South Central Texas Regional Certification Agency and as an Historically Underutilized Business by the Texas Comptroller.

Since 2006, Dr. Harris has volunteered with many Veteran Service Organizations. In 2007, he became the Assistant Chapter Service Officer for Roy B. Hodges Disabled American Veterans (DAV) Chapter #128 (San Antonio). For eight years as Service Officer, he assisted veterans and families with filing claims for benefits, compensation, and pension. In 2014, he formed Helping Warriors Succeed, Inc. (HWS), a Certified Texas Domestic Nonprofit organization that obtained tax-exempt status under Internal Revenue Code Section 501(c)(3). HWS three main missions are (1). "enhance the quality of life of veterans and their families by streamlining the benefit claims process; (2). "provide charitable services that alleviate the suffering of indigent and homeless veterans; and (3). "structure training programs that fit their personal, professional, and business needs." During the last fourteen years, Dr. Harris has served over 200 veterans, filed over 500 claims, and hosted over 50 training events.

Dr. Harris earned a Juris Doctor degree (Cum laude) from Texas Southern University (TSU) Thurgood Marshall School of Law, (Houston). He is licensed to practice law in the State of Texas, before the Department of Veterans Affairs, Board of Veterans Appeals, U. S. Court of Appeals for Veterans Claims, and U. S. District Court for the Western District of Texas. He serves as "Of Counsel" for the Law Offices of Bell & White, PLLC (San Antonio). His practice areas are Appellate law, Business and Contract law, Consumer Protection, Family law, Health and Pharmacy law, non-criminal Post-Conviction, and Veterans Appeals. He completed a one-year Federal Judicial Externship with the Honorable Kenneth M. Hoyt, Senior Judge, U.S. District Court for the Southern District of Texas; a summer internship with Lonestar Legal Aid Inc. (AmeriCorps JD); an externship with the Innocence Project at Earl Carl Institute Policy and Social Justice; and a clerkship at Roberts Markland LLP. He served as legal researcher and writing assistant for numerous law professors at Texas Southern University Thurgood Marshall School of law.

Dr. Harris' teaching experience includes serving on adjunct faculty at Florida A&M University, Nova Southeastern University, Texas A&M University, University of Colorado, University of Florida, University of the Incarnate Word, San Antonio College, and Northwest Vista College. Currently, he's a Visiting Instructor and an Advisory Board member at TSU College of Pharmacy and Health Sciences. He has authored three books, six e-books, seven CD-ROM training programs, six legal articles, and an Amicus brief that was accepted by the U.S. Supreme Court.

He's affiliations include San Antonio Bar Association (member); Helping Warriors Succeed, Inc. (Executive Director); Roy B. Hodges Chapter #128 Disabled American Veterans (Life Member); American Pharmacists Association; Florida A&M University National Alumni Association (member); and National Diamondback Pharmacy Alumni Association (member). Notable past affiliations include American Bar Association; American Society of Hospital Pharmacists; Florida Pharmacy Association Inc.; Houston Intellectual Property Law Association; Houston Lawyers Association; J.R.E. Lee, Sr. Lodge #422 (P.H.A.); Kappa Psi Pharmaceutical Fraternity Inc.; Nancy F. Atlas Intellectual Property Inn of Court; and National Society of Pershing Rifles (Chapter C-16).

Connect with Dr. Harris on **LinkedIn** at [linkedin.com/in/dr-reginal-d-harris-esq-72aa911](https://www.linkedin.com/in/dr-reginal-d-harris-esq-72aa911). Read his publications on the **Social Science Research Network** at ssrn.com/author=3783178. Subscribe and follow the "Ask Dr. Reg" blog at askdrreg.blogspot.com.

Business Start-up Checklist



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While not exhaustive, the two following checklists are designed to help businessowners carefully consider the legal, economic, and other important considerations to starting and sustaining a business.

PRE-BUSINESS START-UP LEGAL CONSIDERATIONS

- Perform a criminal background check on people interested in going into business with you.
- Perform a credit check (all three reporting agencies) on people interested in going into business with you.
- Perform reference checks on people interested in going into business with you.
- Research the pros and cons of the type, service, and/or products of your business.
- Develop a written strategic plan for starting or sustaining your business.
- Consider whether to use an online legal website or in-person business consultant.
- Consider why you want to start a business (other than to make money).
- Consider what level of liability, risk, and control you want in the business entity.
- Determine what type of business entity best serves your level of liability, risk, and control.
- Determine "Who Controls the Day-to-Day Operations."
- Determine amount of start-up capital contribution needed to start the business.
- Determine amount of compensation and revenue desired in 1st, 2nd, and 3rd years of business.
- Identify competent legal, financial, and tax professionals to help keep your business solvent.
- Determine advantages and disadvantages of dissolving, changing, or walking away for a business.

BUSINESS START-UP/SUSTAINABILITY CHECKLIST FORMALITIES/FORMATION/CERTIFICATION/BANKING/OPERATIONS

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <input type="checkbox"/> Create a business binder to keep all documents. <input type="checkbox"/> Research/decide business name (state and county). <input type="checkbox"/> Decide names of owners, and/or affiliates and their initial capital contribution. <input type="checkbox"/> Obtain business or occupational licenses of all owners/affiliates. <input type="checkbox"/> Decide Registered Agent and Registered Office. <input type="checkbox"/> Complete/submit Certificate of Formation (state). <input type="checkbox"/> Complete/submit Assumed Name Application (county). <input type="checkbox"/> Complete/submit Employer Identification Number (SS-4). <input type="checkbox"/> If LLC, make Sub-Chapter C or S Corporation election on SS-4. <input type="checkbox"/> Research financial institution to conduct business banking. <input type="checkbox"/> Open business bank account (credit union or bank). | <ul style="list-style-type: none"> <input type="checkbox"/> Conduct and document first business meeting. <input type="checkbox"/> Appoint officers, directors, or managers of business. <input type="checkbox"/> Research/Purchase Worker's Compensation Insurance <input type="checkbox"/> Research/Purchase General Liability Insurance <input type="checkbox"/> Research/Purchase Professional Liability Insurance <input type="checkbox"/> Draft/Approve Company Agreement, Bylaws, or Partnership Agreement. <input type="checkbox"/> Draft/Approve Shareholder Agreement (Corporations). <input type="checkbox"/> Complete franchise tax, sales tax, use tax permit, and/or federal tax applications. <input type="checkbox"/> Complete/submit local and state certifications. <input type="checkbox"/> Add business to local and state vendors lists. |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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Types of Business Entities



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TEXAS SECRETARY OF STATE

DAVID WHITLEY

[Election Outlook: Texas Secretary of State Reminds Texans To Plan Their Trip To The Polls](#) | [More about Identification Requirements for Voting](#) | [Thursday, April 4, 2019 is the last day to register to vote for the May 4, 2019 Uniform Election](#) | [What's on the Ballot](#) | [Am I Registered to Vote?](#) | [Election Night Returns](#) | [Voter Information](#) | [Voting Issues for Texas Harvey Evacuees](#) | [2018 Texas Election Security Update](#)

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Selecting A Business Structure

The decision regarding business structure is a decision that a person should make, in consultation with an attorney and accountant, and taking into consideration issues regarding tax, liability, management, continuity, transferability of ownership interests, and formality of operation.



Generally, businesses are created and operated in one of the following forms:

- **Sole proprietorship:** The most common and the simplest form of business is the sole proprietorship. In a sole proprietorship, a single individual engages in a business activity without necessity of formal organization. If the business is conducted under an assumed name (a name other than the surname of the individual), then an assumed name certificate (commonly referred to as a DBA) should be filed with the office of the county clerk in the county where a business premise is maintained. If no business premise is maintained, then an assumed name certificate should be filed in all counties where business is conducted under the assumed name.
- **General partnership:** A general partnership is created when two or more persons associate to carry on a business for profit. A partnership generally operates in accordance with a partnership agreement, but there is no requirement that the agreement be in writing and no state-filing requirement. If the business of the partnership is conducted under an assumed name (a name that does not include the surname of all of the partners), then an assumed name certificate (commonly referred to as a DBA) should be filed with the office of the county clerk in the county where a business premise is maintained. If no business premise is maintained, then an assumed name certificate should be filed in all counties where business is conducted under the assumed name.
- **Corporation:** A Texas corporation is created by filing a certificate of formation with the Texas Secretary of State. The Secretary of State provides a form that meets minimum state law requirements. Online filing of a certificate of formation is provided through SOSDirect.

A corporation is a legal person with the characteristics of limited liability, centralization of management, perpetual duration, and ease of transferability of ownership interests. The owners of a corporation are called "shareholders." The persons who manage the business and affairs of a corporation are called "directors." However, state corporate law does provide for shareholders to enter into shareholders' agreements to eliminate the directors and provide for shareholder management. Choosing the best management structure for your corporation is a decision you make with the advice of an attorney. The Secretary of State cannot assist you.

An “S” corporation is not a matter of state corporate law but rather a federal tax election. A for-profit corporation elects to be taxed as an “S” corporation by filing an election with the Internal Revenue Service. Please contact the [IRS](#) or competent tax counsel regarding the decision to be taxed as an “S” corporation and the requirements for filing the election. This is not a matter with which the Secretary of State may assist.

- **Limited Liability Company:** A Texas limited liability company is created by filing a certificate of formation with the Texas Secretary of State. The Secretary of State provides a form that meets minimum state law requirements. Online filing of a certificate of formation is provided through SOSDirect.

The limited liability company ([LLC](#)) is not a partnership or a corporation but rather is a distinct type of entity that has the powers of both a corporation and a partnership. Depending on how the [LLC](#) is structured, it may be likened to a general partnership with limited liability, or to a limited partnership where all the owners are free to participate in management and all have limited liability, or to an “S” corporation without the ownership and tax restrictions imposed by the Internal Revenue Code. Unlike the partnership, where the key element is the individual, the essence of the limited liability company is the entity, requiring for its creation more formal requirements. 1 William D. Bagley & Phillip P. Whynott, *The Limited Liability Company*, §2.10, (2d ed. 2d rev. James Publishing, 1995).

The owners of an [LLC](#) are called “members.” A member can be an individual, partnership, corporation, trust, and any other legal or commercial entity. Generally, the liability of the members is limited to their investment and they may enjoy the pass-through tax treatment afforded to partners in a partnership. As a result of federal tax classification rules, an [LLC](#) can achieve both structural flexibility and favorable tax treatment. Nevertheless, persons contemplating forming an [LLC](#) are well advised to consult competent legal counsel.

A limited liability company can be managed by managers or by its members. The management structure must be stated in the certificate of formation. Management structure is a determination that is made by the [LLC](#) and its members. The Secretary of State cannot give advice about management structure.

- **Limited Partnership:** A Texas limited partnership is a partnership formed by two or more persons and having one or more general partners and one or more limited partners. The limited partnership operates in accordance with a partnership agreement, written or oral, of the partners as to the affairs of the limited partnership and the conduct of its business. While the partnership agreement is not filed for public record, the limited partnership must file a certificate of formation with the Texas Secretary of State. The Secretary of State provides a form that meets minimum state law requirements. Online filing of the certificate of formation is provided through SOSDirect.
- **Limited Liability Partnership:** In order to limit the liability of its general partners, a general or limited partnership may opt to register as a limited liability partnership. The Secretary of State provides a form for registration as a limited liability partnership. Online filing of the registration is provided through SOSDirect.

The information on this page should not be considered a substitute for the advice and services of an attorney and tax specialist in deciding on the business structure.

Organizer

The name and address of the organizer:

Name

Street or Mailing Address

City

State Zip Code

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: _____

Signature of organizer

Printed or typed name of organizer

Legal Formation Requirements



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TYPES OF BUSINESS OWNERSHIPS

One of the first decisions that you will have to make as a business owner is how the company should be structured. This decision will have long-term implications, so consult with an accountant and attorney to help you select the form of ownership that is right for you. In making a choice, you will want to take into account the following:

- Your vision regarding the size and nature of your business.
- The level of control you wish to have.
- The level of "structure" you are willing to deal with.
- The business's vulnerability to lawsuits.
- Tax implications of the different ownership structures.
- Expected profit (or loss) of the business.
- Whether or not you need to re-invest earnings into the business.
- Your need for access to cash out of the business for yourself.

Sole Proprietorship

- + Easy to organize
- + Owner has complete control.
- + Owner receives all income.
- Owner has unlimited liability.
- Benefits are not business deductions.

SOLE PROPRIETORSHIPS

The vast majority of small business start out as sole proprietorships. These firms are owned by one person, usually the individual who has day-to-day responsibility for running the business. Sole proprietors own all the assets of the business and the profits generated by it. They also assume complete responsibility for any of its liabilities or debts. In the eyes of the law and the public, you are one in the same with the business.

ADVANTAGES OF A SOLE PROPRIETORSHIP

- Easiest and least expensive form of ownership to organize.
- Sole proprietors are in complete control, and within the parameters of the law, may make decisions as they see fit.
- Sole proprietors receive all income generated by the business to keep or reinvest.
- Profits from the business flow-through directly to the owner's personal tax return.
- The business is easy to dissolve, if desired.

DISADVANTAGES OF A SOLE PROPRIETORSHIP

- Sole proprietors have unlimited liability and are legally responsible for all debts against the business. Their business *and* personal assets are at risk.
- May be at a disadvantage in raising funds and are often limited to using funds from personal savings or consumer loans.
- May have a hard time attracting high-caliber employees, or those that are motivated by the opportunity to own a part of the business.
- Some employee benefits such as owner's medical insurance premiums are not **directly** deductible from business income (only partially deductible as an adjustment to income).

FEDERAL TAX FORMS FOR SOLE PROPRIETORSHIP (only a partial list and some may not apply)

- Form 1040: Individual Income Tax Return
- Schedule C: Profit or Loss from Business (or Schedule C-EZ)
- Schedule SE: Self-Employment Tax
- Form 1040-ES: Estimated Tax for Individuals
- Form 4562: Depreciation and Amortization

- Form 8829: Expenses for Business Use of your Home
- Employment Tax Forms (can be found at www.sba.gov)

PARTNERSHIPS

In a Partnership, two or more people share ownership of a single business. Like proprietorships, the law does not distinguish between the business and its owners. The Partners should have a legal agreement that sets forth how decisions will be made, profits will be shared, disputes will be resolved, how future partners will be admitted to the partnership, how partners can be bought out, or what steps will be taken to dissolve the partnership when needed;. Yes, its hard to think about a "break-up" when the business is just getting started, but many partnerships split up at crisis times and unless there is a defined process, there will be even greater problems. They also must decide up front how much time and capital each will contribute, etc.

Partnership

- + Easy to organize, but needs agreement.
- + Partners receive all income.
- Partners have unlimited liability.
- Partners may disagree.
- Life of business may be limited.

ADVANTAGES OF A PARTNERSHIP

- Partnerships are relatively easy to establish; however time should be invested in developing the partnership agreement.
- With more than one owner, the ability to raise funds may be increased.
- The profits from the business flow directly through to the partners' personal tax returns.
- Prospective employees may be attracted to the business if given the incentive to become a partner.
- The business usually will benefit from partners who have complementary skills.

DISADVANTAGES OF A PARTNERSHIP

- Partners are jointly and individually liable for the actions of the other partners.
- Profits must be shared with others.
- Since decisions are shared, disagreements can occur.
- Some employee benefits are not deductible from business income on tax returns.
- The partnership may have a limited life; it may end upon the withdrawal or death of a partner.

Types of Partnerships that should be considered:

- **GENERAL PARTNERSHIP**

Partners divide responsibility for management and liability, as well as the shares of profit or loss according to their internal agreement. Equal shares are assumed unless there is a written agreement that states differently.

- **LIMITED PARTNERSHIP AND PARTNERSHIP WITH LIMITED LIABILITY**

"Limited" means that most of the partners have limited liability (to the extent of their investment) as well as limited input regarding management decisions, which generally encourages investors for short term projects, or for investing in capital assets. This form of ownership is not often used for operating retail or service businesses. Forming a limited partnership is more complex and formal than that of a general partnership.

- **JOINT VENTURE**

Acts like a general partnership, but is clearly for a limited period of time or a single project. If the partners in a joint venture repeat the activity, they will be recognized as an ongoing partnership and will have to file as such, and distribute accumulated partnership assets upon dissolution of the entity.

FEDERAL TAX FORMS FOR PARTNERSHIPS (only a partial list and some may not apply)

- Form 1065: Partnership Return of Income
- Form 1065 K-1: Partner's Share of Income, Credit, Deductions
- Form 4562: Depreciation
- Form 1040: Individual Income Tax Return
- Schedule E: Supplemental Income and Loss
- Schedule SE: Self-Employment Tax
- Form 1040-ES: Estimated Tax for Individuals
- Employment Tax Forms (can be found at www.sba.gov)

CORPORATIONS

A corporation, chartered by the state in which it is headquartered, is considered by law to be a unique entity, separate and apart from those who own it. A corporation can be taxed; it can be sued; it can enter into contractual agreements. The owners of a corporation are its shareholders. The shareholders elect a board of directors to oversee the major policies and decisions. The corporation has a life of its own and does not dissolve when ownership changes.

ADVANTAGES OF A CORPORATION

- Shareholders have limited liability for the corporation's debts or judgments against the corporations.
- Generally, shareholders can only be held accountable for their investment in stock of the company, while officers can be held personally liable for failure to withhold and pay employment taxes.
- Corporations can raise additional funds through the sale of stock.
- A corporation may deduct the cost of benefits it provides to officers and employees.
- Can elect S corporation status (certain requirements apply).

DISADVANTAGES OF A CORPORATION

- The process of incorporation requires more time and money than other forms of organization.
- Corporations are monitored by federal, state and some local agencies, and as a result may have more paperwork to comply with regulations.
- Incorporating may result in higher overall taxes. Dividends paid to shareholders are not deductible from business income, thus this income can be taxed twice.

FEDERAL TAX FORMS FOR REGULAR OR "C" CORPORATIONS - partial list and some may not apply

- Form 1120 or 1120-A: Corporation Income Tax Return
- Form 1120-W Estimated Tax for Corporation
- Form 8109-B Deposit Coupon
- Form 4625 Depreciation
- Employment Tax Forms (can be found at www.sba.gov)
- Other forms as needed for capital gains, sale of assets, alternative minimum tax, etc.

SUBCHAPTER S CORPORATIONS

Corporation

- + Shareholders have limited liability.
- + Can raise funds thru sale of stock.
- + Life of business is unlimited.
- Incorporating takes time and money.
- May result in higher taxes overall.

A tax election only; this election enables the shareholder to treat the earnings and profits as distributions, and have them pass thru directly to their personal tax return. The catch here is that the shareholder, if working for the company, and if there is a profit, must pay herself wages, and it must meet standards of "reasonable compensation". This can vary by geographical region as well as occupation, but the basic rule is to pay yourself what you would have to pay someone to do your job, as long as there is enough profit. If you do not do this, the IRS can reclassify all of the earnings and profit as wages, and you will be liable for all of the payroll taxes on the total amount.

FEDERAL TAX FORMS FOR SUBCHAPTER S CORPORATIONS - (only a partial list and some may not apply)

- Form 1120S: Income Tax Return for S Corporation
- 1120S K-1: Shareholder's Share of Income, Credit, Deductions
- Form 4625 Depreciation
- Employment Tax Forms (can be found at www.sba.gov)
- Form 1040: Individual Income Tax Return
- Schedule E: Supplemental Income and Loss
- Schedule SE: Self-Employment Tax
- Form 1040-ES: Estimated Tax for Individuals
- Other forms as needed for capital gains, sale of assets, alternative minimum tax, etc.

LIMITED LIABILITY COMPANY (LLC)

The LLC is a relatively new type of hybrid business structure that is now permissible in most states. It is designed to provide the limited liability features of a corporation and the tax efficiencies and operational flexibility of a partnership. Formation is more complex and formal than that of a general partnership.

The owners are members, and the duration of the LLC is usually determined when the organization papers are filed. The time limit can be continued if desired by a vote of the members at the time of expiration. LLC's must not have more than two of the four characteristics that define corporations: Limited liability to the extent of assets; continuity of life; centralization of management; and free transferability of ownership interests.

FEDERAL TAX FORMS FOR LLC

Taxed as partnership in most cases; corporation forms must be used if there are more than 2 of the 4 corporate characteristics, as described above.

This content is for informational purposes only. It is the responsibility of individual reader to consult with their own legal representatives, accountants, financial advisors, and other consultants before making personal and or business decisions based on information published by this company.



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PRACTICE AREAS: State & Federal Appeals | Business & Contracting
Consumer Protection | Health | Pharmacy | Post Conviction | Veterans Claims



Employer Identification Number (SS-4)



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Application for Employer Identification Number
 (For use by employers, corporations, partnerships, trusts, estates, churches,
 government agencies, Indian tribal entities, certain individuals, and others.)
 ▶ Go to www.irs.gov/FormSS4 for instructions and the latest information.
 ▶ See separate instructions for each line. ▶ Keep a copy for your records.

EIN _____

Type or print clearly.

1 Legal name of entity (or individual) for whom the EIN is being requested		
2 Trade name of business (if different from name on line 1)	3 Executor, administrator, trustee, "care of" name	
4a Mailing address (room, apt., suite no. and street, or P.O. box)	5a Street address (if different) (Don't enter a P.O. box.)	
4b City, state, and ZIP code (if foreign, see instructions)	5b City, state, and ZIP code (if foreign, see instructions)	
6 County and state where principal business is located		
7a Name of responsible party	7b SSN, ITIN, or EIN	
8a Is this application for a limited liability company (LLC) (or a foreign equivalent)? <input type="checkbox"/> Yes <input type="checkbox"/> No		8b If 8a is "Yes," enter the number of LLC members ▶
8c If 8a is "Yes," was the LLC organized in the United States? <input type="checkbox"/> Yes <input type="checkbox"/> No		
9a Type of entity (check only one box). Caution: If 8a is "Yes," see the instructions for the correct box to check.		
<input type="checkbox"/> Sole proprietor (SSN) _____ <input type="checkbox"/> Partnership _____ <input type="checkbox"/> Corporation (enter form number to be filed) ▶ _____ <input type="checkbox"/> Personal service corporation _____ <input type="checkbox"/> Church or church-controlled organization _____ <input type="checkbox"/> Other nonprofit organization (specify) ▶ _____ <input type="checkbox"/> Other (specify) ▶ _____		
<input type="checkbox"/> Estate (SSN of decedent) _____ <input type="checkbox"/> Plan administrator (TIN) _____ <input type="checkbox"/> Trust (TIN of grantor) _____ <input type="checkbox"/> Military/National Guard <input type="checkbox"/> State/local government <input type="checkbox"/> Farmers' cooperative <input type="checkbox"/> Federal government <input type="checkbox"/> REMIC <input type="checkbox"/> Indian tribal governments/enterprises Group Exemption Number (GEN) if any ▶ _____		
9b If a corporation, name the state or foreign country (if applicable) where incorporated	State _____	Foreign country _____
10 Reason for applying (check only one box)		
<input type="checkbox"/> Started new business (specify type) ▶ _____ <input type="checkbox"/> Hired employees (Check the box and see line 13.) <input type="checkbox"/> Compliance with IRS withholding regulations <input type="checkbox"/> Other (specify) ▶ _____		
<input type="checkbox"/> Banking purpose (specify purpose) ▶ _____ <input type="checkbox"/> Changed type of organization (specify new type) ▶ _____ <input type="checkbox"/> Purchased going business <input type="checkbox"/> Created a trust (specify type) ▶ _____ <input type="checkbox"/> Created a pension plan (specify type) ▶ _____		
11 Date business started or acquired (month, day, year). See instructions.	12 Closing month of accounting year	
13 Highest number of employees expected in the next 12 months (enter -0- if none). If no employees expected, skip line 14.	14 If you expect your employment tax liability to be \$1,000 or less in a full calendar year and want to file Form 944 annually instead of Forms 941 quarterly, check here. (Your employment tax liability generally will be \$1,000 or less if you expect to pay \$5,000 or less in total wages.) If you don't check this box, you must file Form 941 for every quarter. <input type="checkbox"/>	
15 First date wages or annuities were paid (month, day, year). Note: If applicant is a withholding agent, enter date income will first be paid to nonresident alien (month, day, year) ▶		
16 Check one box that best describes the principal activity of your business.		
<input type="checkbox"/> Construction <input type="checkbox"/> Rental & leasing <input type="checkbox"/> Transportation & warehousing <input type="checkbox"/> Health care & social assistance <input type="checkbox"/> Wholesale-agent/broker <input type="checkbox"/> Real estate <input type="checkbox"/> Manufacturing <input type="checkbox"/> Finance & insurance <input type="checkbox"/> Accommodation & food service <input type="checkbox"/> Wholesale-other <input type="checkbox"/> Retail <input type="checkbox"/> Other (specify) ▶ _____		
17 Indicate principal line of merchandise sold, specific construction work done, products produced, or services provided.		
18 Has the applicant entity shown on line 1 ever applied for and received an EIN? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If "Yes," write previous EIN here ▶ _____		
Third Party Designee	Complete this section only if you want to authorize the named individual to receive the entity's EIN and answer questions about the completion of this form.	
	Designee's name	Designee's telephone number (include area code)
	Address and ZIP code	Designee's fax number (include area code)
Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete.		Applicant's telephone number (include area code)
Name and title (type or print clearly) ▶		Applicant's fax number (include area code)
Signature ▶	Date ▶	

Do I Need an EIN?

File Form SS-4 if the applicant entity doesn't already have an EIN but is required to show an EIN on any return, statement, or other document.¹ See also the separate instructions for each line on Form SS-4.

IF the applicant...	AND...	THEN...
started a new business	doesn't currently have (nor expect to have) employees	complete lines 1, 2, 4a-8a, 8b-c (if applicable), 9a, 9b (if applicable), and 10-14 and 16-18.
hired (or will hire) employees, including household employees	doesn't already have an EIN	complete lines 1, 2, 4a-6, 7a-b, 8a, 8b-c (if applicable), 9a, 9b (if applicable), 10-18.
opened a bank account	needs an EIN for banking purposes only	complete lines 1-5b, 7a-b, 8a, 8b-c (if applicable), 9a, 9b (if applicable), 10, and 18.
changed type of organization	either the legal character of the organization or its ownership changed (for example, you incorporate a sole proprietorship or form a partnership) ²	complete lines 1-18 (as applicable).
purchased a going business ³	doesn't already have an EIN	complete lines 1-18 (as applicable).
created a trust	the trust is other than a grantor trust or an IRA trust ⁴	complete lines 1-18 (as applicable).
created a pension plan as a plan administrator ⁵	needs an EIN for reporting purposes	complete lines 1, 3, 4a-5b, 7a-b, 9a, 10, and 18.
is a foreign person needing an EIN to comply with IRS withholding regulations	needs an EIN to complete a Form W-8 (other than Form W-8ECI), avoid withholding on portfolio assets, or claim tax treaty benefits ⁶	complete lines 1-5b, 7a-b (SSN or ITIN as applicable), 8a, 8b-c (if applicable), 9a, 9b (if applicable), 10, and 18.
is administering an estate	needs an EIN to report estate income on Form 1041	complete lines 1-7b, 9a, 10-12, 13-17 (if applicable), and 18.
is a withholding agent for taxes on nonwage income paid to an alien (that is, individual, corporation, or partnership, etc.)	is an agent, broker, fiduciary, manager, tenant, or spouse who is required to file Form 1042, Annual Withholding Tax Return for U.S. Source Income of Foreign Persons	complete lines 1, 2, 3 (if applicable), 4a-5b, 7a-b, 8a, 8b-c (if applicable), 9a, 9b (if applicable), 10, and 18.
is a state or local agency	serves as a tax reporting agent for public assistance recipients under Rev. Proc. 80-4, 1980-1 C.B. 581 ⁷	complete lines 1, 2, 4a-5b, 7a-b, 9a, 10, and 18.
is a single-member LLC (or similar single-member entity)	needs an EIN to file Form 8832, Entity Classification Election, for filing employment tax returns and excise tax returns, or for state reporting purposes ⁸ , or is a foreign-owned U.S. disregarded entity and needs an EIN to file Form 5472, Information Return of a 25% Foreign-Owned U.S. Corporation or a Foreign Corporation Engaged in a U.S. Trade or Business	complete lines 1-18 (as applicable).
is an S corporation	needs an EIN to file Form 2553, Election by a Small Business Corporation ⁹	complete lines 1-18 (as applicable).

¹ For example, a sole proprietorship or self-employed farmer who establishes a qualified retirement plan, or is required to file excise, employment, alcohol, tobacco, or firearms returns, must have an EIN. A partnership, corporation, REMIC (real estate mortgage investment conduit), nonprofit organization (church, club, etc.), or farmers' cooperative must use an EIN for any tax-related purpose even if the entity doesn't have employees.

² However, don't apply for a new EIN if the existing entity only (a) changed its business name, (b) elected on Form 8832 to change the way it is taxed (or is covered by the default rules), or (c) terminated its partnership status because at least 50% of the total interests in partnership capital and profits were sold or exchanged within a 12-month period. The EIN of the terminated partnership should continue to be used. See Regulations section 301.6109-1(d)(2)(iii).

³ Don't use the EIN of the prior business unless you became the "owner" of a corporation by acquiring its stock.

⁴ However, grantor trusts that don't file using Optional Method 1 and IRA trusts that are required to file Form 990-T, Exempt Organization Business Income Tax Return, must have an EIN. For more information on grantor trusts, see the Instructions for Form 1041.

⁵ A plan administrator is the person or group of persons specified as the administrator by the instrument under which the plan is operated.

⁶ Entities applying to be a Qualified Intermediary (QI) need a QI-EIN even if they already have an EIN. See Rev. Proc. 2000-12.

⁷ See also *Household employer agent* in the instructions. **Note:** State or local agencies may need an EIN for other reasons, for example, hired employees.

⁸ See *Disregarded entities* in the instructions for details on completing Form SS-4 for an LLC.

⁹ An existing corporation that is electing or revoking S corporation status should use its previously-assigned EIN.

Instructions for Form SS-4



Department of the Treasury
Internal Revenue Service

(Rev. December 2019)

Application for Employer Identification Number (EIN)

Section references are to the Internal Revenue Code unless otherwise noted.

General Instructions

Use these instructions to complete Form SS-4, Application for Employer Identification Number (EIN). Also, see *Do I Need an EIN?* on page 2 of Form SS-4.

Future Developments


For the latest information related to Form SS-4 and its instructions, such as legislation enacted after they were published, go to [IRS.gov/FormSS4](https://www.irs.gov/FormSS4).


What's New

Line 14. Replaced \$4,000 with \$5,000 in the discussion providing parameters on when an employer can elect to file Form 944.

Purpose of Form

Use Form SS-4 to apply for an EIN. An EIN is a 9-digit number (for example, 12-3456789) assigned to sole proprietors, corporations, partnerships, estates, trusts, and other entities for tax filing and reporting purposes. The information you provide on this form will establish your business tax account.

 See Form SS-4PR (for Puerto Rico) for the Spanish-language version of Form SS-4.

 An EIN is for use in connection with your business activities only. Don't use your EIN in place of your social security number (SSN) or individual taxpayer identification number (ITIN).

Reminders

Apply for an EIN online. For applicants in the U.S. or U.S. possessions, you can apply for and receive an EIN free of charge on [IRS.gov](https://www.irs.gov). See *How To Apply for an EIN*, later.

File only one Form SS-4. Generally, a sole proprietor should file only one Form SS-4 and needs only one EIN, regardless of the number of businesses operated as a sole proprietorship or trade names under which a business operates. However, if a sole proprietorship incorporates or enters into a partnership, a new EIN is required. Also, each corporation in an affiliated group must have its own EIN.

EIN applied for, but not received. If you don't have an EIN by the time a return is due, write "Applied For" and the date you applied in the space shown for the number. Don't show your SSN as an EIN on returns. If you don't have an EIN by the time a tax deposit is due, send your payment to the Internal Revenue Service Center for your filing area as shown in the instructions for the form that you are filing. Make your check or money order payable to the "United States Treasury" and show your name (as shown on Form SS-4), address, type of tax, period covered, and date you applied for an EIN.

 For information about EINs and federal tax deposits, see Pub. 15, Pub. 51, and Pub. 80.



To ensure fair and equitable treatment for all taxpayers, EIN issuances are limited to one per responsible party, per day. For trusts, the limitation is applied to the grantor, owner, or trustor. For estates, the limitation is applied to the decedent (decedent estate) or the debtor (bankruptcy estate). This limitation is applicable to all requests for EINs whether online, telephone, fax, or mail.

How To Apply for an EIN

You can apply for an EIN online (only for applicants in the U.S. or U.S. possessions), by telephone (only for applicants outside of the U.S. or U.S. possessions), by fax, or by mail, depending on how soon you need to use the EIN. Use only one method for each entity so you don't receive more than one EIN for an entity.

Apply for an EIN online. If you have a legal residence, principal place of business, or principal office or agency in the U.S. or U.S. possessions, you can receive an EIN online and use it immediately to file a return or make a payment. Go to the IRS website at [IRS.gov/Businesses](https://www.irs.gov/Businesses) and click on *Employer ID Number (EIN)*.

The principal officer, general partner, grantor, owner, trustor, etc., must have a valid taxpayer identification number (SSN, EIN, or ITIN) in order to use the online application. Taxpayers who apply online have an option to view, print, and save their EIN assignment notice at the end of the session. Authorized third-party designees, see instructions under *Line 18*.



If you have NO legal residence, principal place of business, or principal office or agency in the U.S. or U.S. possessions, you can't use the online application to obtain an EIN. Please use one of the other methods to apply.

Apply by telephone—option available to international applicants only. If you have NO legal residence, principal place of business, or principal office or agency in the U.S. or U.S. possessions, you may call 267-941-1099 (not a toll-free number), 6:00 a.m. to 11:00 p.m. (Eastern time), Monday through Friday, to obtain an EIN.

The person making the call must be authorized to receive the EIN and answer questions concerning Form SS-4. Complete the Third Party Designee section only if you want to authorize the named individual to receive the entity's EIN and answer questions about the completion of Form SS-4. The designee's authority terminates at the time the EIN is assigned and released to the designee. You must complete the signature area for the authorization to be valid.

Note. It will be helpful to complete Form SS-4 before contacting the IRS. An IRS representative will use the information from Form SS-4 to establish your account and assign you an EIN. Write the number you're given on the upper right corner of the form and sign and date it. Keep this copy for your records.

If requested by an IRS representative, mail or fax the signed Form SS-4 (including any third-party designee authorization) within 24 hours to the IRS address provided by the IRS representative.



The IRS no longer issues EINs by telephone for domestic taxpayers. Only international applicants can receive an EIN by telephone.

Apply by fax. Under the Fax-TIN program, you can receive your EIN by fax generally within 4 business days. Complete and fax Form SS-4 to the IRS using the appropriate fax number listed in *Where To File or Fax*, later. A long-distance charge to callers outside of the local calling area will apply. Fax-TIN numbers can only be used to

apply for an EIN. The numbers may change without notice. Fax-TIN is available 24 hours a day, 7 days a week.

Be sure to provide your fax number so the IRS can fax the EIN back to you.

Apply by mail. Complete Form SS-4 at least 4 to 5 weeks before you will need an EIN. Sign and date the application and mail it to the appropriate address listed in *Where To File or Fax*, later. You will receive your EIN in the mail in approximately 4 weeks. Also, see *Third-Party Designee*, later.

Call 800-829-4933 to verify a number or to ask about the status of an application by mail.



Form SS-4 downloaded from IRS.gov is a fillable form and, when completed, is suitable for faxing or mailing to the IRS.

Where To File or Fax

If you have a principal place of business, office or agency, or legal residence in the case of an individual, located in:	File or fax to:
One of the 50 states or the District of Columbia	Internal Revenue Service Attn: EIN Operation Cincinnati, OH 45999 Fax: 855-641-6935
If you have no legal residence, principal office, or principal agency in any state or the District of Columbia (international/U.S. possessions)	Internal Revenue Service Attn: EIN International Operation Cincinnati, OH 45999 Fax: 855-215-1627 (within the U.S.) Fax: 304-707-9471 (outside the U.S.)

How To Get Tax Help, Forms, and Publications



Tax help for your business is available at [IRS.gov/Businesses](https://www.irs.gov/Businesses).

You can download or print all of the forms and publications you may need on [IRS.gov/FormsPubs](https://www.irs.gov/FormsPubs). Otherwise, you can go to [IRS.gov/OrderForms](https://www.irs.gov/OrderForms) to place an order and have forms mailed to you. You should receive your order within 10 business days.

Related Forms and Publications

The following forms and instructions may be useful to filers of Form SS-4.

- Form 11-C, Occupational Tax and Registration Return for Wagering.
- Form 637, Application for Registration (For Certain Excise Tax Activities).
- Form 720, Quarterly Federal Excise Tax Return.
- Form 730, Monthly Tax Return for Wagers.
- Form 941, Employer's QUARTERLY Federal Tax Return.
- Form 944, Employer's ANNUAL Federal Tax Return.
- Form 990-T, Exempt Organization Business Income Tax Return.
- Instructions for Form 990-T, Exempt Organization Business Income Tax Return.
- Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.
- Form 1024, Application for Recognition of Exemption Under Section 501(a).
- Schedule C (Form 1040 or 1040-SR), Profit or Loss From Business (Sole Proprietorship).
- Schedule F (Form 1040 or 1040-SR), Profit or Loss From Farming.
- Instructions for Form 1041 and Schedules A, B, G, J, and K-1, U.S. Income Tax Return for Estates and Trusts.
- Form 1042, Annual Withholding Tax Return for U.S. Source Income of Foreign Persons.

- Form 1042-S, Foreign Person's U.S. Source Income Subject to Withholding.
- Instructions for Form 1065, U.S. Return of Partnership Income.
- Instructions for Form 1066, U.S. Real Estate Mortgage Investment Conduit (REMIC) Income Tax Return.
- Instructions for Form 1120, U.S. Corporation Income Tax Return.
- Form 1120-S, U.S. Income Tax Return for an S Corporation.
- Form 2290, Heavy Highway Vehicle Use Tax Return.
- Form 2553, Election by a Small Business Corporation.
- Form 2848, Power of Attorney and Declaration of Representative.
- Form 8821, Tax Information Authorization.
- Form 8822-B, Change of Address or Responsible Party — Business.
- Form 8832, Entity Classification Election.
- Form 8849, Claim for Refund of Excise Taxes.

For more information about filing Form SS-4 and related issues, see:

- Pub. 15, Employer's Tax Guide.
- Pub. 51, Agricultural Employer's Tax Guide.
- Pub. 80, Federal Tax Guide for Employers in the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.
- Pub. 538, Accounting Periods and Methods.
- Pub. 542, Corporations.
- Pub. 557, Tax-Exempt Status for Your Organization.
- Pub. 583, Starting a Business and Keeping Records.
- Pub. 966, Electronic Choices to Pay All Your Federal Taxes.
- Pub. 1635, Understanding Your EIN.

Specific Instructions

Follow the instructions for each line to expedite processing and to avoid unnecessary IRS requests for additional information. Generally, enter "N/A" on the lines that don't apply.

Line 1. Legal name of entity (or individual) for whom the EIN is being requested. Enter the legal name of the entity (or individual) applying for the EIN exactly as it appears on the social security card, charter, or other applicable legal document. An entry is required.

Individuals. Enter your first name, middle initial, and last name. If you're a sole proprietor, enter your individual name, not your business name. Enter your business name on line 2. Don't use abbreviations or nicknames on line 1.

Trusts. Enter the name of the trust as it appears on the trust instrument.

Estate of a decedent. Enter the name of the estate. For an estate that has no legal name, enter the name of the decedent followed by "Estate."

Partnerships. Enter the legal name of the partnership as it appears in the partnership agreement.

Corporations. Enter the corporate name as it appears in the corporate charter or other legal document creating it.

Plan administrators. Enter the name of the plan administrator. A plan administrator who already has an EIN should use that number.

Line 2. Trade name of business. Enter the trade name of the business if different from the legal name. The trade name is the "doing business as" (DBA) name.




Use the full legal name shown on line 1 on all tax returns filed for the entity. (However, if you enter a trade name on line 2 and choose to use the trade name instead of the legal name, enter the trade name on all returns you file.) To prevent processing delays and errors, use only the legal name (or the trade name) on all tax returns.

Line 3. Executor, administrator, trustee, "care of" name. For trusts, enter the name of the trustee. For estates, enter the name of the executor, administrator, personal representative, or other fiduciary. If the entity applying has a designated person to receive tax information, enter that person's name as the "care of" person. Enter the individual's first name, middle initial, and last name.

Lines 4a–4b. Mailing address. Enter the mailing address for the entity's correspondence. If the entity's address is outside the United States or its possessions, you must enter the city, province or state, postal code, and the name of the country. Don't abbreviate the country name. If line 3 is completed, enter the address for the executor, trustee, or "care of" person. Generally, this address will be used on all tax returns.

If the entity is filing Form SS-4 only to obtain an EIN for Form 8832, use the same address where you would like to have the acceptance or nonacceptance letter sent.

 **TIP** File Form 8822-B to report any subsequent changes to the entity's mailing address.

Lines 5a–5b. Street address. Provide the entity's physical address only if different from its mailing address shown on lines 4a–4b. Don't enter a P.O. box number here. If the entity's address is outside the United States or its possessions, you must enter the city, province or state, postal code, and the name of the country. Don't abbreviate the country name.

Line 6. County and state where principal business is located. Enter the entity's primary physical location.

Lines 7a–7b. Name of responsible party. Enter the full name (first name, middle initial, last name, if applicable) and SSN, ITIN, or EIN of the entity's responsible party.

Responsible party defined. The "responsible party" is the person who ultimately owns or controls the entity or who exercises ultimate effective control over the entity. The person identified as the responsible party should have a level of control over, or entitlement to, the funds or assets in the entity that, as a practical matter, enables the person, directly or indirectly, to control, manage, or direct the entity and the disposition of its funds and assets. **Unless the applicant is a government entity, the responsible party must be an individual (that is, a natural person), not an entity.**

- For entities with shares or interests traded on a public exchange, or which are registered with the Securities and Exchange Commission, "responsible party" is (a) the principal officer, if the entity is a corporation; or (b) a general partner, if a partnership. The general requirement that the responsible party be an individual applies to these entities. For example, if a corporation is the general partner of a publicly traded partnership for which Form SS-4 is filed, then the responsible party of the partnership is the principal officer of the corporation.
- For tax-exempt organizations, the responsible party is generally the same as the "principal officer" as defined in the Form 990 instructions.
- For government entities, the responsible party is generally the agency or agency representative in a position to legally bind the particular government entity.
- For trusts, the responsible party is a grantor, owner, or trustor.
- For decedent estates, the responsible party is the executor, administrator, personal representative, or other fiduciary.

 **TIP** File Form 8822-B to report any subsequent changes to responsible party information.

If you're applying for an EIN for a government entity, you may enter an EIN for the responsible party on line 7b. Otherwise, you must enter an SSN or ITIN on line 7b. But, leave line 7b blank or enter "N/A," "foreign," or similar language, if the responsible party doesn't have and is ineligible to obtain an SSN or ITIN.


Lines 8a–8c. Limited liability company (LLC) information. An LLC is an entity organized under the laws of a state or foreign country as a limited liability company. For federal tax purposes, an LLC may be treated as a partnership or corporation or be disregarded as an entity separate from its owner.

By default, a domestic LLC with only one member is disregarded as an entity separate from its owner and must include all of its income and expenses on the owner's tax return (for example,


Schedule C (Form 1040 or 1040-SR)). For more information on single-member LLCs, see *Disregarded entities*, later.

Also, by default, a domestic LLC with two or more members is treated as a partnership. A domestic LLC may file Form 8832 to avoid either default classification and elect to be classified as an association taxable as a corporation. For more information on entity classifications (including the rules for foreign entities), see Form 8832 and its instructions.

If the answer to line 8a is "Yes," enter the number of LLC members. If the LLC is owned solely by an individual and his or her spouse in a community property state and they choose to treat the entity as a disregarded entity, enter "1" on line 8b.


 **CAUTION** Don't file Form 8832 if the LLC accepts the default classifications above. If the LLC timely files Form 2553, it will be treated as a corporation as of the effective date of the S corporation election as long as it meets all other requirements to qualify as an S corporation. The LLC doesn't need to file Form 8832 in addition to Form 2553. See the Instructions for Form 2553.

Line 9a. Type of entity. Check the box that best describes the type of entity applying for the EIN. If you're an alien individual with an ITIN previously assigned to you, enter the ITIN in place of a requested SSN.

 **CAUTION** This isn't an election for a tax classification of an entity. See *Disregarded entities*, later.

Sole proprietor. Check this box if you file Schedule C or Schedule F (Form 1040 or 1040-SR) and have a qualified plan, or are required to file excise, employment, alcohol, tobacco, or firearms returns, or are a payer of gambling winnings. Enter your SSN or ITIN in the space provided. If you're a nonresident alien with no effectively connected income from sources within the United States, enter "N/A." You don't need to enter an SSN or ITIN.


Corporation. This box is for any corporation other than a personal service corporation. If you check this box, enter the income tax form number to be filed by the entity in the space provided.

 **CAUTION** If you entered "1120-S" after the Corporation checkbox, the corporation must file Form 2553 no later than the 15th day of the 3rd month of the tax year the election is to take effect. Until Form 2553 has been received and approved, you will be considered a Form 1120 filer. See the Instructions for Form 2553.


Personal service corporation. Check this box if the entity is a personal service corporation. An entity is a personal service corporation for a tax year only if:

- The principal activity of the entity during the testing period (generally the prior tax year) for the tax year is the performance of personal services substantially by employee-owners, and
- The employee-owners own at least 10% of the fair market value of the outstanding stock in the entity on the last day of the testing period.

Personal services include performance of services in such fields as accounting, actuarial science, architecture, consulting, engineering, health (including veterinary services), law, and the performing arts. For more information about personal service corporations, see the Instructions for Form 1120 and Pub. 542.

 **CAUTION** If the corporation is recently formed, the testing period begins on the first day of its tax year and ends on the earlier of the last day of its tax year, or the last day of the calendar year in which its tax year begins.

Other nonprofit organization. Check the *Other nonprofit organization* box if the nonprofit organization is other than a church or church-controlled organization and specify the type of nonprofit organization (for example, an educational organization).

 **CAUTION** If the organization also seeks tax-exempt status, you must file either Form 1023 (or Form 1023-EZ) or Form 1024. See Pub. 557 for more information.

If the organization is covered by a group exemption letter, enter the four-digit group exemption number (GEN) in the last entry. (Don't

confuse the GEN with the 9-digit EIN.) If you don't know the GEN, contact the parent organization. See Pub. 557 for more information about group exemption letters.

If the organization is a section 527 political organization, check the *Other nonprofit organization* box and specify "Section 527 organization" in the space to the right. To be recognized as exempt from tax, a section 527 political organization must electronically file Form 8871, Political Organization Notice of Section 527 Status, within 24 hours of the date on which the organization was established. The organization may also have to file Form 8872, Political Organization Report of Contributions and Expenditures. Go to [IRS.gov/PolOrgs](https://www.irs.gov/PolOrgs) for more information.

Estate. An estate is a legal entity created as a result of a person's death. Enter the SSN or ITIN of the deceased person in the space provided.

Plan administrator. If the plan administrator is an individual, enter the plan administrator's taxpayer identification number (TIN) in the space provided.

REMIC. Check this box if the entity has elected to be treated as a real estate mortgage investment conduit (REMIC). See the Instructions for Form 1066 for more information.

State/local government. State and local governments generally have the characteristics of a government, such as powers of taxation, law enforcement, and civil authority. If you're unsure whether or not your organization is a government, search "What are government entities?" at [IRS.gov](https://www.irs.gov) for clarification.

Federal government. The federal government is made up of the Executive, Legislative, and Judicial branches, as well as independent federal agencies. Unions, VFW organizations, and political organizations aren't federal agencies.

Other. If not specifically listed, check the *Other* box and enter the type of entity and the type of return, if any, that will be filed (for example, "Common trust fund, Form 1065" or "Created a pension plan"). Don't enter "N/A." If you're an alien individual applying for an EIN, see the instructions for *Lines 7a–7b*.

• **Household employer.** If you're an individual that will employ someone to provide services in your household, check the *Other* box and enter "Household employer" and your SSN. If you're a trust that qualifies as a household employer, you don't need a separate EIN for reporting tax information relating to household employees; use the EIN of the trust.

• **Household employer agent.** If you're an agent of a household employer that is a disabled individual or other welfare recipient receiving home care services through a state or local program, check the *Other* box and enter "Household employer agent." For more information, see Rev. Proc. 84-33 and Rev. Proc. 2013-39. If you're a state or local government, also check the state/local government box.

• **QSub.** For a qualified subchapter S subsidiary (QSub) check the *Other* box and specify "QSub." See Rev. Rul. 2008-18, 2008-13 I.R.B. 674, if the QSub election is made pursuant to a reorganization under section 368(a)(1)(F), and *Disregarded entities* below.

• **Withholding agent.** If you're a withholding agent required to file Form 1042, check the *Other* box and enter "Withholding agent."

Disregarded entities. A disregarded entity is an eligible entity that is disregarded as separate from its owner for federal income tax purposes. Disregarded entities include single-member limited liability companies (LLCs) and certain qualified foreign entities. See the instructions for Forms 8832 and 8869, and Regulations section 301.7701-3 for more information on domestic and foreign disregarded entities.

The disregarded entity is required to use its name and EIN for reporting and payment of employment taxes: to register for excise tax activities on Form 637; to pay and report excise taxes reported on Forms 720, 730, 2290, and 11-C; to claim any refunds, credits, and payments on Form 8849; and where a U.S. disregarded entity is wholly owned by a foreign person, to file information returns on Form 5472. See the instructions for the employment and excise tax returns and Form 5472 for more information.

Complete Form SS-4 for disregarded entities as follows.

• If a disregarded entity is filing Form SS-4 to obtain an EIN because it is required to report and pay employment and excise

taxes, or for non-federal purposes such as a state requirement, check the *Other* box for line 9a and write "Disregarded entity" (or "Disregarded entity-sole proprietorship" if the owner of the disregarded entity is an individual).

• If the disregarded entity is requesting an EIN for purposes of filing Form 5472, as required under section 6038A for a U.S. disregarded entity that is wholly owned by a foreign person, check the *Other* box for line 9a and write "Foreign-owned U.S. disregarded entity-Form 5472."

• If the disregarded entity is requesting an EIN for purposes of filing Form 8832 to elect classification as an association taxable as a corporation, or Form 2553 to elect S corporation status, check the *Corporation* box for line 9a and write "Single-member" and the form number of the return that will be filed (Form 1120 or 1120-S).

• If the disregarded entity is requesting an EIN because it has acquired one or more additional owners and its classification has changed to partnership under the default rules of Regulations section 301.7701-3(f), check the *Partnership* box for line 9a.

• If a foreign eligible entity is requesting an EIN for purposes of filing Form 8832 to elect classification as a disregarded entity, check the *Other* box for line 9a and write "foreign disregarded entity."

Line 10. Reason for applying. Check only one box. Don't enter "N/A." A selection is required.

Started new business. Check this box if you're starting a new business that requires an EIN. If you check this box, enter the type of business being started. Don't apply if you already have an EIN and are only adding another place of business.

Hired employees. Check this box if the existing business is requesting an EIN because it has hired or is hiring employees and is therefore required to file employment tax returns. Don't apply if you already have an EIN and are only hiring employees. For information on employment taxes (for example, for family members), see Pub. 15, Pub. 51, or Pub. 80.



You must make electronic deposits of all depository taxes (such as employment tax, excise tax, and corporate income tax) using EFTPS. See Pub. 15, Pub. 51, Pub. 80, and Pub. 966.

Banking purpose. Check this box if you're requesting an EIN for banking purposes only, and enter the banking purpose (for example, a bowling league for depositing dues or an investment club for dividend and interest reporting).

Changed type of organization. Check this box if the business is changing its type of organization. For example, the business was a sole proprietorship and has been incorporated or has become a partnership. If you check this box, specify in the space provided (including available space immediately below) the type of change made. For example, "From sole proprietorship to partnership."

Purchased going business. Check this box if you purchased an existing business. Don't use the former owner's EIN unless you became the "owner" of a corporation by acquiring its stock.

Created a trust. Check this box if you created a trust, and enter the type of trust created. For example, indicate if the trust is a nonexempt charitable trust or a split-interest trust.

Exception. Don't file this form for certain grantor-type trusts. The trustee doesn't need an EIN for the trust if the trustee furnishes the name and TIN of the grantor/owner and the address of the trust to all payers. However, grantor trusts that don't file using Optional Method 1 and IRA trusts that are required to file Form 990-T must have an EIN. For more information on grantor trusts, see the Instructions for Form 1041.



Don't check this box if you're applying for a trust EIN when a new pension plan is established. Check the Created a pension plan box.

Created a pension plan. Check this box if you have created a pension plan and need an EIN for reporting purposes. Also, enter the type of plan in the space provided. For more information about pension plans, visit [IRS.gov](https://www.irs.gov) and enter "Types of retirement plans" in the search box.



Check this box if you're applying for a trust EIN when a new pension plan is established. In addition, check the Other box on line 9a and write "Created a pension plan" in the space provided.

Other. Check this box if you're requesting an EIN for any other reason, and enter the reason. For example, a newly formed state government entity should enter "Newly formed state government entity" in the space provided. A foreign-owned U.S. disregarded entity required to file Form 5472 should enter "Foreign-owned U.S. disregarded entity filing Form 5472" in the space provided.

Line 11. Date business started or acquired. If you're starting a new business, enter the starting date of the business. If the business you acquired is already operating, enter the date you acquired the business. For foreign applicants, this is the date you began or acquired a business in the United States. If you're changing the form of ownership of your business, enter the date the new ownership entity began. Trusts should enter the date the trust was funded or the date that the trust was required to obtain an EIN under Regulations section 301.6109-1(a)(2). Estates should enter the date of death of the decedent whose name appears on line 1 or the date when the estate was legally funded.

Line 12. Closing month of accounting year. Enter the last month of your accounting year or tax year. An accounting or tax year is usually 12 consecutive months, either a calendar year or a fiscal year (including a period of 52 or 53 weeks). A calendar year is 12 consecutive months ending on December 31. A fiscal year is either 12 consecutive months ending on the last day of any month other than December or a 52-53 week year. For more information on accounting periods, see Pub. 538.

Individuals. Your tax year will generally be a calendar year.

Partnerships. Partnerships must adopt one of the following tax years.

- The tax year of the majority of its partners.
- The tax year common to all of its principal partners.
- The tax year that results in the least aggregate deferral of income.
- In certain cases, some other tax year.

See the Instructions for Form 1065 for more information.

REMICs. REMICs must have a calendar year as their tax year.

Personal service corporations. A personal service corporation must generally adopt a calendar year unless it meets one of the following requirements.

- It can establish a business purpose for having a different tax year.
- It elects under section 444 to have a tax year other than a calendar year.

Trusts. Generally, a trust must adopt a calendar year except for the following trusts.

- Tax-exempt trusts.
- Charitable trusts.
- Grantor-owned trusts.

Line 13. Highest number of employees expected in the next 12 months. Complete each box by entering the number (including zero (-0-)) of *Agricultural, Household, or Other* employees expected by the applicant in the next 12 months.

If no employees are expected, skip line 14.

Line 14. Do you want to file Form 944? If you expect your employment tax liability to be \$1,000 or less in a full calendar year, you're eligible to file Form 944 annually (once each year) instead of filing Form 941 quarterly (every 3 months). Your employment tax liability will generally be \$1,000 or less if you expect to pay \$5,000 or less in total wages subject to social security and Medicare taxes and federal income tax withholding. If you qualify and want to file Form 944 instead of Forms 941, check the box on line 14. If you don't check the box, then you must file Form 941 for every quarter.



Once you check the box, you must continue to file Form 944, regardless of the amount of tax shown on your return, until the IRS instructs you to file Form 941.



For employers in the U.S. possessions, generally, if you pay \$6,536 or less in wages subject to social security and Medicare taxes, you're likely to pay \$1,000 or less in employment taxes.

For more information on employment taxes, see Pub. 15, Pub. 51, or Pub. 80.

Line 15. First date wages or annuities were paid. If the business has employees, enter the date on which the business began to pay wages or annuities. For foreign applicants, this is the date you began to pay wages in the United States. If the business doesn't plan to have employees, enter "N/A."

Withholding agent. Enter the date you began or will begin to pay income (including annuities) to a nonresident alien. This also applies to individuals who are required to file Form 1042 to report alimony paid to a nonresident alien. For foreign applicants, this is the date you began or will begin to pay income (including annuities) to a nonresident alien in the United States.

Line 16. Check the one box on line 16 that best describes the principal activity of the applicant's business. Check the *Other* box (and specify the applicant's principal activity) if none of the listed boxes applies. You must check a box.

Construction. Check this box if the applicant is engaged in erecting buildings or engineering projects (for example, streets, highways, bridges, and tunnels). The term "construction" also includes special trade contractors (for example, plumbing, HVAC, electrical, carpentry, concrete, excavation, etc., contractors).

Real estate. Check this box if the applicant is engaged in renting or leasing real estate to others; managing, selling, buying, or renting real estate for others; or providing related real estate services (for example, appraisal services). Also, check this box for mortgage real estate investment trusts (REITs). Mortgage REITs are engaged in issuing shares of funds consisting primarily of portfolios of real estate mortgage assets with gross income of the trust solely derived from interest earned.

Rental & leasing. Check this box if the applicant is engaged in providing tangible goods such as autos, computers, consumer goods, or industrial machinery and equipment to customers in return for a periodic rental or lease payment. Also, check this box for equity real estate investment trusts (REITs). Equity REITs are engaged in issuing shares of funds consisting primarily of portfolios of real estate assets with gross income of the trust derived from renting real property.

Manufacturing. Check this box if the applicant is engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products. The assembling of component parts of manufactured products is also considered to be manufacturing.

Transportation & warehousing. Check this box if the applicant provides transportation of passengers or cargo; warehousing or storage of goods; scenic or sight seeing transportation; or support activities related to transportation.

Finance & insurance. Check this box if the applicant is engaged in transactions involving the creation, liquidation, or change of ownership of financial assets and/or facilitating such financial transactions; underwriting annuities/insurance policies; facilitating such underwriting by selling insurance policies or in providing other insurance or employee-benefit related services.

Health care & social assistance. Check this box if the applicant is engaged in providing physical, medical, or psychiatric care; or in providing social assistance activities, such as youth centers, adoption agencies, individual/family services, temporary shelters, daycare, etc.

Accommodation & food services. Check this box if the applicant is engaged in providing customers with lodging, meal preparation, snacks, or beverages for immediate consumption.

Wholesale-agent/broker. Check this box if the applicant is engaged in arranging for the purchase or sale of goods owned by others or purchasing goods on a commission basis for goods traded in the wholesale market, usually between businesses.

Wholesale-other. Check this box if the applicant is engaged in selling goods in the wholesale market generally to other businesses for resale on their own account, goods used in production, or capital or durable nonconsumer goods.

Retail. Check this box if the applicant is engaged in selling merchandise to the general public from a fixed store; by direct, mail-order, or electronic sales; or by using vending machines.

Other. Check this box if the applicant is engaged in an activity not described above. Describe the applicant's principal business activity in the space provided.

Line 17. Use line 17 to describe the applicant's principal line of business in more detail. For example, if you checked the *Construction* box on line 16, enter additional detail such as "General contractor for residential buildings" on line 17. An entry is required. For mortgage REITs, indicate mortgage REIT; and for equity REITs, indicate what type of real property is the principal type (residential REIT, nonresidential REIT, miniwarehouse REIT, etc.).

Line 18. Check the applicable box to indicate whether or not the applicant entity applying for an EIN was issued one previously.

Third-Party Designee. Complete this section only if you want to authorize the named individual to answer questions about the completion of Form SS-4 and receive the entity's newly assigned EIN. You must complete the signature area for the authorization to be valid. The designee's authority terminates at the time the EIN is assigned and released to the designee. EINs are released to authorized third-party designees by the method they used to obtain the EIN (online, telephone, or fax); however, the EIN notice will be mailed to the taxpayer.



If the third-party designee's address or telephone number matches the address or telephone number of the taxpayer, the application must be mailed or faxed.

Signature. When required, the application must be signed by (a) the individual, if the applicant is an individual; (b) the president, vice president, or other principal officer, if the applicant is a corporation; (c) a responsible and duly authorized member or officer having knowledge of its affairs, if the applicant is a partnership, government entity, or other unincorporated organization; or (d) the fiduciary, if the applicant is a trust or an estate. Foreign applicants may have any duly authorized person (for example, division manager) sign Form SS-4.

Privacy Act and Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. We need it to comply with section 6109 and the regulations thereunder, which generally require the inclusion of an

employer identification number (EIN) on certain returns, statements, or other documents filed with the Internal Revenue Service. If your entity is required to obtain an EIN, you're required to provide all of the information requested on this form. Information on this form may be used to determine which federal tax returns you're required to file and to provide you with related forms and publications.

We disclose this form to the Social Security Administration (SSA) for their use in determining compliance with applicable laws. We may give this information to the Department of Justice for use in civil and/or criminal litigation, and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, and to federal law enforcement and intelligence agencies to combat terrorism.

We will be unable to issue an EIN to you unless you provide all of the requested information that applies to your entity. Providing false information could subject you to penalties.

You're not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is:

Recordkeeping	8 hr., 36 min.
Learning about the law or the form	42 min.
Preparing, copying, assembling, and sending the form to the IRS	52 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can send us comments from [IRS.gov/FormComments](https://www.irs.gov/FormComments). Or you can write to the Internal Revenue Service, Tax Forms and Publications Division, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Don't send Form SS-4 to this address. Instead, see *Where To File or Fax*, earlier.

County Clerk's Office & Resources



DISCLAIMER: Materials included in the Business Start-up Survival Tool Kit are for educational purposes only. They are used by permission from the respective agencies. You may copy and share this material, but you may not sell it to anyone without the express written consent of the original owner. Nothing in this tool kit is intended to be construed as legal advice, business consulting, or financial planning advice. You must consult your own legal counsel, business consultant, and financial expert before implementing any of the strategies that are discussed. Thank you.

LUCY ADAME-CLARK

COUNTY CLERK



BEXAR COUNTY



The Honorable Lucy Adame-Clark, County Clerk for Bexar County. She was born in San Antonio, Texas and attended Sidney Lanier High School, and *Southern Careers Institute of San Antonio*.

She is the **First Latina** and **First Woman** elected to this position in Bexar County. Her overall responsibility is to be the custodian of the many records that are filed in and managed by the Clerk's office.

Mrs. Adame-Clark brings **over 20 years** of work experience from the Bexar County Sheriff's Office. She has a reputation as a hard worker and staunch supporter of community involvement, voting advocacy, care for the elderly, and support for Veterans. Some of the goals that Mrs. Adame-Clark have as County Clerk include efficiently preserving and restoring all county records and Spanish Archives; launching satellite offices throughout Bexar County; facilitating County Clerk processes; updating restoration of records; and establishing community outreach to teach constituents about the services provided by the Clerk's office.

Since starting her term as County Clerk, Mrs. Adame-Clark has made notable changes including translating county documents **from English to Spanish** to better serve the **Spanish speaking** community; adding visibility in the work place to **promote transparency** to constituents; offering supplemental literature at the entrance of each department to inform constituents what programs and services are readily available; and placing **informative banners** to better **direct traffic flow** of constituents to and within each department.

Mrs. Adame-Clark **highly encourages** on-going **training** of her staff to promote competency and productivity. One of her priorities has been meeting regularly with the departments and interacting **personally** with each employee. Her interpersonal-style of leadership has translated into team members providing an enhanced **customer service** experience to the constituents being served. Under her leadership, Mrs. Adame-Clark has placed great importance on using social media platforms as an innovative way to share updates with the community about services provided by the Clerk's office. As a result, internal metrics show that community **outreach has increased** and constituents are taking advantage of the services being provided by the Clerk's office. Mrs. Adame-Clark's unique approach to leadership has been recognized and lauded by her peers, colleagues, and current team members who served under previous administrations.

The Honorable Lucy Adame-Clark
Bexar County Clerk
Courthouse Bexar County
100 Dolorosa Street • Suite #104
San Antonio, TX 78205
Phone: (210) 335-2216

<https://www.bexar.org/2946/County-Clerk>
Monday – Friday: 8:00 AM - 5:00 PM

Mrs. Lucy Adame-Clark is married to a Sheriff's Deputy and they are the proud parents of two beautiful children.



Bexar County Veterans Treatment Courts



VTC Presiding Judge

The Honorable Wayne A. Christian

★ **Misdemeanor Court** ★

COL, US Army (Ret)

Mission Statement

The mission of the Bexar County Veterans Treatment Court is to assist Veterans and their families to become integral and productive members of the community through a collaborative effort. To honor them and to restore their dignity for their selfless service to our country, we shall leave no veteran behind.

VTC Contact Information

VTC Project Director

Joshua Childers

USAF

(210) 335-2639 or (210) 335-6640

Bexar County District Felony Courts 437th & 186th

Mission Statement

The Felony Veterans Treatment Court is designed to reduce arrests and promote self-sufficiency through sobriety, employment, and education. These measures enhance one's ability to remain in the community as a productive and responsible member of society. Through a judicially supervised treatment program, participants are given a variety of treatment options and methods designed to confront one's addictions, traumas, and other mental health issues.

Felony Treatment Court Case Manager

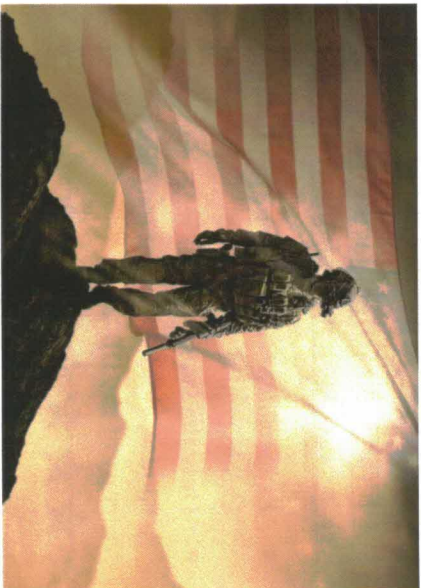
John Herman

(210) 753-4368

johnpherman@bexar.org

*Thank you for your service
"This will remain the land of the
free so long as it has the home of
the brave."*

... Elmer Davis



Thank you to all military personnel for your sacrifice and service. We want to honor all who have served both past and present.



Bexar County Clerk's Office

Bexar County Courthouse

100 Dolorosa, Suite 104

San Antonio, Texas 78205

Office Hours:

Monday – Friday:

8:00AM - 5:00PM

Offices remain open during lunch hours

2019 Holiday Schedule

<https://www.bexar.org/474/Holidays>



Bexar County Clerk's Office Lucy Adame-Clark



Veteran's Information

Chief of Staff:

Armando Lopez

Chief Deputy

armando.lopez@bexar.org

(210) 335-3497

Priscilla Hernandez

Assistant Chief Deputy

priscilla.hernandez@bexar.org

(210) 335-2561

Racquel Montalvo

Senior Recordings Division Chief

rmontalvo@bexar.org

(210) 335-3516



Supporting Our Armed Forces



Why file your DD-214 with the County Clerk's office?

When a DD-214 gets lost or misplaced you may obtain a copy by calling (314)801-0800 or [online: veteres.archives.gov](http://online.veteres.archives.gov). This can take ten days or longer to get a replacement issued from the National Archives. Your DD-214 contains valuable information that can help you with your VA healthcare benefits, GI Bill and other benefits. Filing with the County Clerk's office will give you quick access to your record should you need a replacement copy.

Filing Your DD-214 with the

Bexar County Clerk's

Recordings Department

- The original DD-214 is needed to file.
- Filing your DD-214 is free of charge.
- Your DD-214 is kept confidential.
- Along with returning your original DD-214 to you at the time of filing, you will also be given two certified copies at no cost.

Where To File Your DD-214:

Bexar County Clerk's Recordings Department

(210) 335-2581

File in person at the:

Paul Elizondo Tower

101 W. Nueva

1st Floor, Room 103

San Antonio, Texas 78205



Assisting Our Troops



After filing your DD-214 with the County Clerk's office, you may obtain free copies

- Proper identification is required to obtain copies.
- Only the veteran, their legal guardian, spouse, child or parent may obtain a copy of the DD-214



Where to acquire a copy of your DD-214:

Bexar County Clerk's Vital Statistics

Department (210) 335-3009

In person at the:

Paul Elizondo Tower

101 W. Nueva

Basement, Room B110

San Antonio, Texas 78205

≈ or ≈

Request by Mail:

Bexar County Clerk's Office

100 Dolorosa, Suite #104

San Antonio, Texas 78205

When requesting your DD-214 by mail, be sure

to include a copy of your ID. If you are

requesting the record for someone other than

yourself, include a copy of your picture ID and

state your relation to the Veteran.



Making A Connection



Are you planning your estate?

The Bexar County Clerk's Probate Office offers the service of safekeeping your will:

- The County keeps the deposited will enclosed in a sealed wrapper.
- There is a \$5 fee for this service.
- At any time you can retrieve the old will and place a new one into safekeeping if you decide to make changes, for a fee of \$5.

Where To File Your Will For Safekeeping:

Bexar County Clerk's Probate Department

(210) 335-2241

Bexar County Courthouse

100 Dolorosa in the basement

San Antonio, Texas 78205

** Must be filed in person **

In accordance with Texas Estates Code 53.053 and 53.054, there's an exemption from probate fees for estates of decedents who died while in active service as a member of the armed forces of the United States in a combat zone, or estates of certain law enforcement officers, firefighters, and others.

Thinking about opening a business?

Register your business name with the

Bexar County Clerk's

Assumed Business Name Department

(210) 335-2223

Check the assumed business name in person or by visiting our website to ensure that no one is currently using the name.

www.bexar.org/CountyClerk



Gerard Rickhoff

COUNTY CLERK



BEXAR COUNTY

ASSUMED NAME CERTIFICATE INSTRUCTIONS

TO REGISTER A BUSINESS NAME IN BEXAR COUNTY, THE FOLLOWING IS REQUIRED:

1. YOU MUST CHECK THE ASSUMED BUSINESS NAME TO ENSURE THAT NO ONE IS CURRENTLY USING THE BUSINESS NAME. YOU MAY CHECK THE BUSINESS NAME IN THE COUNTY CLERK'S OFFICE IN THE PAUL ELIZONDO TOWER AT 101 W. NUEVA STREET, SUITE 120 OR ON OUR WEBSITE AT WWW.BEXAR.ORG. THERE IS NO CHARGE TO SEARCH THE NAME IN PERSON OR ON THE WEBSITE.
2. ONCE YOU HAVE VERIFIED THE NAME IS NOT BEING USED YOU CAN PICK UP THE FORM FROM OUR OFFICE OR PRINT IT OFF OUR WEBSITE, FILL IT OUT AND HAVE IT NOTARIZED. YOU MAY TAKE THE FORM TO A NOTARY OF YOUR CHOICE, OR THERE IS A NOTARY AVAILABLE TO THE PUBLIC FOR YOUR CONVENIENCE LOCATED IN THE PAUL ELIZONDO TOWER ON THE 1ST FLR.
3. YOU MAY **HAND CARRY** THE FORM TO THE COUNTY CLERK'S OFFICE, MARRIAGE LICENSE AND ASSUMED NAMES OFFICE, TO THE ABOVE ADDRESS. YOU MAY ALSO **MAIL** IT IN, INCLUDING THE FEES TO:

BEXAR COUNTY CLERK'S OFFICE, 100 DOLOROSA, STE#104, SAN ANTONIO, TEXAS 78205.

TO REGISTER THE BUSINESS NAME. THE FILING FEES ARE AS FOLLOWS:

- UNINCORPORATED BUSINESS **\$14.00**
 - INCORPORATED BUSINESS **\$14.00**
 - ABANDONMENT **\$14.00**
 - COPIES ARE EXTRA
4. THE COUNTY CLERK'S OFFICE KEEPS THE ORIGINAL DOCUMENT ON FILE, AFTER IT IS RECORDED. YOU MAY PURCHASE A PLAIN OR CERTIFIED COPY FOR YOUR RECORDS. THE PLAIN COPY IS **\$2.00** AND THE CERTIFIED COPY IS **\$7.00**. PLEASE CHECK WITH YOUR BANK TO DETERMINE IF YOU NEED A PLAIN OR CERTIFIED COPY OF THE DOCUMENT. Temporary Checks Not Accepted
 5. MONEY ORDERS, PERSONAL OR COMPANY CHECKS ARE ACCEPTABLE, AND SHOULD BE MADE PAYABLE TO THE ORDER OF: **GERARD RICKHOFF, BEXAR COUNTY CLERK**
 6. PLEASE NOTE THAT THIS OFFICE DOES NOT DO A NAME SEARCH BY TELEPHONE. ALL INQUIRIES MUST BE MADE EITHER IN PERSON OR BY MAIL. A NAME SEARCH REQUESTED BY MAIL REQUIRES A \$5.00 FEE FOR EACH NAME YOU REQUEST TO BE SEARCHED.
 7. **AN ASSUMED BUSINESS NAME IS GOOD FOR TEN (10) YEARS.**

IF WE CAN BE OF FURTHER ASSISTANCE, PLEASE DO NOT HESITATE TO CALL US AT 210-335-2223, MONDAY THROUGH FRIDAY, 8:00AM TO 5:00PM OR CHECK OUR WEBSITE AT WWW.BEXAR.ORG.

ASSUMED NAME RECORDS

CERTIFICATE OF OWNERSHIP FOR INCORPORATED BUSINESS OR PROFESSION
NOTICE: "CERTIFICATES OF OWNERSHIP" ARE VALID ONLY FOR A PERIOD NOT TO EXCEED 10 YEARS FROM
THE DATE FILED IN THE COUNTY CLERK'S OFFICE.

(See Chapter 71 of the Texas Business and Commerce Code for other requirements and additional information)

ASSUMED NAME: _____

CORPORATION NAME: _____

BUSINESS ADDRESS: _____
CITY STATE ZIP CODE

PERIOD DURING WHICH ASSUMED NAME WILL BE USED IS (not to exceed 10 years) : _____

BUSINESS IS TO BE CONDUCTED AS (check one):

- Professional Association Non-Profit Professional Corporation Limited Liability Company
- Limited Partnership Business Corporation Registered Limited Liability Partnership
- Other: _____

THE STATE, COUNTY, OR OTHER JURISDICTION UNDER THE LAWS OF WHICH IT WAS
INCORPORATED, ORGANIZED, OR ASSOCIATED IS _____

THE ADDRESS OF THE REGISTERED OFFICE IS: _____

AND THE NAME OF THE REGISTERED AGENT AT SUCH ADDRESS IS: _____

THE COUNTY OR COUNTIES WHERE BUSINESS OR PROFESSIONAL SERVICES ARE BEING OR ARE
TO BE CONDUCTED OR RENDERED UNDER SUCH ASSUMED NAME ARE (IF APPLICABLE, USE
THE DESIGNATION "ALL" OR "ALL EXCEPT"): _____

SIGNATURE _____

THE STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared _____

Known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and under oath,
acknowledged to me that they are the owner(s) of the above-named business and that they signed the same for the
purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on _____

Notary Public in and for State of Texas
OR/BY
LUCY ADAME-CLARK, Bexar County Clerk

By: _____, Deputy

Gerard Rickhoff

COUNTY CLERK



BEXAR COUNTY

ASSUMED NAME CERTIFICATE

FOR INCORPORATED BUSINESS OR PROFESSION, LIMITED PARTNERSHIP,
REGISTERED LIMITED LIABILITY PARTNERSHIP, OR LIMITED LIABILITY COMPANY

PURSUANT TO THE PROVISIONS OF CHAPTER 71, BUSINESS AND COMMERCE CODE OF THE STATE OF
TEXAS, THE UNDERSIGNED CERTIFIES THE FOLLOWING:

1. THE NAME OF THE CORPORATION, LIMITED PARTNERSHIP, REGISTERED LIMITED LIABILITY
PARTNERSHIP, OR LIMITED LIABILITY COMPANY AS STATED IN ITS ARTICLES OF INCORPORATION,
ARTICLES OF ORGANIZATION, CERTIFICATE OF LIMITED PARTNERSHIP, APPLICATION, OR
COMPARABLE DOCUMENT IS:

2. THE ASSUMED NAME UNDER WHICH THE BUSINESS OR PROFESSIONAL SERVICE IS OR IS TO BE
CONDUCTED OR RENDERED IS:

3. THE STATE, COUNTY, OR OTHER JURISDICTION UNDER THE LAWS OF WHICH IT WAS INCORPORATED,
ORGANIZED, OR ASSOCIATED IS _____
AND THE ADDRESS OF ITS REGISTERED OR SIMILAR OFFICE IN THAT JURISDICTION IS: _____

4. THE PERIOD, NOT TO EXCEED 10 YEARS, DURING WHICH THE ASSUMED NAME WILL BE USED IS:

5. THE ENTITY IS (please check one):

- | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-------------------------------------------------------|
| A. <input type="checkbox"/> Business Corporation | B. <input type="checkbox"/> Non-Profit Corporation | C. <input type="checkbox"/> Professional Corporation |
| D. <input type="checkbox"/> Professional Association | E. <input type="checkbox"/> Limited Partnership | F. <input type="checkbox"/> Limited Liability Company |
| G. <input type="checkbox"/> Registered Limited Liability Partnership or some other type of incorporated business, Professional or other
Association (specify): _____ | | |

6. IF THE ENTITY IS REQUIRED TO MAINTAIN A REGISTERED OFFICE IN TEXAS, THE ADDRESS OF THE
REGISTERED OFFICE IS: _____
AND THE NAME OF THE REGISTERED AGENT AT SUCH ADDRESS IS: _____
_____. THE ADDRESS OF THE PRINCIPAL OFFICE (IF NOT THE SAME AS
THE REGISTERED OFFICE) IS: _____

7. IF THE ENTITY IS NOT REQUIRED OR DOES NOT MAINTAIN A REGISTERED OFFICE IN TEXAS, THE
OFFICE ADDRESS IN TEXAS IS: _____
AND IF THE ENTITY IS NOT INCORPORATED, ORGANIZED OR ASSOCIATED UNDER THE LAWS OF
TEXAS, THE ADDRESS OR ITS PLACE OF BUSINESS IN TEXAS IS _____
AND THE OFFICE ADDRESS ELSEWHERE IS _____

8. THE COUNTY OR COUNTIES WHERE BUSINESS OR PROFESSIONAL SERVICES ARE BEING OR ARE TO
BE CONDUCTED OR RENDERED UNDER SUCH ASSUMED NAME ARE (IF APPLICABLE, USE THE
DESIGNATION "ALL" OR "ALL EXCEPT"): _____

IN TESTIMONY WHEREOF, _____, HAVE
HEREUNTO SET _____ HAND(S) THIS THE _____ DAY OF _____, A.D., 20____.

SIGNATURE OF OFFICER, GENERAL PARTNER
MANAGER, MEMBER, REPRESENTATIVE, OR
ATTORNEY-IN-FACT OF ENTITY

NOTE: A CERTIFICATE EXECUTED AND ACKNOWLEDGED BY AN ATTORNEY-IN-FACT SHALL INCLUDE A
STATEMENT THAT THE ATTORNEY-IN-FACT HAS BEEN DULY AUTHORIZED IN WRITING BY HIS PRINCIPAL
TO EXECUTE AND ACKNOWLEDGE THE SAME.



Reginal D. Harris, J.D., Pharm.D., R.Ph., C.Ph., cMTM
POST OFFICE BOX 382
CONVERSE, TEXAS 78109

(210) 896-1666 DRREGLAW@GMAIL.COM

PRACTICE AREAS: State & Federal Appeals | Business & Contracting
Consumer Protection | Health | Pharmacy | Post Conviction | Veterans Claims



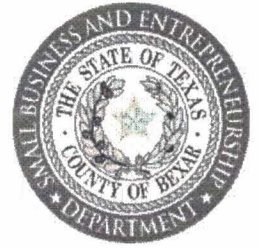
Small Business & Entrepreneurship Services

INFOSOURCE
COMMUNICATIONS, LLC

DISCLAIMER: Materials included in the Business Start-up Survival Tool Kit are for educational purposes only. They are used by permission from the respective agencies. You may copy and share this material, but you may not sell it to anyone without the express written consent of the original owner. Nothing in this tool kit is intended to be construed as legal advice, business consulting, or financial planning advice. You must consult your own legal counsel, business consultant, and financial expert before implementing any of the strategies that are discussed. Thank you.



RENEE WATSON, BBA, MPA, ECMCA
DIRECTOR, DBE LIAISON/TITLE VI COORDINATOR
BEXAR COUNTY SMALL BUSINESS AND ENTREPRENEURSHIP DEPARTMENT



Renee Watson is **Director of the Small Business and Entrepreneurship Department for Bexar County**. She is responsible for coordinating, facilitating, implementing, and monitoring the county's Small, Minority & Women-Owned Business Enterprise (**SMWBE**) Program. Ms. Watson grew up in San Antonio, Texas and is a proud graduate of *Sam Houston High School*. She earned a **Bachelor of Business Administration (Management/Marketing)** from the *University of Texas at San Antonio* and she holds a **Master of Contract Compliance Administrator (MCCA)** Certification from *Morgan State University* (Baltimore, Maryland).

Additionally, she serves as the **Disadvantaged Business Enterprise (DBE)** Liaison and Title VI Coordinator, whereby she ensures SMWBEs have access to county procurement, contracting, and professional services opportunities. This is accomplished by regularly assessing and reviewing current practices; and by recommending improvements to increase participation of SMWBEs. She works in cooperation with the county's purchasing agent, offices, and departments to determine the advantages and disadvantages of modifying current practices. She works to promote participation and access to local, state, federal, and private sector procurement opportunities by partnering directly community organizations, public entities, and vendors.

As a well-known practitioner of contract compliance and small business development, Ms. Watson's appointments to local, state, and national committees are numerous. A few include serving as a member of Bexar County Manager's Executive Leadership Team, Chair of the San Antonio Chapter Diversity Committee for the Institute of Supply Management (**ISM**), and member of the ISM National Learning Solutions Advisory Committee. A few of her past professional affiliations include serving as Chief of Staff for State Senator Rodney Ellis (Houston, TX); Councilman George Stevens (San Diego, CA); alumnus of the San Antonio Independent School District Leadership; San Antonio's Master Leadership Program; The PhD Project; People to People Ambassador Program (China); Leadership America, Leadership Texas; Leadership San Antonio; and Leadership California.

Ms. Watson's many years of expertise and workshop on Disparity Studies, led to her being recognized as a national expert at the American Contract Compliance Association Conference. She was selected as a **National Urban/Rural Fellow** and awarded her a **Master of Public Administration** in Urban Planning and Rural Economic Development by *Baruch College* (The City University of New York). She was selected by the *San Antonio Business Journal* as a "**40 under 40**" **Rising Star**. Some of her most recent honors, awards, and recognitions include:

- America's Top Diversity Champion Award, DiversityBusiness.com
- Athena Leadership Award, North San Antonio Chamber of Commerce
- Bubba Moeller Award for Community Service, The Associated General Contractors of America, San Antonio Chapter
- Citizen's Academy, Federal Bureau of Investigations, San Antonio District
- Freedom Award, Ford Tribute to Women Business Leaders, San Antonio Chamber of Commerce
- Instructor – "Hire Yourself Ex-Offender", Bexar County Sheriff's Office, Inmates Program
- Regional Coordinator, Central Region, American Contract Compliance Association
- Women in Business Champion of the Year Award, Small Business Administration, San Antonio District Office
- Servant Leader Award, Blacks In Government, San Antonio Chapter

ANNUAL BEXAR COUNTY SMWVBO BUSINESS CONFERENCE

Accelerate your Business! Attend the yearly Small, Minority, Women and Veteran Business Owners (SMWVBO) Conference. This is a forum to develop relationships, acquire knowledge, and access opportunities that exist with public and private sector entities for procurement of goods and services. To date Bexar County has spent over \$1.11 Billion with Conference attendees!

FIRMS ATTENDING CONFERENCE & RECEIVING PAYMENT BEXAR COUNTY YEARS 2001-2018

Certified	\$229,575,802
Non Certified	\$882,788,731
Grand Total	\$1,112,364,533

CERTIFIED FIRMS ATTENDING CONFERENCE & RECEIVING PAYMENT BEXAR COUNTY YEARS 2001-2018

AABE	\$12,367,458	AABE	\$67,500,144
HABE	\$55,923,116	MBE	\$137,555,994
SBE	\$132,893,172	WBE	\$70,875,575
SBE Only	\$41,753,879	VBE	\$3,142,419
LGBTB	\$25,104*	DBE	\$52,154,575
HUB	\$98,326,738	Total Spent	\$229,575,802

*Tracking & Reporting started FY18 - FY19

UPCOMING SMWVBO BUSINESS CONFERENCE
DECEMBER 5, 2020

WE'RE HERE TO HELP BUSINESSES START & GROW!

Renee Watson, B.B.A., M.P.A., ECMCA
Director

SMWBE / DBE Liaison / Title VI Coordinator
rwatson@bexar.org

James Massey, M.P.A., CCA
Data Compliance Coordinator
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Jeanne Johnson, M.A.
Capacity-Building Program Coordinator
jeanne.johnson@bexar.org

Tarence White, M.B.A., MCA
DBE Contract Compliance Specialist
white.tarence@bexar.org

Steven Prado, M.B.A.
SMWBE Analyst
steven.prado@bexar.org

Amparo Arriaga
Office Assistant
amparo.arriaga@bexar.org

Se Habla Español

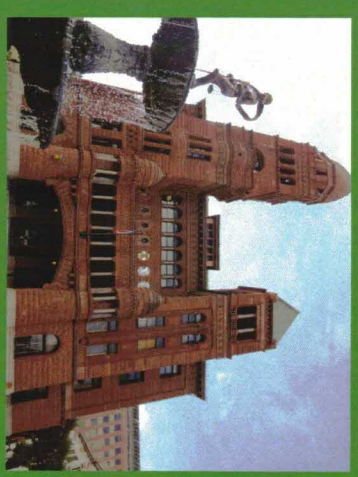
Office Line: **210-335-2478**



BEXAR COUNTY SMALL BUSINESS & ENTREPRENEURSHIP DEPARTMENT

SMALL, MINORITY & WOMEN-OWNED BUSINESS ENTREPREISE (SMWBE) PROGRAM & DISADVANTAGE BUSINESS ENTREPREISE (DBE) PROGRAM (49CFR.26)

FREE INFORMATION & RESOURCES TO HELP YOU:
Start A Business
Grow Your Business
Find Bid Opportunities



SMWBE XCEL
"Linking Your Business To Opportunities for Acceleration!"
www.bexar.org/sbed

VISIT US IN-PERSON OR ONLINE!

101 W. NUEVA ST. SUITE 112,
SAN ANTONIO, TX 78205

www.bexar.org/sbed



START A BUSINESS

Bexar County is for small business owners, entrepreneurs, and anyone who has dreamed of starting their own business. The Small Business & Entrepreneurship Department can help you navigate the process of starting your business.

We can assist with information on:

- Obtaining an Assumed Name / DBA
- Obtaining an Employer Identification Number
- Obtaining a Sales Tax License
- Financial & Technical Assistance
- Training & Education Opportunities



Bexar County SMWBE Team

GROW YOUR BUSINESS

Growing your business can be difficult without the right tools and information. We're here to help provide you with what you need to make your business thrive through information, education & mentor-ship programs, and more!

- Find new opportunities
- Find Capacity-Building Programs
- Access technical and operational resources
- Find Certifications & Designation Information

BUSINESS CERTIFICATIONS

Designating your business is an important step for any small, minority, woman, veteran, disabled, or LGBT-owned business (SMWBE), Disadvantaged Business Enterprise (DBE), or Historically Underutilized Business (HUB).

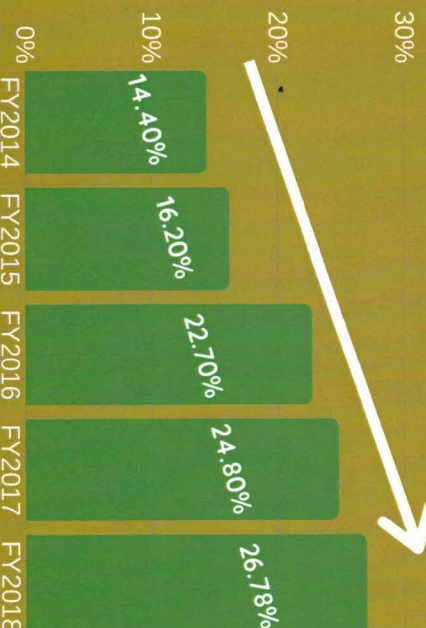
Bexar County accepts all certifications granted by the regional certification agencies, the State of Texas, the U.S. Small Business Administration, and other public & private certification agencies.

CAPACITY-BUILDING PROGRAMS

SMWBEExcel is designed to address problems identified by SMWBES and provide them with tools to identify opportunities to success by working with stakeholders to provide training, information, and connection to an expansive network

BEXAR COUNTY SMWBE EXPENDITURES

FY2014 - FY2018



FOLLOW US ON SOCIAL MEDIA



VIRTUAL BUSINESS CENTER

Our website is a one-stop shop for information on starting & growing your business working with Bexar County, finding opportunities, directories, and more!

Page | 35

- Visit the Opportunity Link to find local, state, and federal government agencies, school districts, and general contractors
- Check out "How Do I..." to answer questions for any stage of your business - whether you're just starting or have years of experience
- Utilize the Directory to find SMWBE / VBE / DBE / HUB firms, perform outreach, and access information
- Compliance and Reporting of Subcontractor / Sub-supplier / Sub-Consultant Data
- Learn About SBED, read our research, surveys, and studies, and contact our staff - you can even request an appointment online!

WORKSHOPS & INFORMATION AVAILABLE!

It's quick, easy and open 24/7 - check out the SBED Calendar today

www.bexar.org/sbed

TITLE VI NONDISCRIMINATION POLICY STATEMENT

Bexar County, as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion (where primarily objective of the financial assistance is to provide employment per 42 U.S.S. § 2000d-5), color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Department programs or activities.

Local & State Business Certifications & Benefits


INFO SOURCE
COMMUNICATIONS, LLC

DISCLAIMER: Materials included in the Business Start-up Survival Tool Kit are for educational purposes only. They are used by permission from the respective agencies. You may copy and share this material, but you may not sell it to anyone without the express written consent of the original owner. Nothing in this tool kit is intended to be construed as legal advice, business consulting, or financial planning advice. You must consult your own legal counsel, business consultant, and financial expert before implementing any of the strategies that are discussed. Thank you.

TOP 10

Most Frequently Asked Questions of the SMWBE Office



1. How do I register my business name or get an Assumed Name: Doing Business As (DBA)?

Visit the Bexar County Clerk's office at the Bexar County Paul Elizondo Tower, next to the Courthouse to register the business name, 1st floor 101 W. Nueva, Suite 120 (Notary public onsite) or <http://www.countyclerk.bexar.landata.com> or (210) 335-2223. Copies of misplaced certificates can be obtained. You can check if the name is available with the state before submitting any paperwork at <http://www.sos.state.tx.us/corp/namefilingsfaqs.shtml>

What does it mean to be incorporated or unincorporated?

Incorporated businesses are independent legal entities, while unincorporated businesses are simply extensions of their owners. One of the chief implications of this legal distinction is that owners of unincorporated businesses are generally personally liable for the business's liabilities, while owners of an incorporated business are generally not liable for the business's debts. Below is general information from the Texas Secretary of State web site about different types of Texas business organizations for selecting a Business Structure. Generally, businesses are created and operated in one of the following forms: <https://www.sos.state.tx.us/corp/businessstructure.shtml>

- **SOLE PROPRIETORSHIP:** The most common and the simplest form of business is the sole proprietorship. In a sole proprietorship, a single individual engages in a business activity without necessity of formal organization. If the business is conducted under an assumed name (a name other than the surname of the individual), then an assumed name certificate (commonly referred to as a DBA) should be filed with the office of the county clerk in the county where a business premise is maintained. If no business premise is maintained, then an assumed name certificate should be filed in all counties where business is conducted under the assumed name.
- **LIMITED LIABILITY COMPANY:** A Texas limited liability company is created by filing a certificate of formation with the Texas Secretary of State. The Secretary of State provides a form that meets minimum state law requirements. Online filing of a certificate of formation is provided through SOSDirect.

The limited liability company (LLC) is not a partnership or a corporation but rather is a distinct type of entity that has the powers of both a corporation and a partnership. Depending on how the LLC is structured, it may be likened to a general partnership with limited liability, or to a limited partnership

where all the owners are free to participate in management and all have limited liability, or to an "S" corporation without the ownership and tax restrictions imposed by the Internal Revenue Code. Unlike the partnership, where the key element is the individual, the essence of the limited liability company is the entity, requiring for its creation more formal requirements. 1 William D. Bagley & Phillip P. Whynott, *The Limited Liability Company*, §2.10, (2d ed. 2d rev. James Publishing, 1995).

The owners of an LLC are called "members." A member can be an individual, partnership, corporation, trust, and any other legal or commercial entity. Generally, the liability of the members is limited to their investment and they may enjoy the pass-through tax treatment afforded to partners in a partnership. As a result of federal tax classification rules, an LLC can achieve both structural flexibility and favorable tax treatment. Nevertheless, persons contemplating forming an LLC are well advised to consult competent legal counsel. A limited liability company can be managed by managers or by its members. The management structure must be stated in the certificate of formation. Management structure is a determination that is made by the LLC and its members. The Secretary of State cannot give advice about management structure.

The information on this page should not be considered a substitute for the advice and services of an attorney and tax specialist in deciding on the business structure.

2. Where do I get an Employer Identification Number (EIN)? Why do I need it for my business?

Contact the Internal Revenue Service (IRS) at www.irs.gov or IRS San Antonio, 8626 Tesoro Drive, San Antonio, TX 78217, (210) 841-2090

An Employer Identification Number (EIN) is also known as a Federal Tax Identification Number, and is used to identify a business entity. Generally, businesses need an EIN. You may apply for an EIN in various ways, and now you may apply online. This is a free service offered by the Internal Revenue Service and you can get your EIN immediately.

You will need an EIN if you answer "Yes" to any of the questions for business operations on the www.irs.gov website or if your financial institution has requested. Most security professionals also recommend using the EIN instead of your SSN when transacting business.

3. Where do I get a State of Texas sales tax permit?

Complete the application if you are engaged in business in Texas and:

- Sell or lease tangible personal property in Texas; or
- Sell taxable services in Texas.

Texas State Comptroller offices are located in San Antonio or contacted at www.window.state.tx.us

Field Office: 10010 San Pedro Avenue Suite 410
San Antonio, TX 78216-3862
(210) 342-2300 or (800) 252-5555
Monday through Friday, 8 a.m. to 5 p.m.

4. Where can I get information on permits needed for my business?

- A. The City of San Antonio Development Services Department is a one stop shop for required contractor's registration, permits, licenses, zoning, and certificates to operate a business in San Antonio. They are located at 1901 S. Alamo St. and can be reached at (210) 207-1111 or online at www.sanantonio.gov/dsd/
- B. Businesses located in unincorporated areas of Bexar County need to contact Bexar County Public Works at (210) 335-6700 or visit 233 N. Pecos, Suite 420, San Antonio, Texas 78207
- C. The San Antonio Metropolitan Health District issues permits and performs health inspections for food service, care, medical, and other industries. They can be reached online at www.sanantonio.gov/health or by phone at (210) 207-8780
- D. Businesses located in Bexar County municipalities and communities listed below, need to contact the appropriate offices to obtain required permits:

Alamo Heights	Helotes	Schertz‡	CDPs
Balcones Heights	Hill Country Village	Selma‡	Cross Mountain, Lackland
Castle Hills	Hollywood Park	Shavano Park	AFB, Macdona, Randolph AFB,
China Grove	Kirby	Somerset	Scenic Oaks, Timberwood Park
Cibolo‡	Leon Valley	St. Hedwig	
Converse	Live Oak	Terrell Hills	Unincorporated communities
Elmendorf‡	Lytle‡	Universal City‡	Adkins, Atascosa, Leon
Fair Oaks Ranch‡	Olmos Park	Von Ormy	Springs, Losoya, Martinez,
Grey Forest	Sandy Oaks	Windcrest	Sayers, and Wetmore

(Note: ‡This populated place also has portions in an adjacent county or counties).

5. Where can I get training or counseling on starting a business and or writing a business plan?

UTSA Small Business Development Center offers training and counseling on international trade and government contracting as well as a variety of other subjects. They can be contacted at <http://sasbdc.org/> or (210) 458-2460.

SCORE Counselors to America's Small Business Volunteers provide professional guidance and information to maximize the success of America's existing and emerging small businesses. Additional contact information can be found at <https://sanantonio.score.org/> or (210) 403-5931.

6. Are there any grants to start a business?

No - but the SBA offers Small Business Loans through various financial institutions in and around Bexar County.

For local micro-lending institutions or start up loans please contact:

- LiffFund at <http://www.liffund.com/> or (888) 215-2373
- Small Business Administration at www.sba.gov/sanantonio or (210) 403-5931
- Information about community grants and assistance for non-profits is available from the San Antonio Area Foundation at <http://www.saafdn.org/> or 210.225.2243

7. How do I certify my business as HUB, SBE, MBE, AABE, HABE, ASBE, NABE, DIBE, DBE, VBE or LGTBTE?

Note: Certification is not required to respond to any County Solicitation.

LOCAL

www.sctrca.org or (210) 227-4722

- South Central Texas Regional Certification Agency (SCTRCA)

FEDERAL

<https://www.sba.gov/offices/district/tx/san-antonio>

- SBA 8(a), SBE, SBA, HUB Zone and Empowerment Zone

<http://www.txdot.gov/inside-txdot/office/civil-rights/tucp.html>

- Texas Unified Certification Program is a certification process for the Federal
- Disadvantaged Business Enterprise (DBE) Programs in Texas.

STATE

<http://www.window.state.tx.us/procurement/prog/hub/>

- Historically Underutilized Business (HUB) – Central Master Bidder's List

PRIVATE SECTOR CERTIFICATIONS

<http://smsdc.org/> or <http://www.wbea-texas.org>

- Southwest Minority Supplier Development Council (CSTMBC) & Women's
- Business Enterprise Alliance (WBEA) – Private Sector – Fortune 500
- Companies/ MOU with the state of Texas
- National Gay & Lesbian Chamber of Commerce (NGLCC)
- National Minority Supplier Development Council (NMSDC)
- Southwest Minority Supplier Development Council (SMSDC)
- Women's Business Enterprise National Council (WBENC)

8. How do I become a Bexar County Vendor?

Visit the Bexar County website at www.bexar.org/purchasing to register as a Supplier or contact the Purchasing Department at (210) 335-2211. For more information, visit www.bexar.org/businesswithbexar/

9. How do I register to do business with other agencies, school districts or the State or Federal Government?

<http://www.bexar.org/133/Opportunities>

The Opportunity Link is an initiative of the Bexar County SBE Department to address business development and small, minority and women-owned business participation in public procurement opportunities.

10. How do I find out about pre-bid meetings, events, trainings and networking events?

www.bexar.org/SMWBE

STEP 1: On the SBED Homepage, click on the Calendar Button

STEP 2: Subscribe to calendar notifications by clicking on the Notify Me button, and you will automatically be alerted about the latest events in our community.

Title VI Nondiscrimination Policy Statement

Bexar County, as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the ground of race, religion (where the primary objective of the financial assistance is to provide employment per 42 U.S.S. § 2000d-3), color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Department programs or activities.



For more information, please contact the SMWBE office at (210) 335-2478 or www.bexar.org/smwbe

101 W. Nueva, Suite 112
San Antonio, TX 78205

Office: (210) 335-2478
Facsimile: (210) 335-0673



Renee Watson, BBA, MPA, ECMCA

Master Certified Compliance Administrator (ACCA)
Director

Small Business and Entrepreneurship Department (SBED)
Small, Minority and Women Owned Business Enterprise (SMWBE) Program
Disadvantaged Business Enterprise (DBE) Liaison/ Title VI Coordinator Bexar County

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DBE Contract
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Amparo Arriaga
Office Assistant
Amparo.Arriaga@bexar.org

"Linking Your Business to Opportunity for Acceleration!"



ATTENTION

Bexar County Business Owners!

Is your business eligible for one or more business designations? Do you need assistance in your pursuit of contracting and procurement opportunities from governmental agencies and the private sector?

The **Bexar County Small Business & Entrepreneurship Department** offers information on how to become certified through various agencies, mentoring programs, and how to locate opportunities.

You can receive business designation as one or more of the the following:

Hispanic American Business Enterprise (HABE)	Small Business Enterprise (SBE)
Disabled Individual Business Enterprise (DIBE)	Minority Business Enterprise (MBE)
African-American Business Enterprise (AABE)	Woman Business Enterprise (WBE)
Native American Business Enterprise (NABE)	Disadvantaged Business Enterprise (DBE)
Historically Underutilized Business (HUB)	American Indian Business Enterprise (AIBE)
Veteran Business Enterprise (VBE)	Emerging Small Business Enterprise (ESBE)
Asian Business Enterprise (ABE)	Asian-Pacific American Business Enterprise (ASBE)
Lesbian, Gay, Bisexual, Transgender Business Enterprise (LGBTBE)	
Service Disabled Veteran Owned Small Business Concern (SDVOSBC)	
SBA Program for Development of Small Businesses in HUB Zones (8A)	
SBA Program for Development of Women-Owned Business (8M)	

Certifying Agency / Organization Registry

South Central Texas Regional Certification Agency	City of Austin
North Central Texas Regional Certification Agency	City of Houston
National Association of Women Business Owners	Small Business Administration
Corpus Christi Regional Transportation Authority	Texas Department of Transportation
Houston Minority Supplier Development Council	Women's Business Enterprise Alliance
National Gay & Lesbian Chamber of Commerce	Metropolitan Transit Authority of Harris County
National Minority Supplier Development Council	Women's Business Enterprise National Council
Southwest Minority Supplier Development Council	
Dallas / Ft. Worth Minority Supplier Development Council	
State of Texas - Historically Underutilized Business Program	

For more information, please contact our office:

Bexar County Small Business & Entrepreneurship Department
Paul Elizondo Tower
101 W. Nueva, Suite 112
San Antonio, TX 78205
(210) 335-0678

Email smwbe@bexar.org or visit www.bexar.org/smwbe



Bexar County Commissioners Court highly encourages certification. However, designation is not a pre-requisite or requirement for doing business with Bexar County.



More Links to Success

The Statewide HUB Program offers many valuable resources to help you build relationships with contacts and find answers to your questions.

HUB Coordinator List — HUB coordinators are your individual contacts at state entities. They offer assistance and valuable guidance on their agency's purchasing requirements and processes.

Contact a coordinator:
comptroller.texas.gov/purchasing/vendor/hub/resources.php


HUB Report — Twice a year, state entities report their expenditures in specific categories. Use the report to determine which entities might match up best with what your business has to offer.

Read the report:
comptroller.texas.gov/purchasing/vendor/hub/reporting.php

Put the State's CMBL and HUB Programs to work for your business!

In recent years, Texas spent an average of \$17.3 billion per year for its purchase of heavy construction, building construction, special trade, professional services, and other services and commodities, of which an average of 12 percent of the expenditures went to Texas certified HUBs. Give your business the advantage of being registered on the state's CMBL and applying to become a Texas certified HUB by visiting our website at comptroller.texas.gov/purchasing/vendor/registration/

For all the details, go to www.Texas4HUBs.org

 Sign up to receive email updates on the Comptroller topics of your choice at comptroller.texas.gov/subscribe.

 **At Your Fingertips** — Get the latest news and updates from the Statewide HUB Program and other CPA initiatives by following us on Twitter @TxComptroller.



Statewide Historically Underutilized
Business (HUB) Program

www.Texas4HUBs.org

888-863-5881 or 512-463-5872



Glenn Hegar
Texas Comptroller of Public Accounts



Texas is your business.



I'm the boss, but being HUB certified gives me the expertise to take my small business to the top.



Texas has awarded billions of dollars in contracts to companies certified as a Historically Underutilized

Business (HUB). Be ready when opportunity knocks by certifying your minority-, woman- or service-disabled veteran-owned business through the Statewide HUB Program at the Texas Comptroller of Public Accounts.

State agencies and universities are constantly looking to work with businesses certified as HUBs. The goal of this good-faith effort is to actively involve HUBs in the Texas procurement process and ensure they receive a fair share of state business.

Stand Out in a Crowd

HUB certification is free of charge and good for up to four years. Only certified HUBs are listed in the online Texas HUB Directory. For purchases of \$5,000 or less, state entities can directly contact a business to buy goods and services. The Texas HUB Directory is also searched by vendors looking for certified HUBs to include in their subcontracting plans for projects of \$100,000 or more.

Certified HUBs registered with the state's Centralized Master Bidders List (CMBL) are sought by state entities looking for potential bidders. State entities are required to search the CMBL for most purchases, and HUB certification is an important search criteria because of agencies' purchasing policies to include HUBs.

HUB Eligibility – A Respected Standard

The integrity of the Statewide HUB Program is ensured by setting a strong eligibility standard.

A Historically Underutilized Business:

- is a for-profit entity that has not exceeded the size standard prescribed by 34 TAC §20.23, and has its principal place of business in Texas, and
- is at least 51 percent owned by an Asian Pacific American, Black American, Hispanic American, Native American, American woman and/or Service-Disabled Veteran, who reside in Texas and actively participate in the control, operations and management of the entity's affairs.

Competitive Tools for Your Business

HUB certification is a powerful advantage and a vital step. In addition to applying for HUB certification, explore the many other tools available for creating new opportunities to do business with the state:

1 Register With the Centralized Master Bidders List (CMBL) to Receive Bid Invitations.

When state entities plan to buy goods and services that cost more than \$5,000, they must search the CMBL for potential vendors. Based on the results of their search, they contact vendors directly by mail, fax, email or phone with invitations for bids. You can register for the CMBL online to immediately be included on the list. The annual registration fee is \$70 and covers the cost of the program. It's a worthwhile investment, averaging \$5.83 per month. The CMBL reflects a vendor's HUB status for state entities looking for potential bidders.

Sign up for the CMBL:

comptroller.texas.gov/purchasing/vendor/cmb/

Or call: 512-463-3459

2 Search the Electronic State Business Daily (ESBD).

When state entities have contract opportunities over \$25,000, they must advertise them on the Electronic State Business Daily. This online search engine is available to anyone and allows you to find bid opportunities by type, entity, vendor award or National Institute of Governmental Purchasing Codes.

Search the ESBD:
txsmartbuy.com

3 Explore HUB Subcontracting Plan Opportunities.

Subcontracting is another excellent opportunity for your business. When a state contract's expected value is \$100,000 or more, state entities carefully examine it for subcontracting opportunities. If opportunities are found, bidding vendors must submit a subcontracting plan showing potential use of certified HUBs. Become familiar with the subcontracting process. Once certified, your listing in the online Texas HUB Directory will make your business known as a potential subcontracting partner.

Get details:
comptroller.texas.gov/purchasing/vendor/hub/forms.php

4 Network.

You are the best voice for your business, and there are several ways for you to make your business known.

Pre-proposal conferences offer chances to network with experienced vendors for subcontracting opportunities. The point of contact on individual bid invitations can provide details on these conferences.

Economic Opportunity Forums (EOFs) allow you to network with HUB coordinators at individual state agencies and with state purchasers. The Statewide HUB Calendar of Events lists networking opportunities, including events by HUB development centers and trade organizations.

View the EOF calendar:
txsmartbuy.com/eof/index.html

Veterans Entrepreneur Program Support & Services

INFO SOURCE
COMMUNICATIONS, LLC

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TEXAS VETERANS
COMMISSION



GREG SHIGEMASA, MBA VETERAN ENTREPRENEUR PROGRAM Business Consultant

Greg Shigemasa is a *Business Consultant* for the Texas Veterans Commission's Veteran Entrepreneur Program. He proudly and honorably served in both the United States Air Force and United States Army. He has over fifteen years of combined experience working as a *Business Consultant* and *Human Capital Performance Management Consultant*.

Mr. Shigemasa's work as a *Business Consultant* affords him the opportunity to assist **Veterans, Family Members, and Survivors** in **starting, growing, expanding, and exiting** Veteran-Owned businesses for positive economic impact. In addition, Mr. Shigemasa uses his expertise to "*works with his clients on strategic planning, problem solving, and developing business skills and knowledge.*" Further, he helps clients design a suitable business model or marketing plan, determine marketing techniques, and apply those techniques to implement the model or plan.

In his role as a *Human Capital Performance Management Consultant*, Mr. Shigemasa helps "*organizations identify cultural incongruences by assessing operating protocols, wild cards, and the impact of a cultural disruption to the bottom line of the target or acquiring organization.*" He generally works "*side by side with the leadership team to assess talent across a wide spectrum of indicators and evaluate its impact on deal terms or determine most appropriate course of action pre and post transaction.*"

Mr. Shigemasa is former *Professor of Management and Entrepreneurship* and serves as a Board Member of the Texas Chapter of the Farmer Veterans Coalition.

**TEXAS VETERANS COMMISSION
VETERAN ENTREPRENEUR PROGRAM**

Greg Shigemasa, MBA
Business Consultant

P.O. Box 12277
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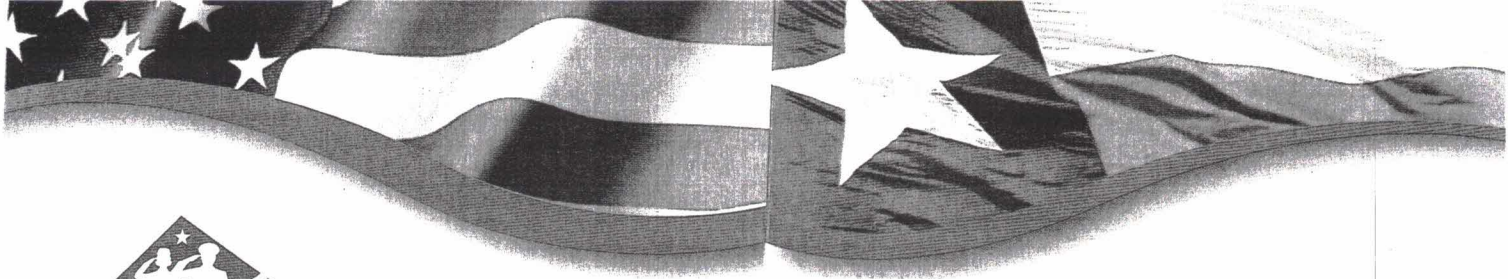
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www.TVC.Texas.Gov



TEXAS VETERANS
COMMISSION

Veteran Entrepreneur Program



TEXAS VETERANS COMMISSION

Since 1927, our mission is to advocate for and provide superior service to veterans that will significantly improve the quality of life for all Texas veterans, their families, and survivors.

Find out what TVC can do for you!

CONTACT AND FOLLOW US...



1-800-252-VETS (8387)



info@tvc.texas.gov



www.tvc.texas.gov



@texasveterans



texasveteranscommission



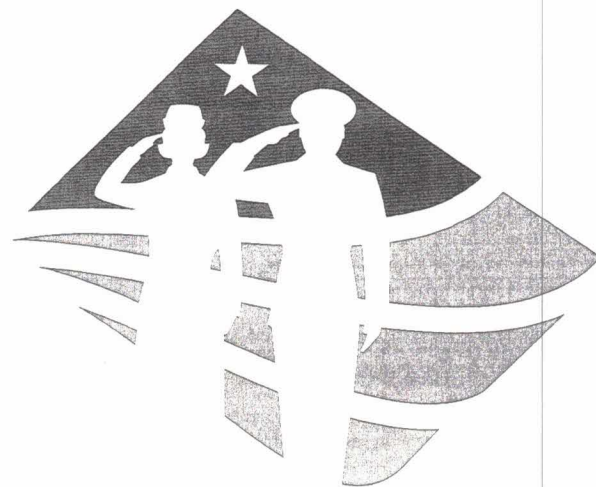
txveteranscommission



veterans.portal.texas.gov



www.youtube.com/user/txveteranscommission



TEXAS VETERANS COMMISSION

Texas Veterans Commission
1700 N. Congress Ave., Suite 800
P.O. Box 12277
Austin, TX 78711-2277
512-463-6564

Helping Veterans Starts Here

2017

Texas Veterans Commission (TVC) Programs

We hold ourselves personally and professionally accountable to provide superior customer service to veterans, their families and survivors through our core values: **Professionalism, Integrity, Compassion, Commitment, and Teamwork**

CLAIMS REPRESENTATION AND COUNSELING



- Assists with service connected and non-service connected claims
- Prepares VA appeals
- Files VA pensions and survivors benefits
- Death and Burial Benefits

HEALTH CARE ADVOCACY PROGRAM



- Assist veterans in obtaining access to healthcare services, including non-VA healthcare
- Advocates for veterans in resolving issues at VA health care facilities
- Insures that veterans understand their rights and responsibilities

VETERANS EDUCATION PROGRAM



- G.I. Bill benefits information
- Administers Hazlewood Tuition Exemption Act
- Approves programs of study at colleges, universities and career schools, flight schools, apprenticeships and on the job training
- Program Education Coordinators

FUND FOR VETERANS' ASSISTANCE



- Awards monetary grants to nonprofit organizations and units of local government that directly assist veterans and their families in the following ways:
 - General Assistance
 - Housing for Texas Heroes
 - Veterans Mental Health
 - Veterans Treatment Courts

VETERANS EMPLOYMENT SERVICES



- Job matching and referrals
- Resume and interview preparation
- Statewide career fairs
- Translate military experience into civilian skills
- Local network of veteran resources and referrals

VETERANS MENTAL HEALTH PROGRAM



- Assists Texas veterans and their family members in accessing mental health care
- Connects veterans with the Military Veteran Peer Network (MVPN)
- Trains clinical mental health providers
- Connects veterans and family members with community and faith based organizations
- Facilitates justice-involved veteran services

VETERAN ENTREPRENEUR PROGRAM



- Assists veterans with starting a new business or expanding a current one
- Assists with business plans and marketing strategies
- Directs veterans to funding sources
- Provides one-on-one business consultation

WOMEN VETERANS PROGRAM



- Ensures that Texas women veterans have equitable access to federal and state veteran's benefits and services
- Identifies existing women veterans' resources
- Collaborates with government and private agencies to improve/create needed services
- Elevate public awareness of the vital roles women veterans have played in our national defense

Business Startup & Counseling Support Organizations

INFO SOURCE
COMMUNICATIONS, LLC

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LAUNCH SA

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*Fueling
San Antonio
Small Business
Owners*



HELPING SPUR SAN ANTONIO ENTREPRENEURS

Through a partnership with LiftFund, Launch SA provides a space where those with an idea or full-fledged business can access specialty programming, workshops, tailored support, and resources.

SPECIALTY PROGRAMS OFFERED



San Antonio Entrepreneurship Week
Celebration of entrepreneurs and the businesses that are creating positive changes and economic development in our community.



Venture Challenge
Funding competition to progress business goals for entrepreneurs.



ImpulSA
Spanish business accelerator program for established businesses in San Antonio.



Break Fast & Launch
Nation's first culinary business accelerator located in San Antonio.



Mentor Roundtables
Hour-long mentor driven conversations about business tactics and strategies. Topics are selected based on member needs and feedback.



1 Million Cups
A Kauffman Foundation program, local entrepreneurs meet and present their startups to the thriving peer network of founders in San Antonio.



Pitch Tab
Gives startups and entrepreneurs an opportunity to present their business ideas after business hours.

LAUNCHSA

**Apply Online
& Learn More**

www.launchsa.org

Or Contact

210.398.6623

team@launchsa.org

Your Small Business Hub



Direction



Education



Mentorship



Community



Launch SA is a fueling station for San Antonio idea creators, entrepreneurs, and small business owners who seek advice on the road to success. Together, LiftFund and the City of San Antonio partnered to bring you Launch SA, a resource center for aspiring and current small business owners. Launch SA provides specialty programs, mentorship, networking, and knowledge to keep you moving forward. Whether you're a startup or seeking to grow your business, Launch SA is your one-stop-shop.

Ryan Salts
Director

Daniela Alvarez
Coordinator

www.launchsa.org • team@launchsa.org • (210) 598-6623

Resources at Launch SA



The LiftFund Women's Business Center offers guidance and support to empower women entrepreneurs to become successful business leaders, through workshops, individualized consultations, and co-hort based programs. The Women's Business Center is funded in part through a cooperative agreement with the U.S. Small Business Administration.

Zindy Infante
Director

Carlos Acosta
Business Advisor

Maricarmen Barron
LiftOff Co-Working

www.liftfund.com/wbc • wbc@liftfund.com • (888) 215-2373 ext. 3000



The mission of San Antonio SCORE is to assist people in starting, growing and managing small businesses and non-profit organizations. Business mentors provide advice on every aspect of business.

sanantonio.score.org



The Small Business Liaison is available to discuss permitting, licensing and regulatory issues, and will provide initial counseling on Vendor Registration, Business Certification, Forms of business organization, Government contracting and other vital topics.

Hugo Villarreal
Small Business Liaison
sanantonio.gov/sbo

Upcoming Events & Programs



Local entrepreneurs present their startups. Coffee provided.

Every Wednesday at 9:15 am
1millioncups.com/sanantonio



Entrepreneur Orientation - 1 hour overview for business owners

Weekly Sessions
tinyurl.com/WBCStart



A Penny for Your (Positive) Thoughts

January 14
liftfund.com/events/



An Inspired Life: Creating Your Personal Mission Statement

January 15
liftfund.com/events/