

HOW TO

Form Your Delaware LLC



01

Choose a Name for Your LLC

Select a unique name that includes "Limited Liability Company," "LLC," or "L.L.C.," and ensure it's available by searching the [Delaware Division of Corporations website](#).

02

Designate a Registered Agent

Designate a registered agent with a physical address in Delaware to receive legal documents on behalf of your LLC; this can be an individual or a professional service.

03

File a Certificate of Formation

Submit the Certificate of Formation to the Delaware Division of Corporations with your LLC name, registered agent's details, and any additional required information; the filing fee is \$90, and you can file online, by mail, or in person via [Corp.Delaware.gov](#).

04

Draft an Operating Agreement (Optional)

Although not required, drafting an Operating Agreement is recommended to outline the LLC's structure, roles, and procedures to help avoid future disputes.

05

Obtain an EIN (Employer Identification Number)

Get an EIN from the IRS for tax purposes, hiring employees, and opening a business bank account by applying for free on the [IRS website](#).

06

Pay Delaware's Annual Franchise Tax

Delaware LLCs must pay an annual franchise tax of \$300, due by June 1, which can be paid online at the Delaware Division of Corporations portal.

07

Comply with Additional Licensing Requirements

Depending on your business type and location, you may need state or local business licenses, which you can check through the Delaware One Stop Business Portal.