

# HOW TO

## Form Your New York LLC



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### Choose a Name for Your LLC

Select a unique name that includes "Limited Liability Company," "LLC," or "L.L.C.," and ensure it's not already in use by searching the New York Department of State Corporation and Business Entity Database.

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### Appoint a Registered Agent

Designate a registered agent to accept legal documents for your LLC, which can be an individual or a professional service, or you can designate the New York Secretary of State as your agent.

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### File Articles of Organization (Form DOS-1336)

Submit the Articles of Organization to the New York Department of State by mail or online, including your LLC's name, registered agent information, and address; the filing fee is \$200, and you can file via the New York State Division of Corporations website.

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### Publish a Notice in Local Newspapers

Within 120 days of forming your LLC, publish a notice of formation in two newspapers (one daily and one weekly) in the county where the LLC is located, as required by New York's publication law. After publication, file a Certificate of Publication with the Department of State, along with a \$50 filing fee.

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### Draft an Operating Agreement (Optional)

Create an Operating Agreement to outline the LLC's ownership, management structure, and operating rules. While not filed with the state, this is a legal requirement for New York LLCs.

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### Obtain an EIN (Employer Identification Number)

Apply for an EIN through the [IRS website](#) to handle taxes, hire employees, and open a business bank account.

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### Register for New York State Taxes

Depending on your business activities, register with the New York State Department of Taxation and Finance for applicable state taxes, such as sales tax or withholding tax.

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### Obtain Required Licenses and Permits

Based on your industry and location, check for any additional local or state licenses and permits needed for your LLC.

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### File Biennial Statements

Every two years, file a Biennial Statement with the New York Department of State to keep your LLC in good standing; the filing fee is \$9 and can be submitted via the Department of State website.