

FA

KANSAS SECRETARY OF STATE
**Application for Registration
Foreign (non-Kansas) Business**

INSTRUCTIONS FOR FILING APPLICATION

**SUBMIT THE DOCUMENTS
WITHOUT THIS PAGE**

Note: All documents filed by the Secretary of State's office are considered public record and may be viewable online.

How to complete the Foreign Application for a foreign (non-Kansas) business:

Each of the numbered instructions below corresponds to a section on the form.

1. Select the business type the business is operating as in their foreign (non-Kansas) state or country.
2. Provide the name of the business. The business name must be the legal name on record with the foreign (non-Kansas) state or country of the business. DBA, fictitious, assumed, and trade names are not registered with the Kansas Secretary of State's office.

Check to see if the name of the business is in use by any other business already registered with our office online at <https://www.sos.ks.gov/eforms/BusinessEntity/NameAvailability.aspx>.

If the name is currently in use, either a Written Consent to Use of Similar Business Name or a letter advertising must be submitted with the formation document.

Consent to Use of Similar Business Name: Pursuant to K.S.A. 17-7918, the business may submit a Written Consent to Use of Similar Business name (Form CN), completed by the business registered with the Secretary of State's office, found at https://www.sos.ks.gov/forms/business_services/CN.pdf.

Letter of advertising: Pursuant to K.S.A. 17-7933, a letter of advertising must indicate that the business, in all means of identification and advertising, will identify as a business out of their foreign (non-Kansas) state or country. If the current business is domesticated in the same foreign state or country, a letter of advertising can't be used and a letter of consent from the current business must be provided.

3. Provide the jurisdiction where the business organized. This must be either a U.S. state, U.S. territory, or foreign country.
4. Provide the name of the resident agent.

Resident agent: This is either an individual or a business registered in Kansas (may be the business the foreign application is for) who will receive any legal documents (e.g., subpoenas, court orders, summons, etc.) for the business named in section 2. If the resident agent is a business, search for the legal name of the business at <https://www.sos.ks.gov/eforms/BusinessEntity/Search.aspx>.

5. Provide the registered office for the resident agent.

Registered office: Must be an address in Kansas where the resident agent may be regularly present. The address must include the building number, street, city, state, and zip code. This can't be a PO box.

6. Provide the date the business began doing business in Kansas. This field may be left blank if this date would be the date the application is filed with the Kansas Secretary of State's Office. This date determines if information reports must be filed with the foreign application.

Information report: This is a document that is filed every two years to maintain good standing with the Kansas Secretary of State. If an even year was entered in section 6, the information report would have been filed every following even year, and if an odd year was entered in section 6, the information report would have been filed every following odd year. Perform the following steps for the type selected in section 1 to determine how many reports to submit.

Not-for-profit corporations: If the business has passed a reporting period for an information report, the foreign application must be submitted with the most recent information report missed.

All other businesses: Each of the information reports that have not been filed within the reporting period that would have been due, limited to the last 10 years of information reports, must be submitted with the foreign application.

7. Provide the date of organization in the business's domestic state. This may be found on the certificate issued by the business's domestic state.
8. Provide the corporation's purpose statement. This statement is a general indication as to the nature of business of the business.
9. **This section only applies to LLCs that can create series:** These two statements must be reviewed, and at least one of the statements checked for the business to be registered with our office as an LLC that can create series in their domestic state. If not true, then leave the boxes blank and the LLC will not be registered as a series LLC.
10. An authorized person on behalf of the business must sign.

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Fee Schedule

Foreign Application

The filing fee for the foreign application is as follows:

Corporation:

For-profit:	\$115
Not-for-profit:.....	\$115
LLC:	\$165
LLP:	\$165
LP:	\$165
Series LLC:.....	\$165

For all businesses, except for not-for-profit corporations, a one-time penalty fee of \$85 must be submitted if one or more information reports are being filed after the business's forfeiture date. Forfeiture dates are 3 months after the end of the reporting period.

If information reports are being submitted, the filing fee for each must also accompany the information reports. The following reports must be submitted with the foreign application:

Business Type	Form Name
For-profit Corporation:	IFP
Not-for-profit Corporation:.....	INP
Limited Liability Company:.....	ILC
Limited Liability Partnership:.....	ILL
Limited Partnership:.....	ILP

For more information, go to <https://www.sos.ks.gov/businesses/information-reports.html>.

Mail to:

Kansas Secretary of State
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka KS 66612

Checks and credit/debit cards are accepted for payment. Make checks payable to the Kansas Secretary of State. Once processing the foreign application is completed, a certified copy of the foreign application will be mailed to the address of the sender.

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**COVER PAGE
FOREIGN APPLICATION**

Note: The credit/debit card information will be destroyed upon the filing of the document.

Contact Information

Contact Person

Direct Phone Number for Contact Person

Payment Information

Credit/Debit Card Number

Expiration Date

Billing Zip Code

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Memorial Hall, 1st Floor
 120 S.W. 10th Avenue
 Topeka, KS 66612-1594

(785) 296-4564
 kssos@ks.gov
 https://sos.ks.gov

All information on the application for registration must be complete and accompanied by the correct filing fee or the document will not be accepted for filing.

1. Choose type of business:

Corporation for profit
 (fee \$115) 51-03

Limited partnership
 (fee \$165) 51-06

Corporation not for profit
 (fee \$115) 51-17

Limited liability partnership
 (fee \$165) 51-18

Limited liability company
 (fee \$165) 51-10

Series limited liability company
 (fee \$165) 51-33

2. Name of business:

Legal name registered in the foreign (non-Kansas) state or country.

(Do not include DBA, fictitious, assumed, or trade names)

3. State or foreign country of jurisdiction:

4. Name of resident agent:

Must be an individual, the business named in section 2, or a business already registered with our office. **Do not leave blank.**

5. Registered office in Kansas for the resident agent:

Must be a street, rural route, or highway. **A PO box is unacceptable.**

Street Address (A PO Box is unacceptable)

City

State

Zip

KS

6. Date the business began doing business in Kansas:

Month	Day	Year

Provide a date only if this date is in the past. Otherwise, leave blank.

7. Date of formation in the foreign (non-Kansas) state or county:

Month	Day	Year

8. Full nature and character of business to be conducted in Kansas:

9. This statement applies only to foreign limited liability companies who may create series in their domestic state and must check the corresponding statements. All other LLCs or business types may skip to section 10.

The limited liability company is governed by an operating agreement that establishes or provides for the establishment of a series of members, managers, limited liability company interests or assets having separate rights, powers or duties with respect to specified property or obligations of the foreign limited liability company or profits and losses associated with specified property or obligations.

Check all that apply:

The debts, liabilities and obligations incurred, contracted for or otherwise existing with respect to a particular series, if any, are enforceable against the assets of such series only, and not against the assets of the foreign limited liability company generally or any other series thereof.

Any of the debts, liabilities, obligations and expenses incurred, contracted for or otherwise existing with respect to the foreign limited liability company generally or any other series thereof shall be enforceable against the assets of such series.

The foreign business hereby consents, without power of revocation, that actions may be commenced against it in the proper court of any county in the state of Kansas; and the foreign business stipulates and agrees that such service shall be taken and held in all courts to be valid and binding as if due service had been made upon the authorized persons of the foreign business.

As of the day of this filing, the foreign business exists in good standing under the laws of the jurisdiction of its organization.

10. I declare under penalty of perjury pursuant to the laws of the state of Kansas that the foregoing is true and correct.

Signature of Authorized Person

Name of Signer (Printed or Typed)

X