

DOMESTIC LIMITED LIABILITY COMPANY FILING REQUIREMENTS

ARTICLES OF ORGANIZATION

The filing of articles of organization with the Secretary of State commences a limited liability company's existence, unless a delayed effective date is specified in the articles. The specified date can be no more than ninety (90) days after the date of filing the articles.

The filing fee for articles of organization is \$_____. As with corporate filings, articles of organization should be filed in duplicate, with at least one copy bearing the original signature(s) of the person(s) forming the limited liability company. This allows the Secretary of State to return one file-stamped copy of the articles to the limited liability company.

The Corporation Division does not provide forms for use in filing articles of organization. Please note that articles of organization need not be prepared by an attorney. However, persons desiring to form a limited liability company are strongly urged to seek legal counsel. This is particularly important in view of tax and other considerations that are unique to limited liability companies.

The Indiana Business Flexibility Act requires the following information in the articles of organization:

1. A name for the limited liability company that satisfies the requirements of IC 23-18-2-8.
2. The street address of the limited liability company's initial registered office in Indiana and the name of the limited liability company's initial registered agent at that office. The registered agent is the person designated by the limited liability company to accept service of process in the event the limited liability company is sued. The registered agent can be either a person who resides in Indiana or a corporation or limited liability company with an office in Indiana. The registered office address may not be a post office box, although a box number with a rural route is acceptable.
3. The latest date upon which the limited liability company is to dissolve or a statement that the limited liability company's duration is perpetual.
4. If the articles of organization provide for a manager or managers, a statement to that effect.
5. Any other matters upon which the members agree, including any matters that are required or permitted to be in an operating agreement.

