

Frequently Asked Questions:

Q: Do I need a license to start a business in Kansas?

A: Depending on the type of business you plan to start, you may be required to obtain a business license. Below, you will find a partial list of common business licenses, and the contact information for the agency responsible for issuing the license. In addition to contacting these agencies, you should also contact your local city/county clerk's office for local requirements.

Adult Care Homes	Department of Health & Environment	(785) 296-1240
Agricultural Products	Department of Agriculture	(785) 296-3737
Aircraft Mechanics	Federal Aviation Administration	(816) 891-2100
	Toll Free	1-800-519-3269
Alcoholic Beverage Control	Department of Revenue	(785) 296-7015
Ambulances	Board of Pharmacy	(785) 296-4056
Analytical Laboratory	Board of Pharmacy	(785) 296-4056
Animal Dealers/Breeders	Animal Health Department	(785) 296-2326
Appraiser	Real Estate Appraisal Board	(785) 271-3373
Architects	Board of Technical Professions	(785) 296-3053
Aviation Occupations	Federal Aviation Administration	(816) 891-2100
Auctioneers	Local City or County Clerk	
Audiologist	Board of Hearing Aid Examiners	(316) 263-0774
Auto Body Repair	Department of Health & Environment	(785) 296-0669
Auto Repair	Department of Health & Environment	
	Oil Disposal	(785) 296-1608
	Air	(785) 296-1593
Automobile Service Clubs	Insurance Department	(785) 296-3071
Bait and Tackle Shops	Wildlife & Parks Department	(316) 672-5911
Banks	Banking Commission	(785) 296-2266
Barbers	Board of Barber Examiners	(785) 296-2211
Bed & Breakfasts/Lodging	Department of Health & Environment	(785) 296-5600
Bees	Department of Agriculture	(785) 296-2263
Billboards	Department of Transportation	(785) 296-3501
Billiard Halls	Local City or County Clerk	
Bingo Parlor	Department of Revenue	
	Bingo Registration/Enforcement	(785) 296-6127
Body Piercing	Department of Cosmetology	(785) 296-3155
Bonded Warehouse	Secretary of State	(785) 296-4564
Bounty Hunting	Kansas Bureau of Investigations	(785) 296-8200
Bowling Alleys	Local City or County Clerk	
Broker/Dealer	Securities Commission	(785) 296-3307
Cabinet Manufacturers	Department of Health & Environment	(785) 296-0669
Car Dealer Licensing	Department of Revenue	(785) 296-3621
Car Rental Agencies	Department of Revenue	(785) 296-3621
Car Repossession	Department of Revenue	(785) 296-3621
Check Cashing Service	Banking Commissioner	(785) 296-2266
Child Care	Department of Health & Environment	(785) 296-1270
Child Care Referral Agency	Local County Health Department	
Child Placement Agency	SRS Youth Services	(785) 296-4661
Cigarette Dealer	Department of Revenue	(785) 296-7015
Collection Agency	Banking Commissioner	(785) 296-2266

Construction or Zoning	Local City or County Clerk	
Consultants	Local City or County Clerk	
Consumer Protection Division	Attorney General's Office	(785) 296-3751
	Toll Free	1-800-432-2310
Contractors	Local City or County Clerk	
Corporate Information	Secretary of State	(785) 296-4564
Cosmetologists	Board of Cosmetology	(785) 296-3155
Courier Service	Corporation Commission	(785) 271-3100
Credit Restorers	Kansas Banking Commissioner	(785) 296-2266
Dairy Products	Department of Agriculture	(785) 296-3786
Day Care Facilities	Department of Health & Environment	(785) 296-1240
Delivery Service	Kansas Corporation Commission	(785) 271-3100
Dentists	Dental Board	(785) 296-6400
Detectives	Kansas Bureau of Investigation	(785) 296-8200
	Attorney General's Office	(785) 296-2215
Doctors	Board of Healing Arts	(785) 296-7413
Driver Training Instructors	State Board of Education	(785) 296-4961
Drugs	Board of Pharmacy	(785) 296-4056
Dry Cleaners/Laundry	Department of Health & Environment	(785) 296-6370
	Department of Revenue	(785) 368-8222
Education State	Board of Education	(785) 296-3201
Electrical Contracting	Local City or County Clerk	
Employment Agencies	Department of Human Resources	(785) 296-4062
Engineers	Board of Technical Professions	(785) 296-3053
Finance Charges	Banking Commissioner	(785) 296-2266
Fire Alarms	State Fire Marshal	(785) 296-3401
Firework Stand/Display	State Fire Marshal	(785) 296-3401
	Local City or County Clerk	
Floral Shops	Department of Agriculture	(785) 296-2263
Food Processing	Department of Health & Environment	(785) 296-5600
Funeral Directors	Board of Mortuary Arts	(785) 296-3980
Garbage Collectors	Local City or County Clerk	
Gas Stations	Department of Revenue	(785) 296-2411
	Department of Agriculture	(785) 862-2415
	Department of Health & Environment	(785) 296-7005
Greenhouse Operator	Department of Agriculture	(785) 296-2263
Grocery Store/Retail Food	Department of Health & Environment	(785) 296-5600
Hair/Salons	Board of Cosmetology	(785) 296-3155
Health Clubs	Local City or County Clerk	
Health Facilities	Department of Health & Environment	(785) 296-1240
Home-Based	Local City or County Clerk	
Home Health Care	Department of Health & Environment	(785) 296-1240
Hospitals	Department of Health & Environment	(785) 296-1240
Hotel/Motel	Department of Health & Environment	(785) 296-5600
Insurance	Insurance Department	(785) 296-3071
Interior Designer	Local City or County Clerk	
Investment Adviser	Securities Commissioner	(785) 296-3307
Jail Bondsman	Department of Insurance	(785) 296-7829
	Attorney General's Office	(785) 296-2215

Janitorial	Local City or County Clerk	
Land Surveyors	Board of Technical Professions	(785) 296-3053
Lenders, Consumer Loans	Banking Commission	(785) 296-2266
Limousine Service	Kansas Corporation Commission	(785) 271-3151
Livestock Dealer	Department of Animal Health	(785) 296-2326
Mail Order	No State License	
Make-Over	Board of Cosmetology	(785) 296-3155
Massage Therapy	Local City or County Clerk	
Meat Processing	Department of Agriculture	(785) 296-3511
	Department of Health & Environment	(785) 296-5600
Medical Care Facilities	Department of Health & Environment	(785) 296-1240
Mental Health Clinics	Social & Rehabilitation Services	(785) 296-3773
Ministers	Probate Judge (County)	
Mobile Home Dealer	Department of Revenue	(785) 296-3621
Mortgage Lenders	Banking Commission	(785) 296-2266
Motor Carrier Services	Kansas Corporation Commission	(785) 271-3145
Moving Service	Kansas Corporation Commission	(785) 271-3100
Non-Resident Contractor	Department of Revenue	(785) 368-8222
	Secretary of State	(785) 296-4564
Nuclear Energy	Department of Health & Environment	(785) 296-1560
Nursery Stock Dealers	Department of Agriculture	(785) 296-2263
Nurses	Board of Nursing	(785) 296-4929
Nursing Employment Agency	Department of Health & Environment	(785) 296-1240
Oil Field Service Companies	Kansas Corporation Commission	(316) 337-6211
Optometrists	Board of Optometry Examiners	(785) 832-9986
Painters/Handy Man/Carpenter	Department of Health & Environment	(785) 296-0189
Paralegal	Local City or County Clerk	
Pari-Mutuel Racing	Racing Commission	(785) 296-5800
Pawnbrokers	Local City or County Clerk	
Pay Day Loan Service	Banking Commissioner	(785) 296-2266
Peddlers	Local City or County Clerk	
Pesticide Business	Department of Agriculture	(785) 296-3786
Pet Shops	Department of Animal Health	(785) 296-2326
Pharmacists	Board of Pharmacy	(785) 296-4056
Pilots	FAA Airman Certification	(405) 954-3261
Pool Halls	Local City or County Clerk	
Private Investigator/Detective	Kansas Bureau of Investigation	(785) 296-8200
Propane	Propane Marketers Association	(785) 354-1749
	Kansas Corporation Commission	(785) 271-3100
Psychologist	Behavioral Sciences Regulatory Board	(785) 296-3240
Public Health Facilities	Department of Health & Environment	(785) 296-1240
Real Estate Brokers	Real Estate Commission	(785) 296-3411
Real Estate Finance	Real Estate Commission	(785) 296-3411
Refuse Collection	Local City or County Clerk	
Restaurant/Food Services	Department of Health & Environment	(785) 296-5600
Roller Skating Rinks	Local City or County Clerk	
Salvage Yard	Department of Transportation	(785) 296-4053
Security Police	Local City or County Clerk	
Self-Storage Facilities	Local City or County Clerk	
Septic Tank Cleaning/Hauling	Local City or County Clerk	
Social Security	Internal Revenue Service	(800) 772-1213
	Mission Office	(816) 966-2840

	Topeka Office	(785) 235-3053
	Wichita	(316) 352-7401
Solid Waste Processing/Disposal	Department of Health & Environment	(785) 296-1600
Sports Agent	Secretary of State	(785) 296-4564
Tanning Beds	Board of Cosmetology	(785) 296-3155
Tattoo	Board of Cosmetology	(785) 296-3155
Tax-Related Questions	Department of Revenue	(785) 368-8222
Taxicab Operators	Department of Revenue	(785) 296-3963
	Kansas Corporation Commission	(785) 271-3100
Tire Retailers	Department of Revenue	(785) 368-8222
Tobacco Products Distributors	Department of Revenue	(785) 296-7015
Trapping	Department of Wildlife	(316) 672-5911
Unemployment Insurance	Department of Human Resources	(785) 296-5027
Utility Companies	Kansas Corporation Commission	(785) 271-3100
Vehicle Dealer	Department of Revenue	(785) 296-3621
Veterinarians	Veterinarian Board	(785) 456-8781
Waste Tire Collector Permit	Department of Health & Environment	(785) 296-1600
Water Well Contractors	Department of Health & Environment	(785) 296-5522
Welders	Terracon Consulting	(785) 267-3310
Wood Furniture Manufacturers	Kansas Department of Health & Environment	(785) 296-0669
Workers Compensation	Department of Human Resources	(785) 296-3441
Wrecker Services	Kansas Corporation Commission	(785) 271-3100

County Courthouse Contacts

Allen County
1 N. Washington
Iola, KS 66749
Phone: (620) 365-1407
Fax: (620) 365-1441
e-mail: coclerk@allencounty.org
web site: www.allencounty.org

Anderson County
100 E. 4th Avenue
Garnett, KS 66032
Phone: (785) 448-6841
Fax: (785) 448-5621
e-mail: pgettler@hotmail.com

Atchison County
423 N. 5th Street
Atchison, KS 66002-1861
Phone: (913) 367-1653
Fax: (913) 367-0227
e-mail: AT_County_Clerk@wan.kdor.state.ks.us
web site: www.atchisoncountyks.org

Barber County
120 E. Washington
Medicine Lodge, KS 67104
Phone: (620) 886-3961
Fax: (620) 886-5425
e-mail: baboclerk@cyberlodg.com

Barton County
1400 Main Street, Suite 202
Great Bend, KS 67530
Phone: (620) 793-1835
Fax: (620) 793-1990
e-mail: clerk@bartoncounty.org
web site: www.bartoncounty.org

Bourbon County
210 S. National
Fort Scott, KS 66701
Phone: (620) 223-3800
Fax: (620) 223-5832
e-mail: countyclerk@bourboncountyks.org
web site: www.bourboncountyks.org

Brown County
601 Oregon Street
Hiawatha, KS 66434-2283
Phone: (785) 742-2581
Fax: (785) 742-3255
e-mail: dparker@brcoks.org

Butler County
205 W. Central
El Dorado, KS 67042
Phone: (620) 322-4239
Fax: (620) 321-1011
e-mail: countyclerk@bucoks.com
web site: www.bucoks.com

Chase County
County Courthouse
P.O. Box 547
Cottonwood Falls, KS 66845-0547
Phone: (620) 273-6423
Fax: (620) 273-6617
e-mail: cs_county_clerk@wan.kdor.state.ks.us

Chautauqua County
215 N. Chautauqua
Sedan, KS 67361
Phone: (620) 725-5800
Fax: (620) 725-5801
e-mail: loriestella@hotmail.com

Cherokee County
300 E. Maple
P.O. Box 14
Columbus, KS 66725
Phone: (620) 429-2042
Fax: (620) 429-1042
e-mail: ckclerk@columbus-ks.com

Cheyenne County
212 E. Washington
P.O. Box 985
St. Francis, KS 67756-0985
Phone: (785) 332-8800
Fax: (785) 332-8825
e-mail: cn_county_clerk@wan.kdor.state.ks.us
web site: www.cheyennecounty.org

Clark County
913 Highland
P.O. Box 886
Ashland, KS 67831-0886
Phone: (620) 635-2813

Fax: (620) 635-2393
e-mail: cacoclark@ucom.net

Clay County
712 5th Street
P.O. Box 98
Clay Center, KS 67432
Phone: (785) 632-2552
Fax: (785) 632-5856
e-mail: cyclerk@kansas.net

Cloud County
811 Washington
Concordia, KS 66901-3415
Phone: (785) 243-8110
Fax: (785) 243-8123
e-mail: cd_county_clerk@wan.kdor.state.ks.us
web site: www.cloudcountyks.org

Coffey County
110 S. 6th Street
Burlington, KS 66839
Phone: (620) 364-2191
Fax: (620) 364-8975
e-mail: vbirk@coffeycountyks.org
web site: www.coffeycountyks.org

Comanche County
201 S. New York
P.O. Box 776
Coldwater, KS 67029
Phone: (620) 582-2361
Fax: (620) 582-2426
e-mail: cm.county.clerk@wan.kdor.state.ks.us

Cowley County
311 E. 9th Street
Winfield, KS 67156
Phone: (620) 221-5400
Fax: (620) 221-5498
e-mail: clerk@cowleycounty.org
web site: www.cowleycounty.org

Crawford County
111 E. Forest
P.O. Box 249
Girard, KS 66743-0249
Phone: (620) 724-6115
Fax: (620) 724-6007
e-mail: kevina@ckt.net
web site: www.crawfordcountykansas.org

Decatur County
120 E. Hall
P.O. Box 28
Oberlin, KS 67749-0028
Phone: (785) 475-8102
Fax: (785) 475-8130
e-mail: dc_county_clerk@wan.kdor.state.ks.us

Dickinson County
109 E. 1st
P.O. Box 248
Abilene, KS 67410-0248
Phone: (785) 263-3774
Fax: (785) 263-2045
e-mail: dk_county_clerk@wan.kdor.state.ks.us
web site: www.dkcocks.com

Doniphan County
120 E. Chestnut, First Floor
P.O. Box 278
Troy, KS 66087-0278
Phone: (785) 985-3513
Fax: (785) 985-3723
e-mail: dp.county.clerk@wan.kdor.state.ks.us

Douglas County
1100 Massachusetts
Lawrence, KS 66044
Phone: (785) 841-7700
Fax: (785) 841-4036
e-mail: tjames@douglas-county.com
web site: www.douglas.county.com

Edwards County
312 Massachusetts Avenue
Kinsley, KS 67547
Phone: (620) 659-3000
Fax: (620) 659-2583
e-mail: edwards@midway.net

Elk County
127 N. Pine Street
P.O. Box 606
Howard, KS 67349-0606
Phone: (620) 374-2490
Fax: (620) 374-2771
e-mail: ekclerk@terraworld.net

Ellis County
1204 Fort Street
P.O. Box 720
Hays, KS 67601

Phone: (785) 628-9410
Fax: (785) 628-9413
e-mail: elliscock@ellis.co.net

Ellsworth County
210 N. Kansas
Ellsworth, KS 67439-3118
Phone: (785) 472-4161
Fax: (785) 472-3818
e-mail: ewclerk@informatics.net

Finney County
County Administrative Center
311 N. 9th Street
Garden City, KS 67846-0450
Phone: (620) 272-3522
Fax: (620) 272-3890
e-mail: clerk@finneycounty.org
web site: www.finneycounty.org

Ford County
100 Gunsmoke
Dodge City, KS 67801
Phone: (620) 227-4550
Fax: (620) 227-4699
e-mail: vwells@fordcounty.net
web site: www.fordcounty.net

Franklin County
315 S. Main
Ottawa, KS 66067
Phone: (785) 229-3410
Fax: (785) 229-3419
e-mail: sperry@mail.franklincoks.org

Geary County
139 E. 8th Street
P.O. Box 927
Junction City, KS 66441-0927
Phone: (785) 238-3912
Fax: (785) 238-5419
e-mail: BossemeyerR@jcks.com

Gove County
520 Washington Street
P.O. Box 128
Gove, KS 67736
Phone: (785) 938-2300
Fax: (785) 938-4486

Graham County
410 N. Pomeroy
Hill City, KS 67642
Phone: (785) 421-3453
Fax: (785) 421-6374
e-mail: grahcocl@ruraltel.net

Grant County
108 S. Glenn
Ulysses, KS 67880
Phone: (620) 356-1335
Fax: (620) 356-3081
e-mail: clerk@pld.com
web site: grantcoks.org

Gray County
County Courthouse
300 S. Main
Cimarron, KS 67835-0487
Phone: (620) 855-3618
Fax: (620) 855-3107
e-mail: bswartz@grayco.org

Greeley County
208 Harper Street
P.O. Box 277
Tribune, KS 67879-0277
Phone: (620) 376-4256
Fax: (620) 376-2294
e-mail: gl_county_clerk@wan.kdor.state.ks.us

Greenwood County
311 N. Main
Eureka, KS 67045
Phone: (620) 583-8121
Fax: (620) 583-8124
e-mail: greenwoodcountyclerk@yahoo.com

Hamilton County
219 N. Main
P.O. Box 1167
Syracuse, KS 67878-1167
Phone: (620) 384-5629
Fax: (620) 384-5853
e-mail: clerk67878@yahoo.com

Harper County
201 N. Jennings
Anthony, KS 67003-2748
Phone: (620) 842-5555

Fax: (620) 842-3455
e-mail: coclerk@midway.net
web site: www.harpercounty.org

Harvey County
8th and Main Street
P.O. Box 687
Newton, KS 67114
Phone: (316) 284-6840
Fax: (316) 284-6856
e-mail: mwright@harveycounty.com

Haskell County
300 S. Inman
P.O. Box 518
Sublette, KS 67877
Phone: (620) 675-2263
Fax: (620) 675-2681
e-mail: hscoclk@pld.com
web site: www.haskellcounty.org

Hodgeman County
500 Main Street
P.O. Box 247
Jetmore, KS 67854-0247
Phone: (620) 357-6421
Fax: (620) 357-6161
e-mail: hg_county_clerk@wan.kdor.state.ks.us

Jackson County
400 New York
Holton, KS 66436-1787
Phone: (785) 364-2891
Fax: (785) 364-4204
e-mail: JA_County_Clerk@wan.kdor.state.ks.us

Jefferson County
300 Jefferson
P.O. Box 321
Oskaloosa, KS 66066
Phone: (785) 863-2272
Fax: (785) 863-3135
e-mail: lbuttron@ruralnet1.com
web site: www.jfcountyks.com

Jewell County
307 N. Commercial
Mankato, KS 66956-2095
Phone: (785) 378-4020
Fax: (785) 378-4075
e-mail: JW_County_Clerk@wan.kdor.state.ks.us

Johnson County
111 S. Cherry, S-1200
Olathe, KS 66061-3441
Phone: (913) 715-0430
Fax: (913) 715-0440
e-mail: citizen.liaison@jocoks.com
web site: www.jocoks.com

Kearny County
304 N. Main
P.O. Box 86
Lakin, KS 67860
Phone: (620) 355-6422
Fax: (620) 355-7382
e-mail: ke_county_clerk@wan.kdor.state.ks.us

Kingman County
130 N. Spruce
Kingman, KS 67068
Phone: (620) 532-2521
Fax: (620) 532-2037

Kiowa County
211 E. Florida
Greensburg, KS 67054
Phone: (620) 723-3366
Fax: (620) 723-3234
e-mail: kwclerk@midway.net

Labette County
501 Merchant
P.O. Box 387
Oswego, KS 67356
Phone: (620) 795-2138
Fax: (620) 795-2928
e-mail: lschreppel@labettecounty.com
web site: www.labettecounty.com

Lane County
144 S. Lane Street
P.O. Box 788
Dighton, KS 67839-0788
Phone: (620) 397-5356
Fax: (620) 397-5419
e-mail: lanecomm@st-tel.net

Leavenworth County
300 Walnut
Leavenworth, KS 66048-2756
Phone: (913) 684-0417
Fax: (913) 684-0406
e-mail: bocc@lvcoks.com

Lincoln County
216 E. Lincoln
Lincoln Center, KS 67455-2058
Phone: (785) 524-4757
Fax: (785) 524-5008
e-mail: lcclerk@nckcn.com

Linn County
315 Main
P.O. Box 350
Mound City, KS 66056-0350
Phone: (913) 795-2668
Fax: (913) 795-2889
e-mail: linnclrk@kanza.net

Logan County
710 W. 2nd Street
Oakley, KS 67748
Phone: (785) 672-4244
Fax: (785) 672-3341
e-mail: LG_County_Clerk@wan.kdor.state.ks.us

Lyon County
402 Commercial Street
Emporia, KS 66801
Phone: (620) 342-4950
Fax: (620) 341-3419
web site: www.lyoncounty.org

Marion County
200 S. 3rd
P.O. Box 219
Marion, KS 66861-0219
Phone: (620) 382-2185
Fax: (620) 382-3420
e-mail: mn_county_clerk@wan.kdor.state.ks.us

Marshall County
1201 Broadway
P.O. Box 391
Marysville, KS 66508-1844
Phone: (785) 562-5361
Fax: (785) 562-5262
e-mail: msctyclk@kansas.net

McPherson County
County Courthouse
117 N. Maple
P.O. Box 425
McPherson, KS 67460
Phone: (620) 241-8149
Fax: (620) 241-5484

e-mail: igoering@mcpersoncountyks.us
web site: www.mcpersoncountyks.us

Meade County
200 N. Fowler
P.O. Box 278
Meade, KS 67864
Phone: (620) 873-8700
Fax: (620) 873-8713
e-mail: sbergkam@meadeco.org

Miami County
201 S. Pearl Street
S-102
Paola, KS 66071-1796
Phone: (913) 294-3976
Fax: (913) 294-9544
e-mail: micoclrk@micoks.net

Mitchell County
111 S. Henry
P.O. Box 190
Beloit, KS 67420-0190
Phone: (785) 738-3652
Fax: (785) 738-5524
e-mail: mitchell-co@nckcn.com

Montgomery County
217 E. Myrtle
P.O. Box 446
Independence, KS 67301
Phone: (620) 330-1200
Fax: (620) 330-1202
e-mail: cschmidt@mgcountyks.org

Morris County
501 W. Main
Council Grove, KS 66846-1791
Phone: (620) 767-5518
Fax: (620) 767-6861
e-mail: morris@cgtelco.net

Morton County
1025 Morton Street
P.O. Box 1116
Elkhart, KS 67950
Phone: (620) 697-2157
Fax: (620) 697-2159
e-mail: mgilmore@elkhart.com
web site: www.my.elkhart.com/mcch/

Nemaha County
607 Nemaha
P.O. Box 186
Seneca, KS 66538
Phone: (785) 336-3570
Fax: (785) 336-3373
e-mail: nmclerk@nvcs.com

Neosho County
100 S. Main
P.O. Box 138
Erie, KS 66733
Phone: (620) 244-3811
Fax: (620) 244-3828
e-mail: no_county_clerk@wan.kdor.state.ks.us
web site: www.lasr.net

Ness County
202 W. Sycamore
Ness City, KS 67560
Phone: (785) 798-2401
Fax: (785) 798-3829
e-mail: nc_county_clerk@wan.kdor.state.ks.us
web site: www.cocomm@ruraltel.net

Norton County
105 S. Kansas
P.O. Box 70
Norton, KS 67654-0070
Phone: (785) 877-5710
Fax: (785) 877-5794
e-mail: cocomm@ruraltel.net
web site: www.nortoncountyks.org

Osage County
717 Topeka Avenue
P.O. Box 226
Lyndon, KS 66451-0226
Phone: (785) 828-4812
Fax: (785) 828-4749
e-mail: os_county_clerk@wan.kdor.state.ks.us
web site: www.osageco.org

Osborne County
423 W. Main Street
P.O. Box 160
Osborne, KS 67473
Phone: (785) 346-2431
Fax: (785) 346-5252
e-mail: OB_County_Clerk@wan.kdor.state.ks.us

Ottawa County
307 N. Concord Street
Minneapolis, KS 67467
Phone: (785) 392-2279
Fax: (785) 392-3605
e-mail: occlerk@nckcn.com

Pawnee County
715 Broadway
Larned, KS 67550-3098
Phone: (620) 285-3721
Fax: (620) 285-2559
e-mail: pn_county_clerk@wan.kdor.state.ks.us

Phillips County
301 State Street
Phillipsburg, KS 67661
Phone: (785) 543-6825
Fax: (785) 543-6827
e-mail: coclerk@phillipsburg.net
web site: www.phillipscounty.org

Pottawatomie County
207 N. 1st Street
P.O. Box 187
Westmoreland, KS 66549
Phone: (785) 457-3314
Fax: (785) 457-3507
e-mail: rreece@pottcounty.org
web site: www.pottcounty.org

Pratt County
3005 S. Ninneseh
P.O. Box 885
Pratt, KS 67124-0885
Phone: (620) 672-4110
Fax: (620) 672-9541
e-mail: alma@prattcounty.org
web site: www.prattcounty.org

Rawlins County
607 Main
Atwood, KS 67730
Phone: (785) 626-3351
Fax: (785) 626-9019
e-mail: ra_county_clerk@wan.kdor.state.ks.us
web site: www.mhrndchir@hotmail.com

Reno County
206 W. 1st Street
Hutchinson, KS 67501
Phone: (620) 694-2934

Fax: (620) 694-2534
e-mail: shari@rngov.reno.ks.us
web site: www.rngov.reno.ks.us

Republic County
1815 M Street
P.O. Box 429
Belleville, KS 66935-0429
Phone: (785) 527-5691
Fax: (785) 527-2659
e-mail: republic_co@nckcn.com
web site:
www.nckcn.com/homepage/republic_co/sun1.htm

Rice County
101 W. Commercial
Lyons, KS 67554
Phone: (620) 257-2232
Fax: (620) 257-3039
e-mail: jdavison@ricecothse.com

Riley County
110 Courthouse Plaza
Manhattan, KS 66502
Phone: (785) 537-6300
Fax: (785) 537-6394
e-mail: rvargo@co.riley.ks.us
web site: www.co.riley.ks.us

Rooks County
115 N. Walnut
Stockton, KS 67669
Phone: (785) 425-6391
Fax: (785) 425-6015
e-mail: ro_county_clerk@wan.kdor.state.ks.us

Rush County
715 Elm Street
P.O. Box 220
LaCrosse, KS 67548
Phone: (785) 222-2731
Fax: (785) 222-3559
e-mail: rh_county_clerk@wan.kdor.state.ks.us

Russell County
400 Main Street
P.O. Box 113
Russell, KS 67665-0113
Phone: (785) 483-4641
Fax: (785) 483-5725
e-mail: rs_county_clerk@wan.kdor.state.ks.us

Saline County
300 W. Ash Street
P.O. Box 5040
Salina, KS 67402-5040
Phone: (785) 309-5820
Fax: (785) 309-5826
e-mail: don.merriman@saline.org
web site: www.co.saline.ks.us

Scott County
303 Court
Scott City, KS 67871
Phone: (620) 872-2420
Fax: (620) 872-7145
e-mail: sc.county.clerk@wan.kdor.state.ks.us

Sedgwick County
525 N. Main Street, Suite 211
Wichita, KS 67203
Phone: (316) 383-7400
Fax: (316) 383-7946
e-mail: sgclerk@sedgwickcounty.gov
web site: www.sedgwickcounty.org

Seward County
415 N. Washington
Liberal, KS 67901
Phone: (620) 626-3201
Fax: (620) 626-3211
e-mail: commish@swko.net
web site: www.seward.kansasgov.com

Shawnee County
200 S.E. 7th Street, Room 107
Topeka, KS 66603
Phone: (785) 233-8200 ext. 4111
Fax: (785) 291-4912
e-mail: cyndi.beck@co.shawnee.ks.us
web site: www.co.shawnee.ks.us

Sheridan County
925 8th Street
P.O. Box 899
Hoxie, KS 67740-0899
Phone: (785) 675-3361
Fax: (785) 675-3487
e-mail: pljcc@ruraltel.net
web site: www.ink.org./public/sheridan

Sherman County
813 Broadway
Goodland, KS 67735

Phone: (785) 899-4800
Fax: (785) 899-4809
e-mail: sh_county_clerk@wan.kdor.state.ks.us

Smith County
218 S. Grant
Smith Center, KS 66967
Phone: (785) 282-5110
Fax: (785) 282-6257
e-mail: smcoclk@ruraltel.net
web site: www.skyways.lib.ks.us/counties/sm/

Stafford County
209 N. Broadway
St. John, KS 67576
Phone: (620) 549-3509
Fax: (620) 549-3481
e-mail: coclerk@stjohnks.net
web site: www.staffordcounty.org

Stanton County
201 N. Main
P.O. Box 190
Johnson City, KS 67855-0190
Phone: (620) 492-2140
Fax: (620) 492-2688
e-mail: st_county_clerk@wan.kdor.state.ks.us

Stevens County
200 E. 6th Street
Hugoton, KS 67951
Phone: (620) 544-2541
Fax: (620) 544-4094
e-mail: sv_county_clerk@wan.kdor.state.ks.us

Sumner County
501 N. Washington Avenue
Wellington, KS 67152
Phone: (620) 326-3395
Fax: (620) 326-8172
e-mail: sucoclk@co.sumner.ks.us
web site: www.co.sumner.ks.us

Thomas County
300 N. Court
Colby, KS 67701-2494
Phone: (785) 462-4500
Fax: (785) 462-4512
e-mail: tcc01@colby.ixks.com

Trego County
216 W. Main Street
WaKeeney, KS 67672
Phone: (785) 743-5773
Fax: (785) 743-5594
e-mail: clerk@ruraltel.net

Woodson County
105 W. Rutledge Street, Room 103
Yates Center, KS 66783
Phone: (620) 625-8605
Fax: (620) 625-8670
e-mail: wococlrk@sekansas.com
web site: www.woodsoncounty.net

Unified Government of Wyandotte
County/Kansas City
710 North 7th Street
Kansas City, KS 66101
Phone: (913) 573-5000
Fax: (913) 573-5540
web site: www.wycokck.org/index.html

Wabaunsee County
215 Kansas
P.O. Box 278
Alma, KS 66401
Phone: (785) 765-3414
Fax: (785) 765-3704
e-mail: wb_county_clerk@wan.kdor.state.ks.us

Wallace County
County Courthouse
P.O. Box 70
Sharon Springs, KS 67758
Phone: (785) 852-4282
Fax: (785) 852-4783
e-mail: wa_county_clerk@wan.kdor.state.ks.us

Washington County
214 C Street
Washington, KS 66968
Phone: (785) 325-2974
Fax: (785) 325-2830
e-mail: wsclerk@washingtonks.net

Wichita County
206 S. 4th Street
P.O. Drawer 968
Leoti, KS 67861-0968
Phone: (620) 375-2731
Fax: (620) 375-4350
e-mail: wcclerk@pld.com

Wilson County
615 Madison Street
Fredonia, KS 66736
Phone: (620) 378-2186
Fax: (620) 378-3841
e-mail: wilsoncoclerk@terraworld.net

Q: How do I obtain a Kansas Tax Identification Number or a Kansas Sales Tax Number?

A: You can request a Kansas Business Tax Application Booklet from the Kansas Department of Commerce, or the Kansas Department of Revenue. The application and instructions can also be downloaded from the Kansas Department of Revenue's website at www.ksrevenue.org. The application should be returned by mail or faxed to the Department of Revenue. There is no fee for obtaining a Kansas Tax Identification Number.

Q. How long does it take to get a Kansas Tax Identification Number?

A: The Department of Revenue suggests that you begin the application process at least four weeks prior to the business start date.

Q. How do I obtain a Federal Employer Identification Number?

A. You can request an application from the Kansas Department of Commerce, or download *Form SS-4* from the Internal Revenue Service at www.irs.ustreas.gov.

There is no fee for a Federal Employer Identification Number. The IRS recommends that you begin the application process at least four weeks prior to the business start date.

Q. How do I know if I need a Federal Employer Identification Number (FEIN)?

If you pay wages to one or more employees; and/or you are required to have a FEIN to use on any return, statement or other document.

All businesses, except Sole Proprietorships without employees, are required to obtain a Federal Employer Identification Number (FEIN). Trusts, Estates, Corporations, Partnerships, or Nonprofit Organizations (churches, clubs, etc.) must use FEINs, even if they have no employees. Individuals who file *Schedules C or F (Form 1040)* must use FEINs if they are required to file excise, employment, alcohol, tobacco, or firearms returns. If you are a Sole Proprietor, file only one *Form SS-4, Application for Federal Employer Identification Number*, regardless of the number of businesses operated, or the number of trade names under which a business operates. However, each Partnership, Trust, Estate, or other business entity must file a separate application. If you have become the new owner of an existing business, you cannot use the FEIN of the former owner. If you are a Sole Proprietor and already have an FEIN, use that number. If you have changed your structure from a Sole Proprietorship to a Corporation, Limited Liability Company, or any other structure, you are required to obtain a new FEIN number. If you do not have a number by the time a return is due, write "applied for", and the date you applied in the space shown for the number.

Q: What are the differences between a Sole Proprietorship, General Partnership, Limited Liability Company, and Corporation?

A: It is advised that you seek legal counsel and/or a business accountant to see how a specific structure will impact your business. Below is a brief description of the business structures available in Kansas.

Sole Proprietorship

Registration: None

Fee: None

The Sole Proprietorship is the most common form of business structure. A Sole Proprietorship is a business controlled and owned by one individual, and is limited to the life of its owner; when the owner dies, the business ends. The owner receives the profits and takes the losses from the business. This individual alone is responsible for the debts and obligations of the business. Income and expenses of the business are reported on the proprietor's individual income tax return, and profits are taxed at the proprietor's individual income tax rate.

Kansas has no state requirements to register or file the business name of a Sole Proprietorship. A self-employed person, who does not expect to have employees, is not required to apply for a *Federal Employer Identification Number* through the IRS. *Form 1040 (Schedule C)* must be filed with the federal government and a *Kansas Tax Return* with the Kansas Department of Revenue, on or before the 15th day of the fourth month following the close of the taxable year.

Note: A Sole Proprietorship and Partnerships are required to make estimated income tax payments if their estimated Kansas income tax, after all credits, is \$200 or more. Non-residents should consider only income from Kansas sources for meeting these conditions.

Advantages

1. Few formalities and low organizational costs;
2. Decision making is made by the owner;
3. Ability to do business in almost any state without elaborate formalities;
4. Fewer reporting requirements to government agencies;
5. Avoidance of corporate "double tax";
6. Business losses may be taken as a personal income tax deduction to offset income from other sources;
7. All profits taxed as income to the owner at the owner's personal income tax rate; and
8. Registration of a trade name is available to prevent confusion resulting from deceptively similar business names.

Disadvantages

1. Compared to a Corporation and Partnership, a Sole Proprietorship cannot take advantage of certain fringe benefits afforded by the *Internal Revenue Code*;
2. Business terminates upon death of owner;

3. Investment capital limited to that of owner;
4. Loans based on credit worthiness of owner; and
5. Owner's assets subject to business liabilities. Thus, if a company truck is involved in an accident, the owner's personal assets (i.e., bank accounts, cars, etc.) may be attached to compensate the injured party.

Tax Implications

1. Profits are taxed as personal income on IRS *Form 1040, Schedule C*; and
2. For information on Social Security tax, refer to IRS *Publication 533*, and use *Form 1040, Schedule SE*.

Other Helpful Publications

- For estimated tax payments, refer to IRS *Publication 505*; and
- To receive a *New Business Tax Kit*, contact the IRS at 1-800-829-3676.

General Partnership

Registration: Secretary of State — Optional, not required.

Fee: \$35.00

A General Partnership is a business owned by two or more persons (even a husband and wife), who carry on the business as a partnership. Partnerships have specific attributes, which are defined by *Kansas Statutes*. All partners share equally in the right and responsibility to manage the business. Each partner is responsible for all debts and obligations of the business. The distribution of profits and losses, allocation of management responsibilities, and other issues affecting the Partnership are usually defined in a written *Partnership Agreement*.

For income tax purposes, a General Partnership functions as a conduit, and not as a separate taxable entity. No tax is imposed on the Partnership itself (K.S.A. 79-32,129 et. seq.). Those carrying on business as partners are liable for tax based on their percentage of ownership, and must file a *Kansas Individual Income Tax Return (Form K-40)* (K.S.A. 79-3220). Each individual partner is subject to the same reporting requirements and tax rates as a Sole Proprietorship or individual. The Partnership must file a *Kansas Partnership Return (Form K-65)* each year to enable the State to determine who should be paying taxes relative to the Partnership.

Unemployment taxes need not be paid on the partners or for services rendered by individuals who are the children under 18 years of age, the spouse, or the parents of any partners.

A General Partnership may file different statements with the Secretary of State's office. The filings are optional and not mandatory. The filing fee for *Partnership Authority* is \$35 and the filing of any amendments to the *General Partnership Agreement* (such as the addition of a partner) is \$35. Partnerships are required to apply for a *Federal Employer Identification Number*, whether they have employees or not.

Advantages

1. Easy to organize and few initial costs;

2. Draws financial resources and business abilities of all partners;
3. Quasi-entity status – may own assets; contract in partnership name; may sue and be sued in partnership name; and may file separate bankruptcy;
4. Liability is shared by all partners;
5. Partners may take business losses as a personal income tax deduction; and
6. May register a trademark or servicemark to help prevent confusion resulting from deceptively similar business names.

Disadvantages

1. Each partner is personally liable for all the obligations of the business, not just his or her share. Thus, if a company truck is involved in an accident, each partner's personal assets may be attached to help compensate the injured party;
2. Each partner has the power to act on behalf of the business. This requires that partners be chosen with care;
3. No continuity of life – if any partner dies or becomes incompetent, the Partnership must dissolve and be reformed;
4. All partners must pay tax on their share of Partnership profits, although profits may be retained in the business; and
5. A Partnership has more opportunity than a Sole Proprietorship, but less than a Corporation, to take advantage of certain fringe benefits afforded by the *Internal Revenue Code*.

Tax Implications

1. Each partner receives a *Schedule K-1 (Form 1120S)*, which shows proportional profits to be declared on *Partner's 1040*;
2. The Partnership files a return using *IRS Form 1065*;
3. Estimated tax payments may be subject to quarterly tax payments; refer to *IRS Publication 505*; and
4. Partners may be subject to self-employment withholding; refer to *IRS Publication 533*.

Other Helpful Publications

- For more information refer to *IRS Publication 541* on Partnerships.

Limited Partnership

Registration: Secretary of State

Fee: \$165.00 Paper filing (Domestic/Foreign) or \$160.00 E-filing online (Domestic only)

In a Limited Partnership, each partner is liable for debts only up to the amount of his or her investment in the company. Under *Kansas Statutes (K.S.A a56-1a, et seq.)*, a Limited Partnership must be formed in writing between one or more general partners and one or more limited partners. In addition, limited partners have no voice in the management of the partnership. Limited Partnerships are ideal for property or raising capital.

Each Limited Partnership must have and maintain a registered office that may or may not be the place of business. Additionally, a Kansas resident agent must be appointed, which may either be an individual, a domestic Corporation, or Limited Partnership.

In a Limited Partnership, each partner is responsible for filing a *Kansas Individual Income Tax Return (Form K-40)*, the same requirement as a General Partnership. A *Kansas Partnership Return (Form K-65)* must also be filed. A *Limited Partnership Certificate* must be filed with the Secretary of State, and the Limited Partnership may be required to register the Limited Partnership's interest in securities with the Office of the Securities Commissioner.

Advantages

1. Investors have liability limited to their respective investments in the partnership;
2. The Limited Partnership is a separate entity and may sue and be sued, own property, protect its limited partners from unlimited liability, raise capital by selling interests in the partnership, borrow money, and exist independently of its partners' mortality;
3. The Limited Partnership does not have to be dissolved and reformed every time a general partner or limited partner dies;
4. Ability to borrow money, develop general partner savings, raise funds from operations, plus sell limited partner interests to generate capital;
5. Managed by the general partner and not subject to investor interference; and
6. Partners pay the tax because profits and losses pass through the entity to the partners.

Disadvantages

1. A Limited Partnership requires advanced accounting procedures;
2. Does not live in perpetuity, but lives for a stipulated period—usually for the life of the assets it owns;
3. Limited partners have little voice in management once the investment is made in the partnership;
4. If more than 20 partners are involved or if sales commissions are given for interests, the Limited Partnership may need to register its securities before they are sold;
5. Interests may not be freely traded; therefore, a limited partner must hold the investment indefinitely; and
6. A *Certificate of Limited Partnership* must be filed with the Secretary of State. Annual financial reporting must be made to limited partners and *Annual Reports* must be made to the Secretary of State. Franchise Tax must also be paid and all monies received and disbursed must be accounted for.

Tax Implications

1. The Partnership files an IRS *Form 1065*, but individual partners pay taxes on their share of profits shown on *Schedule K-1 (Form 1120 S)* via *Form 1040*;
2. The Partnership must obtain a *Federal Employer Tax Identification Number (FEIN, Form SS-4)*; and
3. Partners may be subject to self-employment withholding; refer to IRS *Publication 533*.

Other Helpful Publications

- For an explanation of taxation and forms, refer to IRS *Publication 541*.

Limited Liability Partnership (LLP)

Registration: Secretary of State

Fee: \$165.00 Paper filing (Domestic/Foreign) or \$160.00 E-filing online (Domestic only)

A Limited Liability Partnership (LLP) is a partnership in which a partner's personal assets are shielded from claims for negligence, malpractice, or other wrongful acts committed by other partners or the employees those partners directly supervise. A Limited Liability Partnership does not shield partners against the partner's own acts, omissions, or other partnership obligations.

In a LLP, no registered office is required, and no resident agent must be appointed. However, the address of the principal office or partnership agent must be listed. A LLP is required to apply for a *Federal Employer Tax Identification Number, IRS Form SS-4*.

Advantages

1. Investors have liability limited to their respective investments in the partnership;
2. The LLP is a separate entity and may sue and be sued, own property, protect its partners from unlimited liability, raise capital by selling interest in the partnership, borrow money, and exist independently of its partners' mortality; and
3. The LLP does not have to be dissolved and reformed every time a partner dies.

Disadvantages

1. A LLP requires advanced accounting; and
2. The LLP does not live in perpetuity, but lives for a stipulated period, usually for the life of the assets it owns.

Corporation

Registration: Secretary of State

Fee: \$90.00 Paper filing (Domestic & Professional)/\$115.00 Paper filing (Foreign) or \$84.00 E-filing online (Domestic only)

The most complex business structure is the Corporation. A Corporation is a separate legal entity that is comprised of three groups of people: shareholders, directors, and officers. The shareholders elect a board of directors that has responsibility for management and control of the Corporation. Because the Corporation is a separate legal entity, the Corporation generally is responsible for the debts and obligations of the business. In most cases, shareholders are insulated from claims against the Corporation. The Corporation, as a separate legal entity, is also a separate taxable entity.

The Corporation may be taxed under Subchapter C of the *Internal Revenue Code* (a "**C**" Corporation) or Subchapter S (an "**S**" Corporation). Kansas law provides for comparable treatment. A "**C**" Corporation reports its income and expenses on a *Corporation Income Tax Return* and is taxed on its profits at Corporation income tax rates. Profits are taxed before dividends are paid. Dividends are taxed to shareholders, who report them as income, resulting in "double taxation" of profits, which are paid as

dividends. If the Corporation meets the statutory requirements for “S” Corporation status, the shareholders may elect to be taxed as an “S” Corporation. The “S” Corporation is taxed in the same manner as a Partnership (i.e., the “S” Corporation files an information return to report its income and expenses, but it generally is not separately taxed). Income and expenses of the “S” Corporation flow through to the shareholders in proportion to their shareholdings, and profits are taxed to the shareholders at their individual income tax rate. To elect to be an “S” Corporation, a Corporation must file *Form 2553* with the IRS.

A “**domestic**” Corporation is one incorporated within the boundaries of Kansas. A “domestic” Corporation must file *Articles of Incorporation* with the Secretary of State. This application requires a \$90.00 filing fee, or \$84.00 E-filing online.

A “**foreign**” Corporation is a business incorporated in another country, state, or jurisdiction other than Kansas. In order to conduct business in Kansas, a “foreign” Corporation must file a *Certificate for Authority to Engage in Business in Kansas*. This application carries a \$115.00 filing fee. A business is required to apply for *Authority to Engage in Business in Kansas/Foreign Corporation Application*, if they are a place of business opening an office or distribution point, or delivering wares to resident agents in Kansas for sale, delivery and/or distribution (K.S.A. 17-7303).

The “**professional**” Corporation is comprised of a single professional, or group of professionals, who file both *Articles of Incorporation* and a certificate from their specific professional regulatory board with the Secretary of State. Shareholders of a professional Corporation are limited to members of that specific profession.

It is advisable to have your legal counsel and/or accountant explain the advantages and disadvantages of each type of business structure.

Advantages

1. No shareholder, officer, or director may be held liable for debts of the Corporation unless corporate law was breached;
2. Interests in the business may be readily sold by the transfer and sale of shares;
3. The ready transferability of shares in the Corporation facilitates estate planning;
4. If desired, the Corporation may be taxed as a Sub-Chapter S under the *Internal Revenue Code*;
5. Shares of the company may be sold to investors in order to obtain capital financing;
6. Corporations, to a much greater extent than Sole Proprietorships and Partnerships, may take advantage of pension plans, medical payment plans, group life and accident plans, and other fringe benefits available under the *Internal Revenue Code*;
7. The corporate structure provides for a great deal of flexibility with respect to tax planning. For instance, income between the Corporation and its shareholders may be adjusted, within reasonable limits, to obtain the most favorable tax treatment for each individual; and
8. The entity exists forever, so long as corporate regulations are met. There is no need to cease operations if an owner or manager dies.

Disadvantages

1. Cost of organization, legal fees, and state filing fees can be expensive depending on the complexity and size of the business;
2. Control is vested in a board of directors, elected by shareholders rather than the individual owners. Thus, a shareholder who owns less than 50 percent of the stock may have no effective voice in how the business is run;
3. The possibility of double taxation exists. Income from the business is taxed at the corporate level and again when the individual shareholders receive profits in the form of dividends;
4. The Corporation must qualify in each state in which it chooses to do business; and
5. Unlike Sole Proprietorships and Partnerships, individual shareholders may not deduct Corporation losses unless the Corporation has elected to be taxed as a Subchapter S Corporation.

Tax Implications

1. All forms of Corporations are required to file for a *Federal Employer Identification Tax Number, Form SS-4*;
2. Corporations must file an *IRS Form 1120*, which reports earnings and taxes profits; and
3. Corporations may be subject to quarterly estimated tax payments; refer to *IRS Publication 505*.

Other Helpful Publications

- For more information on corporate taxes, request *IRS Publication 542*.

Tax Consideration

There are two ways to tax a Corporation: as a **C Corporation** or as a **Subchapter S Corporation**. In an S Corporation, salaries of officers are deductible expenses, and therefore reduce the amount of income subject to corporate income tax. But they are also subject to individual income tax. If salaries become too high, the IRS may treat a portion as a dividend from the Corporation. In a C Corporation, dividends are not deductible by the Corporation, resulting in double taxation, because the same money is taxed as a part of the corporate profit, and as income to the individual.

In order to qualify under the *Internal Revenue Code* as a Subchapter S Corporation, the Corporation must file *Form 2553* with the IRS and meet the following requirements:

1. Have at least one and no more than 75 shareholders (husband and wife can count as one shareholder);
2. Have no shareholders who are non-resident aliens;
3. Have only one class of stock;
4. Have no more than 80 percent of its gross receipts from outside the U.S.; and
5. Have no more than 20 percent of the Corporation's gross receipts from royalties, rents, dividends, interest, annuities, and gains on sale or exchange of stock or securities.

Note: Every Corporation must make a declaration of its estimated income tax for the taxable year, if its Kansas income tax liability can reasonably be expected to exceed \$500 (K.S.A. 79-32,101). Any Corporation that began business in Kansas during this period is not required to file a declaration for this period, and no underpayment of estimated tax penalty will be imposed. Subchapter S Corporations must file a *Kansas Small Business Corporation Form (Form 120S)* and report income on individual income tax forms. Corporations doing business in Kansas, or deriving income from Kansas sources, must file a *Kansas Corporate Income Tax Return, Form K-120*. The corporate tax rate is four percent of Kansas taxable income, with an additional tax of 3.35 percent on income over \$50,000 (K.S.A. 79-32,110).

Limited Liability Company (LLC)

Registration: Secretary of State

Fee: \$165.00 Paper filing (Domestic/Foreign or Professional) or \$160.00 E-Filing online (Domestic only)

A LLC is a business entity that combines the limited liability of a Corporation with the flexible management options of a General Partnership. Each member of a LLC enjoys liability limited to that of the investment in the business and pays taxes in proportion to ownership; thus avoiding the corporate malady of double taxation. Every LLC formed in Kansas must have the words “limited company,” or their abbreviation “LC,” “L.C.,” “LLC,” or “L.L.C.” included at the end of the company name.

A LLC must maintain a resident agent and file an *Annual Report*. Members of a LLC may be involved in the management of the business without incurring personal liability. If properly structured, a LLC may receive pass-through income tax treatment similar to a Partnership. *Articles of Organization* and other filings must be filed with the Secretary of State. A foreign LLC must file an application for *Certificate for Authority to Engage in Business in Kansas/Foreign Limited Liability Company Application* with the Secretary of State.

The professional Limited Liability Company is comprised of a single professional, or group of professionals, who file both *Articles of Organization* and a certificate from their specific professional regulatory board with the Secretary of State’s office. The certificate must state that each member is duly licensed, and that the company name has been approved. No special wording denoting that they are different from a regular, non-professional LLC is required.

Advantages

1. Liability of members limited to amount invested;
2. Very flexible management options;
3. May be taxed as Partnership; and
4. A LLC can be perpetual.

Disadvantages

1. *Articles of Organization* must state a date upon which the company will dissolve;
2. LLCs are complicated to form legally and require substantial accounting work; and

3. Limited transfer of interest - an investment is illiquid since all members must vote to transfer a member's interest.

Tax Implications

1. A LLC must obtain a *Federal Employer Tax Identification Number*;
2. Although the business structure resembles a Corporation, LLCs can be taxed as though they were a Partnership. The IRS has the ultimate say on taxation, but new Treasury regulations allow the LLC to indicate how it is to be taxed when filing; and
3. In a LLC, each member must report income on *Individual Income Tax Forms* and file a *Kansas Partnership Return (Form K-65)*.

Business Trust

Registration: Secretary of State

Fee: \$65.00

The business trust has filing requirements similar to those required of Corporations. Specific questions about establishing a Kansas Business Trust should be directed to the Corporations Division within the Kansas Secretary of State's office.

Franchise

Registration: None

Fee: None

There are no registration requirements at the state level for the establishment of a Franchise. However, some cities have occupational licensing for business establishments. Businesses are categorized according to the North American Industry Classification System (NAICS). There are no distinctions made between a business that has a national Franchise agreement and one that is independently owned.

Nonprofit Corporation

Registration: Secretary of State & Internal Revenue Service

Fee: \$20

There are three main characteristics that distinguish a nonprofit organization from a business enterprise, they are:

1. Significant amounts of revenues are received from providers or entities that do not expect to receive either repayment or economic benefits relative to the amounts provided;
2. There is no defined ownership that can be sold, redeemed, or transferred; nor is there entitlement to a share of the assets if the organization is liquidated; and
3. The purpose in the operation is not to produce a profit.

There are more than 25 categories of tax-exempt organizations classified under *Section 501(c)(3)*, and *Section 501(a)* of the *Internal Revenue Code*, as well as additional types of entities under other sections of the *Code*. Some of the major classifications include: civic

leagues, religious organizations, chambers of commerce, recreation clubs, social clubs, labor organizations, libraries, museums, and voluntary health and welfare organizations.

An organization that wants to be a nonprofit entity must apply for tax-exempt status from the IRS and pay a user fee. Tax exemption is a privilege granted by Congress through the IRS. In return, nonprofit organizations are subject to a range of IRS requirements that differ from those for business enterprises. Among those is the requirement that a nonprofit organization's activities (income and expenses) be substantially related to its exempt purpose. A nonprofit organization must limit all partisan political activity, as well as limit lobbying activities. In addition, none of the nonprofit organization's assets can ensure benefit to any private individual.

Most nonprofit organizations are required to file an *Annual Tax Return, Form 990*. If more than \$1,000 of income is received that was not related to the exempt purpose, *Form 990T* must be completed and taxes on those receipts paid.

The best course of action to take before starting activities is to seek competent professional help prior to assuming you are a nonprofit organization. For more information, contact the IRS at 1-800-829-1040 or at www.irs.gov/formspubs/lists. Or to order IRS *Publication 557-Tax Exempt Status for your Organization*, contact the IRS at 1-800-829-3676.

KSBUSINESSCENTER

web site: www.accessKansas.org

The **KSBusinessCenter** was designed to enable Kansas business owners to interact with Kansas government online, from the convenience of their homes or offices. This site is a partnership of Kansas business-related agencies and the Information Network of Kansas, Inc.

Learn About Starting a Business

- Learn the process, costs, documents, laws, etc.;
- Reference web sites and resources to help you with the process; and
- Visit the Kansas Department of Commerce Business Section to download informative pamphlets and material.

New Business Registration

- Perform a name availability search to see if your business name is available;
- Reserve your business name(s) online for up to 120 days;
- Business tax registration;
- Unemployment tax registration; and
- Kansas Secretary of State filings.

Commonly Used Resources for Starting a Business

State

- *A Guide to Kansas Withholding Tax*

- Corporation Name Search
- *Kansas Business Tax Application*
- *Kansas Business Tax Booklet/Instructions*
- *Non-Resident Contractor Bond*
- *Resale Exemption Certificate*
- *Small Corporation Tax Return*
- Secretary of State filing forms

Federal

- *Application for Federal Employer Identification Number*
- *Form 2553, Election for S-Corporation*
- *Instructions for Form 2553*

MyBusinessfolio

- Select your choice of transactions to submit online;
- Save and organize your history of online transactions; and
- View your information in a central location for quick updates.

Future Enhancements

Future enhancements are planned for the KSBusinessCenter including the ability to perform address changes, view a calendar of training available for new businesses, file *Annual Reports*, and other required business-entity filings.

Q: I am looking for financing for my new business? Are there any loans or grants available?

A: The Kansas Department of Commerce does not have grants available for new businesses, and we are not a lending facility. We suggest that you contact the Small Business Administration at www.sba.gov, or one of the Kansas Small Business Development Centers at www.fhsu.edu/ksbdc for more information on financing for your business.

COMMONLY USED FORMS

Listed below are some of the most commonly used forms by new business entities. Many Kansas and Federal forms can be accessed at the official Kansas website by going to www.accesskansas.org. Or, they can be located at the sites listed below:

- *A Guide to Kansas Withholding Tax (Form KW-100)*
www.ksrevenue.org/pdf/forms/kw100.pdf
- *Application for Federal Employer Identification Number (Form SS-4)*
www.irs.gov/pub/irs-pdf/fss4.pdf
- *Corporation Income Tax (K-120-2003)*
www.ksrevenue.org/pdf/forms/K-12003.pdf

- *Election by a Small Business Corporation for S-Corporation (Form 2553)*
www.irs.gov/pub/irs-pdf/f2553.pdf
- *Instructions for Form 2553*
www.irs.gov/pub/irs-pdf/i2553.pdf
- *Kansas Business Tax Application (Form CR-16)*
www.ksrevenue.org/pdf/forms/cr16.pdf
- *Kansas Business Tax Booklet/Instructions (KS-1216)*
www.ksrevenue.org/pdf/forms/pub1216.pdf
- *Non-Resident Contractor Bond (Form ST-45)*
www.ksrevenue.org/pdf/forms/st45.pdf
- *Non-Resident Contractor Information (Form ST-44)*
www.ksrevenue.org/pdf/forms/st44.pdf
- *Non-Resident Contractor Registration & Bonding Law (CR-120)*
www.ksrevenue.org/pdf/forms/cr120.pdf
- *Exemption Certificates (KS-1520)*
www.ksrevenue.org/pdf/forms/pub1520.pdf
- Corporation Name Search
www.accesskansas.org/apps/corporations.html
- Secretary of State Filing Forms
www.kssos.org/forms/forms.html
- Corporation not for Profit (*Form CN*)
www.kssos.org/forms/forms.html
- Corporation for Profit *Articles of Incorporation (Form CF)*
www.kssos.org/forms/forms.html
- Foreign Corporation Application (*Form FA*)
www.kssos.org/forms/forms.html
- Kansas Limited Liability *Articles of Organization (Form DL)*
www.kssos.org/forms/forms.html
- Foreign Limited Liability Company (*Form FL*)
www.kssos.org/forms/forms.html
- Limited Liability Partnership *Statement of Qualification (Form QLLP)*
www.kssos.org/forms/forms.html
- General Partnership *Statement of Partner Authority (Form GA)*
www.kssos.org/forms/forms.html
- Limited Partnership *Certificate for Kansas Limited Partnership (Form CK)*
www.kssos.org/forms/forms.html
- Foreign Limited Partnership (*Form LPF*)
www.kssos.org/forms/forms.html
- Trademark/Service mark (*Form TM*)
www.kssos.org/forms/forms.html
- Reservation of Corporate Name for 120 days (*Form NR*)
www.kssos.org/forms/forms.html

Request A Packet

(Based on the type of business you would like to start.)

Sole Proprietorship with Employees
Sole Proprietorship without Employees
General Partnership with Employees
General Partnership without Employees
Limited Partnership with Employees
Limited Partnership without Employees
Limited Liability Partnership with Employees
Limited Liability Partnership without Employees
Corporation with Employees
Corporation without Employees
Subchapter S Corporation with Employees
Subchapter S Corporation without Employees
Limited Liability Company with Employees
Limited Liability Company without Employees
Nonprofit Corporation

Kansas Department of Commerce
Business Development Division
Janice Millburn
jmillburn@kansascommerce.com

When requesting a packet, please provide your full name and mailing address. You should expect your packet to arrive within 5-7 business days.