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Mississippi Secretary of State Requires LLC Annual Reports by April 15, 2011

Under the Revised Mississippi Limited Liability Company Act, which became effective January 1, 2011, all limited liability companies operating in Mississippi will be required to file an Annual Report with the Secretary of State beginning in 2011.

What are the deadlines for filing my LLC's 2010 Annual Report?

The new LLC Annual Report is available to the public on the Secretary of State's [website](#). The deadline for completing the report is April 15, 2011.

How do I complete my LLC's Annual Report?

You will need your LLC's business ID number, which can be found on the Secretary of State's webpage for your LLC. Click [here](#) and enter the name of your LLC to find its business ID number. Then access the Secretary of State's page for completing LLC annual reports, found [here](#). You will not be mailed a copy of the Annual Report form unless you contact the Secretary of State's office and request a paper form.

What is the cost to file the Annual Report?

For Mississippi LLCs, there is no cost for online filing. The process for completing the form online will involve entering the necessary information and clicking "submit." As an alternative, the form may be printed out, completed, and mailed in to the Secretary of State's office at P.O. Box 136, Jackson, MS 39205.

There is a \$250 annual fee for out-of-state or "foreign" LLCs. Foreign LLCs must complete the form online, click "submit," print it out and mail it with the \$250 annual fee to the Secretary of State's office at P.O. Box 1020, Jackson, MS 39215-1020.

What information will be required on the Annual Report?

You must list an email address, address of the principal office (if different from the registered agent's address), whether the LLC has a written operating agreement, and the NAICS Code/Nature of Business

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of your LLC. Click [here](#) to search the NAICS Codes. If the LLC is member-managed, you must list the name and address of at least one member. If the LLC is manager-managed, you must list the name and address of the managers (the form only permits two managers to be listed). You must also list the names, addresses and titles of the officers of the LLC, if you have any. A sample LLC Annual Report can be found [here](#). It is not identical to the actual online form.

Will I encounter any difficulty in completing the online Annual Report?

The Annual Report has several boxes that one might think are “required” but which are not actually required. A .pdf document showing what the filing process looks like with some editorial comments highlighted can be found [here](#). For example, the form indicates that Member contact information is required, but this is not true if your LLC is manager-managed. The Secretary of State’s office has indicated that the software they are currently using for the Annual Report filing will be replaced in 4-6 months, so future Annual Reports may have some of these issues corrected.

What happens if I don’t file the LLC’s Annual Report?

Failure to file the LLC’s Annual Report by April 15 will result in the administrative dissolution of the LLC. Reinstatement of an administratively dissolved LLC is a relatively easy process, but a filing fee of \$50 is required.

If you have any questions about this process, or need Butler Snow’s assistance with your filing, please contact us.

Contact Us



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