Utah LLC Formation Checklist

☐ Step 1: Name Your Utah LLC

The name of your Utah LLC should be distinguishable from other business names in your state and must meet the Utah naming guidelines.

How to Complete This Step:

☐ Review Utah's naming guidelines

- Your name must include the phrase "limited liability company" or "limited company" or one of their abbreviations (L.L.C., LLC, L.C., or LC). "Limited" may be abbreviated as "Ltd.," and "company" may be abbreviated as "Co."
- Your name cannot include the following words or abbreviations: association, corporation, incorporated, limited partnership, or L.P.
- Your name cannot include words that could confuse your LLC with a federal government agency (FBI, Treasury, State Department, etc.).
- Your name cannot suggest in any way that the LLC is an agency of the state or any of its political subdivisions.
- Your name cannot imply that the LLC was organized for a purpose other than the one outlined in its Articles of Organization.
- You need approval from certain agencies to include certain restricted words in your name.
  - Utah Division of Consumer Protection: College, Institute, University, Institution
  - United States Olympic Committee: Olympic, Olympiad, Citius Altius Fortius
  - Department of Financial Institutions: Bank, Banker, Banking, Banc, Banque, Banco, Bancorp, Bancorporation, Bankcard, Bancard, Savings Association, Building Association, Savings and Loan Assoc., Building and Loan Assoc., Savings Bank, Industrial Loan Corp., ILC, Thrift, Credit Union, Trust, Trustee, Trust Company, ESCROW, escrow
- Your name must be distinguishable from any existing business in the state. This includes Utah reserved names.

☐ Brainstorm business names

☐ Check if the web domain is available

☐ Make sure the business name you want isn't already taken by doing a business name search on the Utah state website.

Your Business Name: _____

Your Business URL: _____

Step 2: Choose a Registered Agent

A registered agent is the person or company you choose to accept official communication on behalf of your LLC.

Your registered agent must be:

- 18 years or older
- A resident of Utah
- Available at all times during normal business hours (i.e., 9 a.m.–5 p.m. Monday through Friday) at their listed physical address (no P.O. boxes)

Utah requires registered agents to sign a Certificate of Acceptance of Appointment by Registered Agent that states they accept the appointment. This is included in the state's formation packet.

Many businesses choose to use a registered agent service for convenience and privacy.

Registered Agent Name and Address: _____

Step 3: File Your Articles of Organization

The Certificate of Organization is the paperwork required to register your LLC. This document is filed with the Department of Commerce either online or by mail.

You will need to provide the following information:

- Name of the LLC (Step 1)
- Principal office address
- Name and address of the registered agent (Step 2)

This is also a good time to decide if your LLC will be member-managed or manager-managed.

A member-managed LLC structure is when the members of the LLC are involved with the management of the LLC. A manager-managed LLC is when a few assigned individuals are responsible for managing the LLC.

Step 4: Create an Operating Agreement

An operating agreement lays out the rules and management structure of your LLC.

Your operating agreement doesn't need to be filed with the state. You'll keep it in your LLC records file and return to it as needed to clarify rules and settle disputes.

Step 5: Get an EIN

An Employer Identification Number (EIN) is like a Social Security number for your business. EINs are free and easy to get from the IRS using Form SS-4 or by filling out the online application.