

BUSINESS START-UP CHECK LIST

Listed below is information that should be helpful when starting a new business in Texas. Depending on the type of business enterprise, there may be specific regulatory requirements. For assistance in determining these requirements, please call the Texas Department of Economic Development Business Information and Referral at 800/888-0511 or 512/932-0082 in Austin.

BUSINESS STRUCTURE AND NAME

The first step in starting a business is to determine the basic legal structure of the business, and to properly record the business name. This step is important when starting a business, since financial implications vary depending on which legal structure is selected. These range from corporation responsibilities for annual franchise tax fees to personal liability for business dealings as a sole proprietorship. The business name selected is the identifying and marketing component of the business. It should be given much thought and consideration. To register a corporation, limited partnership or to obtain a Certificate of Authority required for foreign companies to do business in Texas, contact the Secretary of State, P. O. Box 12697, Austin Texas 78711, 512/463-5555, (<http://www.sos.state.tx.us>). Unincorporated businesses must file an assumed name certificate with the county clerk's office in the county that the business will be located.

FEDERAL TAX ID

For a federal tax identification number and any other federal tax information, contact the Internal Revenue Service, East Rundberg Lane, Suite H-4, Austin, Texas 78701, 800/829-1040, (<http://www.irs.ustreas.gov>). To order a Business Tax Kit and/or other tax publications, call 800/829-3676.

SOCIAL SECURITY NUMBER

To inquire about a social security number, contact the Social Security Administration, 903 San Jacinto Blvd., Austin, Texas 78701, 512/916-5404 or 800/772-1213, (<http://www.ssa.gov>).

SALES TAX PERMIT

To obtain a state sales tax permit or for information on other state tax responsibilities, contact the Comptroller of Public Accounts, LBJ State Office Building, 111 East 17th Street, Austin, Texas 78774, 512/463-4600 or 800/252-5555, (<http://www.cpa.state.tx.us>).

EMPLOYER REQUIREMENTS

To obtain an employer identification number, contact the Texas Workforce Commission, 101 East 15th Street, Austin, Texas 78778-0001, 512/463-2731, (<http://www.twc.state.tx.us>). The Commissioner's office representing employers provides an information package for employers. To obtain the package call 512/463-2826 or 800/832-9394.

NEW HIRE PROGRAM

Effective October 1, 1998, in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, all Texas employers are required to report certain information on newly hired and rehired employees to the State Directory of New Hires. To receive an employee packet from the Texas Workforce Commission, contact Texas Employer New Hire Reporting, Operations Center, P. O. Box 149224, Austin, Texas 78714-9224, 888/839-4473.

AMERICANS WITH DISABILITIES ACT REQUIREMENTS

For information on the requirements of the Americans With Disabilities Act, contact the Texas Governor's Committee on People With Disabilities, P. O. Box 12428, Austin, Texas 78711, 512/463-5739, (http://www.governor.state.tx.us/Disabilities/disabilites_index.html).

DRUG-FREE WORKPLACE REQUIREMENTS

To inquire about drug-free workplace requirements for Texas employers with 15 or more employees who maintain workers' compensation coverage, contact the Texas Drug-Free Workplace initiative, 2525 Wallingwood, Bldg. 5, Austin, Texas 78746, 512/328-1144 or 800/343-3822.

SAFETY REQUIREMENTS

For specific regulations regarding safety in the workplace, contact the U.S. Department of Labor-OSHA, Regional Office, 525 Griffin Street, Room 602, Dallas, Texas 75202, 214/767-4731, (<http://www.osha.gov/>).

WORKERS' COMPENSATION

For information on workers' compensation classifications, contact the Texas Department of Insurance, 333 Guadalupe, Austin, Texas 78701, 512/322-3493, (<http://tdi.state.tx.us>). To become more familiar with the basic requirements for workers' compensation in Texas or for a new law guide, a quarterly newsletter and an informational brochure for employers, contact the Texas Workers' Compensation Commission, 4000 South IH 35, Austin, Texas 78704, 512/448-7900.

LOCAL REQUIREMENTS

For local regulations, contact the city clerk of the city in which the business will be located.

FOREIGN OWNERSHIP

To obtain an Investor's Visa, a petition must be filed with the Immigration and Naturalization Service Center having jurisdiction over the area in which the new commercial enterprise will be principally doing business. For a business that will locate in Texas, contact the U.S. Immigration and Naturalization Service Dallas 214/655-5384, El Paso 915/872-5888, Houston 281/847-7900, Harlingen 956/425-7342, San Antonio 210/967-7065, (<http://www.ins.usdoj.gov/>).

We recommend you consult a professional tax consultant, accountant, and/or attorney to ensure that all legal requirements are satisfied before operations are begun.

STATE COMPTROLLER
9241 LBJ Fwy
Suite 205
Dallas, Tx 75243

1-800-252-5555
972-671-7166 North West Dallas Office
972-709-4357 South West Dallas Office

STATE COMPTROLLER- TYLER
3800 Paluxy Dr. #300
Tyler, Texas 75703

903- 561-1601