

Online Services



Here is a list of online services offered on the Secretary of State's web page.

Business Downloads - Contains all the necessary forms for Name Reservation Requests, Articles of Dissolution, Certificates of Withdrawal, Certificates of Formation, and others.

Business Entity Search - Search engine for all business entities formed/registered in the State of Alabama.

Name Reservation Menu - Portal that allows you to obtain a Name Reservation Certificate online.

Business Entity Record Copies - Business entities can purchase and print copies of their records.

Certificate of Existence - Allows business entities to purchase a Certificate of Existence, which is used to prove that the specified entities are authorized to conduct business in the state.

Domestic Filing - Allows business entities to conveniently complete their formation document to be printed and filed at the county or to complete formation/dissolution online for specific counties.

Foreign LLC Filing - Portal that allows business entities to conveniently file their foreign LLC registration online.

Certificate of Withdrawal - Portal that allows foreign business entities to surrender or withdraw their certificate of authority online.

Domestic Corporation Filing - Portal that allows business entities to conveniently file their domestic for profit corporation formation online.

To access these services, visit www.alabamainteractive.org/sos/welcome.action.

*

Office Contacts

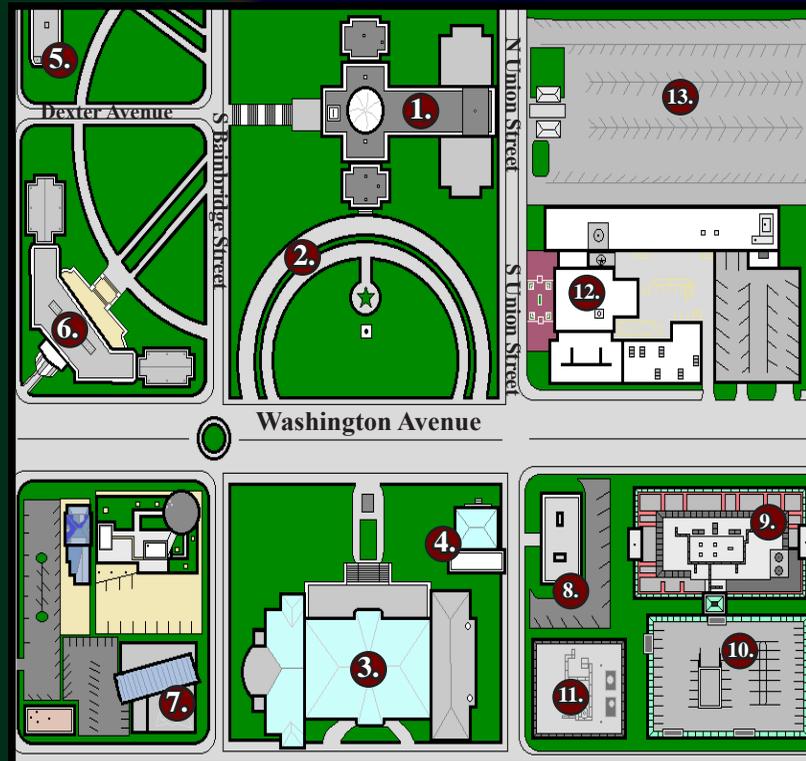
Elaine Swearingin
Business Entities Director
334-242-7221
Elaine.Swearingin@sos.alabama.gov

Renae Barron
Foreign Entities Supervisor
334-242-5328
Renae.Barron@sos.alabama.gov

Lovetta Churchill
Domestic Entities Supervisor
334-353-1931
Lovetta.Churchill@sos.alabama.gov

Stephanie Keithahn
Mail/Registry Supervisor
334-242-5913
Stephanie.Keithahn@sos.alabama.gov

Business Entities
RSA Plaza
770 Washington Avenue, Suite 580
Montgomery, AL 36104



1. Alabama Capitol Building
2. Avenue/Circle of Flags
3. Department of Archives & History
4. First White House of the Confederacy
5. Alabama Medicaid Agency
6. Attorney General's Office
7. Alabama League of Municipalities

8. State Wellness Center
9. RSA Plaza
10. RSA Reserved Parking Deck
11. Alabama Community College System
12. Alabama State House
13. State House Reserved Parking Lot

Alabama Secretary of State

John H. Merrill

Business Entities



Phone: 334-242-5324

Email: Business.Services@sos.alabama.gov



Domestic Entities



Business Filing Procedures

Domestic = Formed & located within the State of Alabama.

Your name must include the entity designation or an abbreviation of the designation. You are required to obtain a Certificate of Name Reservation prior to filing your formation documents. (Name Reservation for Domestic Entities)

There are various types of domestic entities, such as Limited Liability Companies, Domestic Business/Non-Profit Corporations, Limited Partnerships, Limited Liability Partnerships, and General Partnerships.

With the exception of General Partnerships, file the original and two copies of the Domestic Certificate of Formation and the Certificate of Name Reservation in the county probate court where the entities' registered office is located.

The Probate Judge will collect the Secretary of State filing fee. Some Probate Judge's Offices do not accept expedited processing fees or credit cards. Please be sure to check with the Office of the Judge of Probate prior to filing to determine payment methods and expedited processing eligibility.

Nonprofit Filing Procedures

You are required to obtain a Certificate of Name Reservation for domestic entities prior to filing your formation documents. Your corporate name is not required to include the word "Corporation" or "Incorporated" or an abbreviation of one of these words.

Business Corporations file the original and one copy of the Domestic Certificate of Incorporation and the Certificate of Name Reservation with the Secretary of the State of Alabama.

Foreign Entities



Qualifying Your Foreign Entity in Alabama

Foreign = Formed outside the State of Alabama.

Do I have to qualify?

Any foreign entity is required to file an application for registration with the Alabama Secretary of State before transacting business in the state.

Do I need to reserve my entity name?

Yes. All entities are required to make a name reservation.

How do I obtain a name reservation for a foreign entity?

You can mail the name reservation request form for foreign entities and the \$10.00 filing fee, or you may process your name reservation online for \$28.00.

Various Types of Foreign Entities:

- Corporations
- Limited Liability Companies
- Limited Partnerships
- Limited Liability Partnerships
- General Partnerships

*

Home Owners' Associations



Filing the Certificate of Formation of Your Homeowners' Association:

The Alabama Homeowners' Association Act requires all Homeowners' Associations formed on or after January 1, 2016 to file organizational documents as a nonprofit corporation. The Act was passed on June 2, 2015, became effective January 1, 2016, and is codified in Code of Alabama Title 35, Chapter 20. The Secretary of State implemented administrative rules to carry out certain aspects of Act No. 2015-292, which became effective on April 18, 2016.

You will need to obtain a Name Reservation from the Office of the Alabama Secretary of State prior to filing your formation documents. File the original and two copies of the Homeowners' Association Certificate of Formation with all attachments required in the form and the Name Reservation Certificate in the County Probate Office where the development is located. You must use this form to file a Homeowners' Association Certificate of Formation.

Filing the Supplement to Certificate of Formation of your Homeowners' Association:

In accordance with Alabama Code §35-20-5, you are required to file a Supplement to Certificate of Formation with the Secretary of State after the Certificate of Formation has been indexed. In order to file the Supplement to Certificate of Formation, complete the form with all the required attachments, and enclose a check made payable to the Secretary of State in the amount of \$50.00. Mailing instructions are on the front of the form. No county filing is required for this supplemental filing.

The following additional or supplemental documents are required to be filed with the Secretary of State. These required documents are listed on page 3 of the Certificate of Formation form and below:

- Articles of Incorporation (Certificate of Formation)
- Bylaws, resolutions, or other governing documents of the Association
- The original covenants, conditions, or restrictions adopted by the Association
- Other information or documents required by Alabama Code 1975 §35-20-5(c) and listed on page 2 of the Supplement to Certificate of Formation form

In addition, the organizational documents of the Homeowners' Association may provide for the following, which may be included in any supplemental filing and are listed on page 3 of the Supplement to Certificate of Formation form:

- Indemnification and Insurance for the Homeowners' Association, its officers, and directors
- Fidelity bonds for any person or entity having custody or control of any funds of the Homeowners' Association
- Periodic audits of the financial records of the Homeowners' Association
- Power to acquire real and personal property for the benefit of the Homeowners' Association and its members
- Power to hire and discharge managing agents and other employees, agents, and independent contractors

To view the list of frequently asked questions, visit sos.alabama.gov/business-entities/homeowners-associations/hoa-faqs.

For additional assistance, contact **Elaine Swearngin**,
Business Entities Director, at **334-242-7221** or
Elaine.Swearngin@sos.alabama.gov.