

Part 1 Legal

Note: This part only applies to you if you are starting out and are unsure of the licensing requirements of your jurisdiction. I don't pretend to be a lawyer and if you are unsure, you should contact legal counsel or ask the authorities of your jurisdiction you reside and do business in. If you are already an established business, then this part will not apply to you.

Legal Documents

While some people claim you can wait, having proper legal documents are required in order to get your store started. For a business account at PayPal you will be required to have these documents and the municipality you live in will require you to collect and remit sales, use and excise taxes. Each state has different rules so I will point you towards the resources in those states to help you.

Legal Structure

Most people can start out as a sole proprietor/partnership in their business until they are ready to move further in the business. If you want to start up a legal entity to protect your assets, I can point you to resources to help you with that as well.

Different types of Legal Structures

Most small business owners start out as either a sole proprietor or create an LLC. When you get big enough it can sometimes makes sense to start a C or S corporation to take advantage of some of the taxes. The below link explains the difference in legal structures. Either way any legal entity will still be required to attain the legal docs.

<http://onlinestorehelp.com/wp-content/uploads/Entity-Comparison.pdf>

Required legal documents

Generally where you live will require you to register with both the state and your local government.

Taxing Authority (State Level): Registration with your taxing authority. This helps them track any sales tax, Excise Tax or income tax from the business. This generally comes in the form of a tax certificate, sellers certificate or resellers certificate. Most wholesale distributors, companies and suppliers will want proof of these certificates before they will do business with you.

DBA/Fictitious Business Name (Local Government): If you are doing business as a sole proprietor or partnership you will need to create a **Doing Business As**(DBA) or Fictitious Business Name. Some states also called it an Assumed Business Name .

Example: John Smith has a store called "Crazy Collectibles". He creates a DBA, John Smith DBA Crazy Collectibles. This allow him to do business as Crazy Collectibles as well as bill their credit card with the name Crazy Collectibles instead of John Smith.

Advice

Go down to your local municipalities government offices. They will tell you everything you need to know to get a business started legally.

Rather Pay Someone to do it for you?

If you are just not comfortable with all the little forms that go into getting a business started, there are numerous companies that will create your filings for you for a nominal fee. The below companies are ones I use or are affiliated with. If you click the links it will take you to the proper page.

Legal Zoom

[Legal Zoom DBA](#)

MyLLC

[MyLLC Services](#)

CorpNet

[CorpNet Start a Business](#)

Resources

While many links end up being broken, the Small Business Administration of the US government has a wealth of resources. You can find them below.

<http://www.sba.gov/content/incorporating-your-business>

<http://www.sba.gov/content/register-your-fictitious-or-doing-business-dba-name>

State Resources

I have taken the time to provide links within each state to get your legal documents. In many cases, such as DBA's it is done at the local level so I do not have links. Many states are creating one stop shops for new business owners. Look for your State and get started right away.

Alabama

<http://www.ador.state.al.us/bus.html>

Alaska

<http://www.commerce.state.ak.us/CBP/Main/>

http://commerce.alaska.gov/occ/home_bus_licensing.html

Arizona

http://www.azsos.gov/business_services/tnt/

<http://www.azdor.gov/Business/LicensingGuide.aspx>

Arkansas

<http://portal.arkansas.gov/business/Pages/businessServices.aspx>

California

<http://www.boe.ca.gov/info/reg.htm#sales>

DBA's are done at the Local Treasurer/Tax Collectors Office

<http://business.ca.gov/StartaBusiness/RegisteringaBusiness/FictitiousBusinessName.aspx>

Colorado

<https://www.colorado.gov/apps/jboss/cbe/start-business.xhtml>

<http://www.sos.state.co.us/pubs/business/FAQs/tradeNames.html>

Connecticut

http://www.ct-clic.com/business_checklist/Checklist.asp?ChecklistType=Start

http://www.sots.ct.gov/sots/cwp/view.asp?a=3175&q=391762&SOTSNav_GID=1844

Delaware

<http://courts.delaware.gov/forms/download.aspx?id=6068>

<https://onestop.delaware.gov/osbrlpublic/Home.jsp>

District of Columbia

<http://brc.dc.gov/planning/requirements/requirements.asp>

Florida

http://dor.myflorida.com/dor/taxes/annual_resale_certificate_sut.html

<https://efile.sunbiz.org/ficregintro.html>

<http://www.sunbiz.org/startbus.html>

Georgia

<http://georgia.gov/popular-topic/applying-state-taxpayer-identification-number>

<http://georgia.gov/popular-topic/applying-business-license>

Fictitious Business Names are registered with the court in the jurisdiction you are doing business.

Guam

<http://www.investguam.com/index.php?pg=license>

Hawaii

If you are in Hawaii, go to one of the Business Action Centers. Its free and they are very helpful.

<http://hawaii.gov/dcca/breg>

Idaho

<http://www.sos.idaho.gov/corp/ABNform.htm>

<https://labor.idaho.gov/ibrs/ibr.aspx>

Illinois

<http://www.revenue.state.il.us/businesses/>

DBA's are registered with the County Clerk

Iowa

http://www.iowaeconomicdevelopment.com/business/startup_registration.aspx

<http://www.iowa.gov/tax/business/business.html>

Kentucky

<http://sos.ky.gov/business/onestop.htm>

<https://secure.kentucky.gov/sos/ftbr/Welcome.aspx>

Louisiana

<http://www.sos.la.gov/tabid/98/Default.aspx>

Maine

<https://www.maine.gov/cgi-bin/online/suwtaxreg/index>

<http://www.maine.gov/portal/business/licensing.html>

http://www.mainesbdc.org/bus_docs/bus1.htm

Maryland

<http://www.dat.state.md.us/sdatweb/tralicen.html>

Massachusetts

<https://wfb.dor.state.ma.us/WEBFILE/BUSINESS/Public/Webforms/Login/Login.aspx>

<http://www.msbdc.org/faq.html>

Michigan

<http://www.michigan.gov/business/0,1607,7-255-52457---,00.html>

Minnesota

<http://www.sos.state.mn.us/index.aspx?page=92>

http://mn.gov/elicense/licenses/licensedetail.jsp?URI=tcm:29-3282&CT_URI=tcm:29-117-32

Mississippi

http://www.sos.ms.gov/business_services_feesForms4.aspx

<http://www.dor.ms.gov/regist.html>

Missouri

<http://www.business.mo.gov/register.asp>

Montana

http://revenue.mt.gov/forbusinesses/onestop_licensing/default.mcp

Nebraska

<https://www.nebraska.gov/osbr/index.cgi>

Nevada

<http://www.nvsos.gov/index.aspx?page=419>

DBA are done at the Count Level

<http://www.clarkcountynv.gov/depts/clerk/services/pages/fictitiousfirmnames.aspx>

<http://tax.state.nv.us/nevada%20tax%20info.htm>

New Hampshire

<http://www.nh.gov/business/doingbusiness.html>

New Jersey

<http://www.nj.gov/njbusiness/starting/>

<http://www.state.nj.us/treasury/taxation/prntsale.shtml>

<http://www.nj.gov/treasury/revenue/gettingregistered.shtml>

New Mexico

<http://www.tax.newmexico.gov/businesses/Pages/Home.aspx>

DBA's may be done at the City or County level. I could not find the info

http://www.tax.newmexico.gov/SiteCollectionDocuments/Publications/FYI-Publications/FYI-102_INFORMATION%20FOR%20NEW%20BUSINESSES%202009.pdf

New York

<http://www.nys-permits.org/>

North Carolina

<http://blnc.gov/start-your-business/business-licenses-permits>

North Dakota

<http://www.nd.gov/businessreg/tax/index.html>

<http://www.nd.gov/businessreg/register/index.html>

Ohio

http://tax.ohio.gov/channels/business/business_registration.stm

http://development.ohio.gov/bs/bs_entrepreneurship.htm

Oklahoma

<http://okcommerce.gov/new-and-existing-business/starting-a-new-business/startup-guide/>

Oregon

http://licenseinfo.oregon.gov/?fuseaction=link_class&class_list=13898&class_name=Assumed%20business%20names&LinkType=P

<http://www.oregon.gov/business/Pages/index.aspx>

Pennsylvania

http://www.portal.state.pa.us/portal/server.pt/community/online_business_registration/8778/obri/528693

<http://www.pasbdc.org/resources/start-up/business-checklist>

Puerto Rico

<http://www2.pr.gov/Pages/default.aspx>

Rhode Island

<https://www.ri.gov/taxation/BAR/>

South Carolina

<https://www.scbos.sc.gov/>

South Dakota

<http://www.sdreadytowork.com/Build-Your-Business-Start-Your-Business.aspx?task=view&option=content&id=56>

Tennessee

<http://www.tn.gov/revenue/tntaxes/business.shtml>

DBA's are created at the local level

Texas

<http://www.texaswideopenforbusiness.com/small-business/start.php>

US Virgin Islands

http://www.usvichamber.com/business_steps.htm

Utah

<https://secure.utah.gov/osbr-user/user/welcome.html>

Vermont

<http://www.state.vt.us/tax/businessstarting.shtml>

<http://accd.vermont.gov/business/start>

Virginia

<https://apps.cao.virginia.gov/IDC/index.html>

Washington

<http://bls.dor.wa.gov/startbusiness.aspx>

West Virginia

<http://www.business4wv.com/b4wvpublic/default.aspx?pagename=businessfilings>

Wisconsin

<http://www.revenue.wi.gov/forms/sales/index.html>

<http://www.wisconsin.gov/state/byb/name.html>