



State of Utah
Department of Commerce
Division of Corporations & Commercial Code
Information on Incorporating a Nonprofit Corporation

This guide-sheet is not intended to substitute nor replace the advice of legal counsel. A corporation is formed in the State of Utah by filing Articles of Incorporation with this office in duplicate, together with the appropriate fee.

The Articles of Incorporation may be submitted in duplicate and must include with signatures the following information (U.C.A. Section 16-6a-202):

- a. The name of the corporation.
- b. The business purpose or purposes of organizing the corporations, including important language required by the IRS for federal tax exemption.
- c. A statement declaring whether or not the corporation will have "voting members."
- d. The number of shares the corporation is authorized to issue. If more than one class of shares is authorized, each class must be designated along with a description of the preferences, limitations and relative rights of each class. For additional information, see 16-6a-202 of the Utah Code.
- e. The number of directors constituting the initial governing board [at least three (3)] and may list the name of each of those directors (optional with Articles until first annual report).
- f. For Non-Commercial Registered Agents: The Utah street address of the business entity's initial registered office and the name of its initial registered agent at such address.
For Commercial Registered Agents: The name of the commercial registered agent and the registration number. A Utah street address is required.
- g. The name, street addresses and verified signatures of each incorporator (at least one).
- h. The street address for the principal office (optional with Articles until first annual report).

A non-refundable processing fee in the amount of \$30.00 must be submitted with the Articles.

Where to file: You may file in person, Mail or by Fax. Means of payment are: cash, check, credit card, or money order. **If you are faxing you must include, on a cover sheet, the number of a Visa, MasterCard, or American Express with the date of expiration.**

Under GRAMA {63G-2-201}, all registration information maintained by the Division is classified as public record. For confidentiality purposes, you may use the business entity physical address rather than the residential or private address of any individual affiliated with the entity.