



# UTAH | COMMERCE

Division of Corporations and Commercial Code

## Application for Reinstatement of a Domestic Benefit Corporation \$54.00 Fee

NOTE: Under the Government Records Access and Management Act , Utah Code § 63G-2-101 et seq., all registration information maintained by the Division is classified as public record. For confidentiality purposes, you may use the business entity’s physical address rather than the residential or private address of any individual affiliated with the entity.

All information on documents **MUST** be typewritten or computer generated

### General Information:

Federal Employer Identification Number (FEIN): \_\_\_\_\_ Entity Number (optional): \_\_\_\_\_

The effective date of the corporation's administrative dissolution (office use only): \_\_\_\_\_

The name of the corporation as of the effective date of dissolution: \_\_\_\_\_

The name under which the corporation is being reinstated: \_\_\_\_\_

### Registered Agent Information:

Individual      Organization      Name: \_\_\_\_\_

Utah Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: UT      Zip: \_\_\_\_\_

**OR**

If you employ the services of a commercial registered agent, what is the CRA number: \_\_\_\_\_

### Required Checklist Items:

The name under which the corporation is being reinstated satisfies the requirements of section 16-10a-401.

The grounds for administrative dissolution either did not exist or have been eliminated.

The corporation has paid all fees or penalties imposed.

The corporation has paid any taxes, fees, or penalties owed to the Utah State Tax Commission; or is current on a payment plan with the State Tax Commission for any taxes fees or penalties owed to the State Tax Commission.

Delayed Effective Date (optional): \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Office use only
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## Consent to Appointment by Registered Agent

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IF you are an **individual**, serving as the registered agent, please review and complete the required section below:

### Acceptance of Appointment and Consent to Serve as Registered Agent

I acknowledge, accept and consent to my designation or appointment as registered agent in Utah, on behalf of:

*Name of represented entity*

I understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to provide the notices to the represented entity at the address most recently supplied to the agent by the represented entity; to keep current the information required by Subsection 16-17-203(1) or 16-17-204(1) in the most recent registered agent filing for the entity; and in the event I am to resign, I shall promptly furnish the represented entity notice in a record of the date on which a statement of resignation was filed.

*Signature of registered agent*

*Printed name of Authorized Person*

*Date*

IF you are an **organization**, serving as the registered agent, please review and complete the required section below:

### Acceptance of Appointment and Consent to Serve as Registered Agent

I acknowledge, accept and consent to my designation or appointment as registered agent in Utah, on behalf of:

*Name of represented entity*

I understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to provide the notices to the represented entity at the address most recently supplied to the agent by the represented entity; to keep current the information required by Subsection 16-17-203(1) or 16-17-204(1) in the most recent registered agent filing for the entity; and in the event I am to resign, I shall promptly furnish the represented entity notice in a record of the date on which a statement of resignation was filed.

I am authorized to act on behalf of \_\_\_\_\_

*Name of organization designated as registered agent*

*Signature of authorized agent to act on behalf of the organization*

*Printed name of Authorized Person*

*Date*



## Reinstatement of a Domestic Benefit Corporation: Instructions

### Reinstatement of a Domestic Benefit Corporation: Instructions Utah Code Title 16, Chapter 10a-1422

These instructions will help you in filling out the application for reinstatement and how to file it with our office. If you have further questions feel free to reach out to our customer service team at (801) 530-4849, toll free at (877) 526-3994, or by email at [corpucc@utah.gov](mailto:corpucc@utah.gov)

**Do not include** these instructions when submitting the Application for Reinstatement and Consent to Appointment by Registered Agent forms

All information on documents **MUST** be typewritten or computer generated

#### General Information:

- The Federal Employer Identification Number (FEIN):
  - This number is required. Failure to provide us with this information will result in rejecting your request to reinstate.
  - This number is issued by the IRS. IF you do not have this number readily available you can obtain it here:
    - <https://www.irs.gov/businesses/small-businesses-self-employed/lost-or-misplaced-your-ein#:~:text=Find%20a%20previously%20filed%20tax,at%20800%2D829%2D4933>.
  - **NOTE:** We will use the FEIN number to verify that you are in good standing with the Utah State Tax Commission.
- Entity Number:
  - This section is not required, but if you know your entity number please enter it in this field.
- The effective date of the corporation's administrative dissolution:
  - This section is office use only. You can leave it blank.
- The name of the corporation as of the date of dissolution:
  - This will be the full name at the date of administrative dissolution. The name must contain the word "Corporation," "Incorporated" or "Company;" or the abbreviation "corp.," "inc." or "co."
- The name under which the corporation is being reinstated:
  - This can be the same as the name listed in the "name of the corporation as of the date of dissolution," or if the name is no longer available/acceptable or you want to change the name, you can update it here. The name must contain the word "Corporation," "Incorporated" or "Company;" or the abbreviation "corp.," "inc." or "co."
  - If using a new name it must comply with 16-10a-401, "Corporate Name."
  - To check the availability of a name you can do that here:
    - <https://secure.utah.gov/bes/index.html>

#### Registered Agent Information:

- You will need to provide the registered agent information.
  - This can be the registered agent at the time of administrative dissolution, or a new registered agent.
  - The registered agent can be an individual or an organization.
  - The registered agent **MUST** have a Utah street address.
- If you employ the services of a commercial registered agent (CRA) please provide us with their State of Utah issued CRA number.
  - You will not need to include the name or address, just the CRA number.
  - If you don't know your commercial registered agent's number please contact our office and we can provide it to you.
- The registered agent, whether they are commercial or non-commercial, will also need to fill out and sign the Consent To Appointment by Registered Agent form attached in this packet.

#### Required Checklist Items:

- Each checklist item must be checked off for our office to approve your request to reinstate your corporation. Failure to check any or all of these statements will lead to the rejection of your request.

#### Delayed Effective Date:

- A delayed effective date for a document may not be later than the ninetieth day after the date it is filed. If a document specifies a delayed effective date that is later than the ninetieth day after the document is filed, the document is effective on the ninetieth day after it is filed.
  - **NOTE:** The delayed effective date must be a date after these documents have been received by our office.



## Reinstatement of a Domestic Benefit Corporation: Instructions

(Continued) Reinstatement of a Domestic Benefit Corporation:  
Instructions Utah Code Title 16, Chapter 10a-1422

### Signature:

- The Division of corporations & Commercial allows documents to be digitally signed.

### Title:

- Signature requirements are based on the title of the signer.
  - The reinstatement can be executed by the chairman of the board of directors of a domestic corporation, by **ALL** of its directors, or by one of its officers.
  - If the corporation is in the hands of a receiver, trustee, or other court-appointed fiduciary, by that fiduciary.
  - If the document is that of a registered agent, by the registered agent, if the person is an individual, or by a person authorized by the registered agent to execute the document, if the registered agent is an entity.
  - By an attorney in fact if the corporation retains the power of attorney with the corporation's records.

### Optional Inclusion of Ownership Information (not required):

- This demographic information is not required.

### Filing Options:

- Online Shopping Cart:
  - Standard service (7-10 business days). Upload PDF here:
    - [https://secure.utah.gov/cart/comm\\_ren/details.html?productId=715](https://secure.utah.gov/cart/comm_ren/details.html?productId=715)
  - Instructions for the online shopping cart:
    - <https://corporations.utah.gov/wp-content/uploads/2022/01/ShoppingCartGuide.pdf>
- By Fax:
  - By fax: (801) 530-6438
  - Please use our payment cover letter:
    - <https://corporations.utah.gov/wp-content/uploads/2021/09/PaymentCoverLetter.pdf>
- By Mail:
  - Division of Corporations & Commercial Code, P.O. BOX 146705, Salt Lake City, UT 84114-6705
- Or in Person:
  - 160 E. 300 S., SLC, UT 84111
- If paying with a check please make it out to "State of Utah."

### Processing Times:

- Standard processing time:
  - for complete and correct documents submitted to the Utah Division of Corporations and Commercial Code is generally five to seven business days.
- Expedited processing time:
  - is not available for this type of filing.
- Weekends and holidays are not business days
  - You can find the division's office closure information here:
    - <https://corporations.utah.gov/office-closures/>

Please refer to Utah Code § 16-10a-101 et seq. If you need assistance in completing your filing, it is advised that you seek legal counsel. Please be aware that this filing will become public information.

Under the Government Records Access and Management Act, Utah Code § 63G-2-101 et seq., all registration information maintained by the Division is classified as public record. For confidentiality purposes, you may use the business entity's physical address rather than the residential or private address of any individual affiliated with the entity.