

From Idea to Formed: A North Texas Business Formation Guide

A plain-language walkthrough of how to structure, register, and set up a business in North Texas, and how to get it ready for government contracting and The Business In Development (B.I.D.) Academy.

WHAT IS INSIDE

1. Start here: choose your path
2. Choose your structure: sole proprietor, LLC, and the rest
3. Form your Texas LLC, step by step
4. Tax ID decoder: EIN and everything people confuse it with
5. After you form: state and local setup
6. DBA and assumed name: North Texas county directory
7. From formed to fundable: getting bid ready
8. Where to get help and official resources

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Fees, forms, and rules were verified against official state, federal, and county sources at the time of writing. Government fees and requirements change. Confirm current details with the filing office before you pay.

1 Start Here: Choose Your Path

Two people can walk into this guide with very different needs. Find yours, then go straight to the sections that fit.

Path A: I know I want an LLC and I need it done

You already know the structure you want and you are ready to file. Go to Module 3 to form your Texas LLC, then Module 4 to get your EIN, then Module 5 to finish state and local setup. With online filing and expedited processing, a Texas LLC can realistically be formed in about one week.

Path B: I need to figure out the right structure first

You are not sure whether to be a sole proprietor, an LLC, or something else. Start with Module 2 to understand the differences and the tradeoffs, decide with the help of a licensed attorney or CPA, then follow the same path once you know your answer.

One thing to settle first

Filing paperwork is not the same as choosing the right structure. What entity to form is a legal and tax decision that depends on your goals, your risk, and your money. This guide explains the differences so you can have an informed conversation, but the decision itself should be made with a licensed attorney or CPA. PV Extension can help you get oriented and point you to your next step.

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Here is what each common structure is and the tradeoffs that usually drive the decision. Read this to get oriented, then confirm your choice with a licensed attorney or CPA.

Sole proprietorship

The simplest form. One owner, no formation filing with the state. You and the business are the same legally, so there is no liability separation, and business income goes on your personal tax return. If you operate under a name other than your own legal name, you file an assumed name certificate with your county clerk (Module 6). Lowest cost and effort, least protection.

General partnership

Two or more owners running a business together without forming a separate entity. Like a sole proprietorship, there is no liability shield, and each partner can be responsible for the business debts. A written partnership agreement is strongly recommended. Assumed name filing is at the county level.

Limited liability company (LLC)

A separate legal entity you create by filing with the Texas Secretary of State. The main draw is liability protection: your personal assets are generally separated from the business if you keep the two apart. Taxes are flexible. By default an LLC is taxed as a pass-through, and it can later elect to be taxed as an S corporation. This is the structure most small businesses choose when they want liability protection without heavy formality. Steps are in Module 3.

S corporation

Not a separate entity type. It is a tax election an LLC or a corporation can make with the IRS. For a profitable business, the S election can reduce self-employment tax, but it adds payroll, bookkeeping, and compliance. Whether it saves you money depends on your numbers. This is a conversation to have with a CPA.

C corporation

A separate taxpaying entity, formed with the state. Profits can be taxed at the corporate level and again when distributed. Most small local businesses do not start here. It tends to fit companies raising outside investment or planning to scale in a specific way.

Nonprofit

Formed to serve a charitable, educational, or similar purpose rather than to earn profit for owners. It is a separate path, including a federal tax-exempt application with the IRS if you want 501(c)(3) status. If this is your direction, tell PV Extension and get professional guidance early.

How to actually decide

Weigh four things: how much personal liability protection you need, how you want to be taxed, how much cost and paperwork you can carry, and where you want the business to go. Then take those answers to a licensed attorney or CPA to confirm the fit for your situation.

PV Extension does not tell you which entity to pick, but we can help you understand your options and point you toward your next step. Reach out any time.

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A Texas LLC is created by filing one document, the Certificate of Formation (Form 205), with the Texas Secretary of State. This module walks the whole path in order, from picking a name to saving your approved paperwork. Take it one stage at a time.

Before you start, have these ready

- Your business name, plus a backup in case your first choice is taken.
- A registered agent: a name and a physical Texas street address (explained in Stage 2).
- Your own mailing address and contact information.
- A credit card, and about \$300 to \$335 total if you file online.

Stage 1: Choose your name and check that it is available

Texas will reject your filing if the name breaks the rules or is too close to a name already in use, and the filing fee is not refunded. So check first.

The naming rules, in plain terms

- The name must include an ending that shows it is an LLC, such as "LLC," "L.L.C.," or "Limited Liability Company."
- It must be clearly different from names already on file. Adding "the," changing one letter, or only changing punctuation is not different enough.
- It cannot suggest the business is a government agency, and some words (like "bank" or "university") are restricted.

How to search availability, free, step by step

- 1 Go to comptroller.texas.gov and open the Taxable Entity Search (also called Franchise Tax Account Status). This is free and needs no account.
- 2 Type your proposed name into the Entity Name box.
- 3 Complete the "prove you are human" check if it appears, then search.
- 4 Read the results. No close match means your name is likely available. A match or a very similar name means pick your backup.

In plain terms

This free search is a strong first check, but it has one blind spot: it does not show names other people have just reserved or filed very recently. For a firmer read before you spend money, email the Secretary of State at corpinfo@sos.texas.gov or call (512) 463-5555 and ask for a preliminary name check. The paid option, SOSDirect, charges \$1 per search and needs an account.

Watch out

A preliminary "looks available" is not a guarantee. Your name is only truly yours once the state accepts your filing. Do not print business cards or sign a lease under the name until you are formed. If you are not ready to file yet but want to hold the name, you can reserve it for 120 days by filing Form 501 for \$40.

Stage 2: Set up your registered agent

In plain terms

A registered agent is the official person or company that receives legal documents and state notices on behalf of your business. Texas requires every LLC to name one. Think of it as your business's official mailbox for serious mail.

The rules

- The agent must have a physical street address in Texas. A P.O. box is not allowed.
- The agent must be available at that address during normal business hours.
- The agent must agree to serve. Keep their signed consent (Form 401-A) in your records. You do not file it with the state, but you should have it.

Your options

- **Be your own agent.** Free, but your address becomes public record and you must be reliably available during business hours.
- **Name another person** you trust who meets the rules, such as a partner or attorney.
- **Hire a registered agent service.** Usually about \$100 to \$125 a year. This keeps your home address private and makes sure legal mail is never missed if you travel.

Stage 3: Complete Form 205, field by field

Whether you file online or on paper, Form 205 asks for the same information. Here is what each part means.

- **Entity name.** Type it exactly as you want it, including the LLC ending.
- **Registered agent and registered office.** The agent's name and the physical Texas address from Stage 2.
- **Governing authority.** You choose member-managed or manager-managed. *In plain terms:* member-managed means the owners run the business day to day, which is what most small businesses pick. Manager-managed means you appoint one or more managers to run it, which fits when owners want to step back or there are outside investors.
- **Organizer.** The person submitting the filing. This can be you, and the organizer does not have to be an owner.
- **Purpose.** A general purpose statement is fine for most businesses. The form provides standard wording you can use.
- **Effective date.** Usually effective when filed. You can set a later date if you have a reason to.

Stage 4: File online, the fastest way

- 1 Go to the Texas Secretary of State filing site, SOSDirect at sosdirect.sos.texas.gov (or SOSUpload).
- 2 Create an account. SOSDirect uses a credit card to open the account.
- 3 Choose to form a new domestic limited liability company, which files the Certificate of Formation (Form 205).
- 4 Enter everything from Stage 3: name, registered agent and address, management structure, organizer, and purpose.
- 5 Review every field slowly. A mistake can cause a rejection, and the \$300 is not refunded.
- 6 Pay the \$300 filing fee by credit card. Filing online adds a state card fee of about 2.7 percent, roughly \$8.
- 7 If you need it fast, add expedited processing for \$25. This usually returns your approved filing the same or next business day.
- 8 Submit, then watch for your confirmation and your file-stamped Certificate of Formation.

Stage 5: File by mail, if you prefer paper

- 1 Download the current Form 205 PDF from sos.texas.gov.
- 2 Fill it out completely, typed or in black or blue ink.
- 3 Print two copies. One is kept by the state, one is stamped and returned to you.
- 4 Write a check or money order for \$300 payable to Secretary of State.
- 5 Mail both copies and the payment to: Secretary of State, Corporations Section, P.O. Box 13697, Austin, TX 78711-3697. Or deliver in person to 400 W. 15th Street, Austin, TX 78701.
- 6 Plan for extra time. Mail is slower than online and does not get the expedite speed.

Stage 6: Save these the moment you are approved

Do this right away

- Your file-stamped Certificate of Formation. Save the PDF and print one copy.
- Your SOS file number, the ID the state assigns your business.
- The confirmation email or acknowledgment.
- Put a digital copy in a labeled folder called "01 Business Formation," and keep a printed copy too. You will hand these over to open a bank account and to register as a vendor.

Cost at a glance

Certificate of Formation: \$300. Online credit card fee: about \$8. Expedited processing (optional): \$25. Name reservation (optional): \$40. The \$300 is not refundable even if the filing is rejected, which is why Stages 1 and 2 matter.

Veteran-owned businesses

Texas may waive the LLC formation filing fee and provide a franchise tax exemption for a period of years for qualifying new veteran-owned businesses. If you are a veteran, ask the Secretary of State about the current veteran-owned business waiver before you pay.

One more thing: an operating agreement is not filed with the state, but it is strongly recommended, especially with more than one owner. It sets out who owns what, who does what, and how decisions get made.

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People use the phrase "tax ID" to mean several different numbers, and mixing them up causes real delays. Start here, then follow the steps to get the one you need.

In plain terms: what is an EIN, and what is a "tax ID"?

An EIN, or Employer Identification Number, is like a Social Security number for your business. It is the number the IRS, banks, and clients use to identify your business.

"Tax ID" is a loose, everyday phrase. For most small businesses, when someone asks for your "tax ID," they mean your EIN. But there are several different ID numbers, and the table below sorts them out so you know which is which.

NUMBER	WHAT IT IS	WHO ISSUES IT AND COST
EIN (Employer Identification Number)	Your business federal tax ID. Used to open a business bank account, hire, and file business taxes. This is what most people mean by "tax ID."	IRS. Free.
SSN	Your personal Social Security number. A sole proprietor with no employees can sometimes use it in place of an EIN, but a separate EIN is better for privacy and banking.	Social Security Administration.
ITIN	An individual taxpayer ID for people who are not eligible for an SSN. Used on personal filings, not a substitute for an EIN.	IRS. Free.
Texas taxpayer number	Your state account number with the Texas Comptroller, tied to franchise tax and sales tax. Different from your EIN.	Texas Comptroller. Free.
Sales and use tax permit number	Issued when you register to collect Texas sales tax, if you sell taxable goods or services.	Texas Comptroller. Free.
UEI (Unique Entity ID)	Your federal contracting and grants ID from SAM.gov. Needed only if you pursue federal work. Not the same as an EIN.	SAM.gov. Free.

Do you need an EIN?

Yes if you formed an LLC or corporation, if you have employees, or if you file certain taxes. Even a solo sole proprietor should get one, because it keeps your personal Social Security number off business paperwork and lets you open a business bank account and register as a vendor.

Order matters

Form your LLC with the state first (Module 3), then apply for your EIN. The IRS says applying before your business legally exists can delay your application.

How to get your EIN online, step by step

This is the free, fastest way, and it gives you the number immediately.

- 1 Go to irs.gov and open "Apply for an EIN online," the EIN Assistant. It is free. Only use irs.gov.
- 2 Apply during the tool's hours: Monday through Friday, 7:00 a.m. to 10:00 p.m. Eastern time. It is closed nights and weekends.
- 3 Have ready: your legal business name, your address, your entity type, and the responsible party's SSN or ITIN. The responsible party is the person who controls the business.
- 4 Complete it in one sitting. You cannot save and return, and the session times out after 15 minutes of inactivity.
- 5 Answer the short interview: Identify, Authenticate, Addresses, Details, then Confirmation.
- 6 Your EIN appears on the final screen right away. Download and print the confirmation letter (called the CP 575) immediately. This is the moment to save it.

What to pay attention to

- It is free only at irs.gov. Do not pay any third-party website for an EIN.
- You can get only one EIN per responsible party per day.
- Save the CP 575 confirmation letter right away. Getting a copy later is slow and requires a phone call.

If you cannot apply online

If you do not have an SSN or ITIN, or your business is outside the United States, use Form SS-4:

- **Fax** a completed Form SS-4 to 855-215-1627. With a return fax number, you get your EIN in about four business days.

- **Mail** Form SS-4 to the IRS EIN Operation in Cincinnati. This takes about four to five weeks.
- **International applicants** can call 267-941-1099.

What to save immediately

Do this right away

Save your EIN and the CP 575 confirmation letter in a labeled folder, for example "02 Tax Documents," next to your formation papers. Your bank and every vendor registration will ask for it.

If you are heading toward contracting

Even if you are a sole proprietor who could use an SSN, get an EIN before you register as a vendor or bid. It keeps your personal number off business paperwork and is expected on a W-9.

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Forming the entity is step one. These are the pieces that make the business real and keep it in good standing.

Business bank account

Open a dedicated business account as soon as you have your approved formation document and your EIN. Keeping business and personal money separate is what preserves your liability protection and makes your books defensible. Banks will usually ask for your Certificate of Formation, your EIN letter, and, for unincorporated businesses, your assumed name certificate.

Texas franchise tax report

Texas LLCs and corporations file an annual franchise report with the Texas Comptroller, due May 15 each year. For report years 2026 and 2027, a business with annualized total revenue at or below \$2,650,000 owes no franchise tax, but it still must file the required information report. In short: most new small businesses owe nothing, but you still file. Do not skip it.

Sales and use tax permit

If you sell taxable goods or services in Texas, register for a sales and use tax permit with the Texas Comptroller before you make taxable sales. The permit is free. Not sure if what you sell is taxable? Call the Comptroller at (800) 252-5555.

Federal beneficial ownership reporting (BOI)

Good news, and a scam warning

As of a FinCEN final rule effective in August 2026, businesses formed in the United States are exempt from beneficial ownership information (BOI) reporting. If you formed a Texas LLC, you do not file a BOI report, and you should not pay anyone to file one for you. Only certain foreign companies still report. Ignore letters or emails demanding a BOI filing fee.

Local permits and licenses

Texas has no single statewide general business license. Depending on your city and your industry, you may still need local permits, a certificate of occupancy, or a health or trade permit. Check with your city about local requirements for your specific business.

contact PV Extension.

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DBA and Assumed Name: North Texas County Directory

A DBA, or assumed name, lets you operate under a name that is not your legal name. Where you file depends entirely on your structure, and this is the step people get wrong most often.

The rule that trips everyone up

If you formed an LLC or corporation: file your assumed name certificate (Form 503) with the Texas Secretary of State only. It costs \$25 and one filing covers all 254 Texas counties. Since a 2019 law change, you do not file at the county level.

If you are a sole proprietor or general partnership: you do not use Form 503. You file with the county clerk in each county where you have a business office, using that county's directory below.

Note: a sole proprietor operating under their own exact legal name usually does not need a DBA at all. Adding words like "Studio" or "and Company" typically triggers the filing.

County clerk filing, sole proprietors and general partnerships

The details below are current at the time of writing. County fees and processes change, so confirm the current fee, form, and whether you can start online before you go.

COUNTY	WHERE AND HOW TO FILE	TYPICAL FEE	NOTES
Tarrant	County Clerk, downtown Fort Worth at 200 Taylor Street, plus subcourthouse locations. In person, or by notarized mail. You can start the application online but must appear to sign and pay.	About \$20 for one owner, plus \$0.50 per additional owner	Original notarized signatures. Physical address required, no P.O. boxes.
Dallas	County Clerk, Recording Division, 500 Elm Street, Suite 2100, Dallas. Phone (214) 653-7099. Walk in with all owners present, or file by notarized mail.	About \$23 to \$24 for the first owner, plus \$0.50 per additional owner	Money order, cashier's check, or credit card. No personal checks.
Collin	County Clerk, McKinney (Jack Hatchell Administration Building) and Plano locations. Apply online, then all owners appear within 10 days to sign. Email ctyclerks@collincountytexas.gov , phone (972) 548-4185.	About \$18.50 for one owner, plus \$1 per additional owner	Each partner must be present to sign.
Denton	County Clerk (Juli Luke). File the unincorporated assumed name certificate in person or by notarized mail. Confirm current location and hours with the clerk.	Typically \$15 to \$25 base, plus a small amount per additional owner	Confirm current fee and form with the clerk.

Other North Texas counties

The process is the same across the region: sole proprietors and general partnerships file the assumed name certificate with that county's clerk, signatures are notarized or signed in person, the fee is typically in the \$15 to \$25 range plus a small amount per additional owner, and the certificate is good for up to 10 years. Contact the county clerk directly to confirm the current fee, get the correct form, and ask whether you can begin online.

- **Johnson County Clerk** (Cleburne)
- **Parker County Clerk** (Weatherford)
- **Ellis County Clerk** (Waxahachie)
- **Rockwall County Clerk** (Rockwall)

- **Kaufman County Clerk** (Kaufman)
- **Wise County Clerk** (Decatur)
- **Hood County Clerk** (Granbury)

Veterans

County clerks may waive assumed name filing fees for qualifying military veterans. Ask when you file.

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7 From Formed to Fundable: Getting Bid Ready

Forming a business is the start line, not the finish line. If your goal is government contracting, the documents you just created are the first pieces of a vendor readiness file, the folder buyers expect you to have.

What formation gives you toward the file

- Your stamped Certificate of Formation, proof the business legally exists.
- Your EIN confirmation letter, your business tax ID.
- Your assumed name certificate, if you use a DBA.
- A business bank account, which separates your finances and supports your W-9.

What still needs building

A complete vendor readiness file usually also includes a current W-9, proof of insurance, any licenses and certifications, a capability statement, and past performance or references. Two registrations open the door to government work in Texas:

- CMBL, the state Centralized Master Bidders List, so agencies can find you.
- VetHUB, the state certification for service-disabled veteran-owned businesses, if you qualify.

A note on Texas HUB

In December 2025, Texas restructured its Historically Underutilized Business (HUB) program into VetHUB and narrowed eligibility to service-disabled veteran-owned businesses. Businesses previously certified as HUBs based on the owner's race, ethnicity, or sex are no longer eligible under the state program, and the change is being challenged in court. If you are exploring certifications, confirm current eligibility with the Texas Comptroller, and ask PV Extension about federal and private options that may fit your business.

This is where The Business In Development (B.I.D.) Academy picks up

The Academy is a free, expert-led program from Prairie View A&M University Extension that helps North Texas entrepreneurs build stronger, more fundable businesses. It walks you through the rest of the vendor readiness file, one piece at a time, from certifications and pricing to insurance, compliance, and your capability statement, so that by the end you are ready to bid. Formation gets you to the door. The Academy helps you walk through it.

You also do not have to win a large contract to start. Many businesses begin by subcontracting under a company that already holds a contract, then grow into bidding as a prime. The Academy covers both.

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Where to Get Help and Official Resources

Start with a real person. PV Extension provides free business counseling and connects North Texas entrepreneurs to their next step.

Prairie View A&M University Extension, Community and Economic Development

Free one-on-one business counseling and technical assistance on formation, business planning, financial readiness, contracting and certification questions, and more. Ask about the next B.I.D. Academy cohort and upcoming workshops.

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Official government filing offices

These are the agencies you actually file with. Always start from the official site so you are not paying a third party for something that is free or low cost.

OFFICE	WHAT YOU DO THERE	HOW TO REACH IT
Texas Secretary of State	Form your LLC or corporation. File Form 503 assumed name for entities.	sos.texas.gov , file online via SOSDirect or SOSUpload
IRS	Get your EIN, free.	irs.gov
Texas Comptroller	Franchise tax report and sales tax permit.	comptroller.texas.gov , (800) 252-5555
Your County Clerk	Assumed name (DBA) for sole proprietors and general partnerships.	See the county directory in Module 6
SAM.gov	Federal contracting registration and your UEI, free, only if you pursue federal work.	sam.gov

One habit that protects you

Forming a business in Texas is inexpensive when you go straight to the source. If a website or letter is charging you large fees for an EIN, a BOI filing, or a "certificate of good standing" you did not request, stop and check with the official office or with PV Extension first.

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