



SECRETARY OF STATE  
**MARK MARTIN**

Division of Business and Commercial Services  
Victory Building, Suite 250  
1401 West Capitol Avenue  
Little Rock, Arkansas 72201

[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



Use a mobile QR app to scan this code and order certificates of good standing or search entities *on the go!*

Presort Standard  
**U.S. Postage  
PAID**  
Little Rock, AR 72201  
Permit No. 307



## Franchise Taxes due by May 1

Secretary of State Mark Martin reminds Arkansas businesses that annual reports and franchise taxes are due by midnight on Tuesday, May 1, to the Secretary of State's Business and Commercial Services (BCS) division.

"Every incorporated business, whether domestic or foreign, pays an annual fee to do business in Arkansas, and we want to make that process as convenient as possible," Secretary Martin said. "Our staff is ready to help business owners whether they are paying online or in person."

Earlier this year, the Secretary of State's office notified corporations via mail about the upcoming deadline. Most corporations pay the minimum franchise tax rate of \$150. The taxes are payable between January and May 1 annually.

Corporations have the option of filing online, 24 hours a day, seven days a week, by visiting the Secretary of State's website at [www.sos.arkansas.gov](http://www.sos.arkansas.gov). The easy-to-use system provides automatic calculations to eliminate math errors that can slow down processing time. The system generates e-mail confirmations and copies of each completed filing. Credit cards and electronic checks are accepted.

Corporations can also pay in person at the BCS offices in the Victory Building, 1401 W. Capitol, Suite 250, in Little Rock or by mailing their tax forms to: P.O. Box 8014, Little Rock, AR 72203-8014. BCS is open from 8 a.m. to 5 p.m. Monday through Friday. For additional information, call BCS at (888) 233-0325.



## The Secretary's Minute Using technology to upgrade our services for you

*Mark Martin*  
ARKANSAS SECRETARY OF STATE

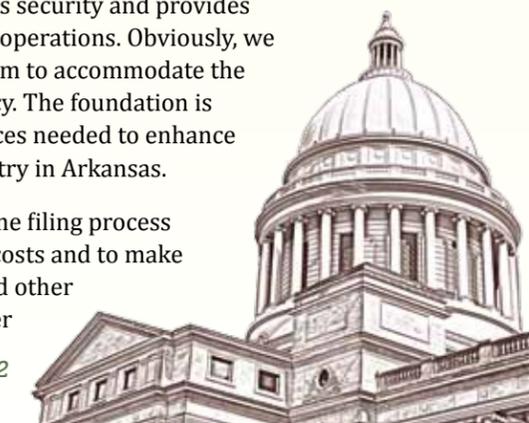
When I took office last year, one of my primary goals was to be more responsive to the needs of the business and consumer community. As part of that effort, the Business and Commercial Services (BCS) division is implementing resources to improve access to the records and processes of our office.

Last year we implemented plans to install a more customer-friendly computer system. Our efforts have been focused on creating a system that is expandable to fit the growing needs of our business community. Part of that process made it necessary to take the old system "off line" last June. In keeping with the needs of our business customers, we made every effort to maintain transparency in the transition and to minimize interruptions in service.

BCS has come into the 21st century with the new computer system. It is internet-based — no longer desktop specific — and provides better connectivity, more stable response times and improved back-office support. With the new software, much of the operating group also has been able to upgrade hardware. Moreover, the new system allows better response to certain audit findings, enhances security and provides for backup and disaster recovery operations. Obviously, we will continue improving the system to accommodate the evolving needs of our constituency. The foundation is now in place to provide the services needed to enhance the growth of business and industry in Arkansas.

We are also modernizing the online filing process to save on the office's personnel costs and to make online filing of franchise taxes and other corporate documents easier, faster

UPGRADES continued on Page 2



## Important Reminder for Arkansas Businesses

# Annual Franchise Tax Due May 1

**File online**

*Pay by credit card • Save time • Rest easy!*

[www.sos.arkansas.gov](http://www.sos.arkansas.gov)

Questions? Need forms?

Visit our website or call 501.682.3409 • Toll Free: 888.233.0325

SECRETARY OF STATE  
**MARK MARTIN**



*Business and Commercial Services Division*

## UPGRADES, *continued*

and simpler for all of our customers. Many businesses don't yet realize the advantages of filing franchise tax payments online. For example, "batch" filers — those who file more than one franchise tax form at a time like accountants, lawyers and some commercial businesses — receive a discount from the fee charged to one-time filers. That's just one of the time- and money-saving conveniences that we are working to implement.

Over the past year, the BCS team has learned much about the tools that are helping us work more effectively for our customers. Customer input has guided many of the improvements we've made. We want to be more effective and efficient for you, but also to improve financial reporting to the state, especially for education adequacy

funding and other budgetary purposes. If you have ideas for continued improvement, we want to hear from you.

The big day is May 1, when franchise taxes are due for most businesses, corporations, partnerships, and for-profit companies. We'll be ready. We are fortunate to have people with good business skills and a good workforce to make Arkansas great. I'm proud of our staff and our vendors for the improvements made thus far.

Thank you, the business community, for all that you do for our state. We are here to serve you. We know that you could choose to do business in any state or territory of the United States. We are pleased that you chose Arkansas and look forward to the ways you will help our state continue to grow.

## Martin visits local businesses



Secretary of State Mark Martin has embarked on a spring tour of communities around Arkansas, taking the opportunity to meet with local elected officials, as well as visit retail businesses and manufacturing facilities along the way. Two recent stops included Saint Jean Industries, an auto parts manufacturer and supplier in Heber Springs (above), and Garth True Value Hardware in Des Arc.

## BCS welcomes Bassett as new division director

Secretary of State Mark Martin welcomes Daryl Bassett to his staff as the new director of the Business and Commercial Services Division.

Bassett comes to the Secretary of State's office after having served most recently as a Finance Division Chief with the Department of Workforce Services. Prior to that post, he served as the state budget director in the administration of former Governor Mike Huckabee.

Bassett also served as the governor's liaison to Higher Education, Economic Development, Workforce Development and Rehabilitation Services. Previously appointed to the Arkansas Public Service Commission, he served as president and/or chairman of numerous regional, national, and international regulatory boards involving energy, telecommunications and financial research.



Daryl Bassett

## Upcoming Deadlines to Remember...

- |              |   |                 |                               |
|--------------|---|-----------------|-------------------------------|
| <b>May 1</b> | Final Day to file "on-time" Franchise Tax Payments and avoid penalties. Mailed forms must be postmarked by this date. | <b>July 1</b>   | Co-Op Annual Reports Due      |
|              |   | <b>August 1</b> | Non-Profit Annual Reports Due |

## Are your registered agent, tax contacts current?

All business entities — foreign and domestic — are required to have a Registered Agent or a Commercial Registered Agent on file with the Secretary of State. A Registered Agent, who must be located in Arkansas, receives service of process on behalf of a company (among other things), then delivers legal notices to the company to ensure a representative responds as required. Registered Agents do NOT receive franchise tax billings unless also listed as the tax contact. There is no fee for changing Registered Agent information with BCS; simply submit the *Notice of Change* form that you can find at <http://tinyurl.com/CorpForms>.

The Model Registered Agents Act of 2007 created a new type of registered agent called a *Commercial Registered Agent*, which is an individual or entity that is in the business of providing registered agent services. The primary purpose of a Commercial Registered Agent is to accept service of process on behalf of the entity it represents, and they must register with the Secretary of State. Both Registered Agents and Commercial Registered Agents are public information and are listed online in the BCS system.

### Franchise Tax Contact Information

The person or entity responsible for paying annual franchise tax for a company is known as the Franchise Tax Contact. This contact is the ONLY person who receives the annual franchise tax billing information for an entity. Unlike the Registered Agent, a Franchise Tax Contact is NOT publicly identified online for any entity (although the person who actually pays the franchise tax in any given year is listed).

Most importantly, the Franchise Tax Contact is not the same as the Registered Agent. Consequently, changing contact information for one does not change the other. In some recent cases, businesses have sold, Registered Agents have changed, and the information viewable online may show the new officers and directors. However, unless the Franchise Tax Contact is changed specifically, it remains the same. When buying or selling a business, it is critical to provide up-to-date Franchise Tax Contact Information. It is free and easy to do: simply file the *Application for Tax Contact Address Change* at <http://tinyurl.com/CorpForms>.

## Notary public road show set for spring

The 2012 spring session of notary public seminars is now underway. Find the current schedule here and watch for new seminars to post on the Secretary of State's website at [www.sos.arkansas.gov/bcs/](http://www.sos.arkansas.gov/bcs/).

The free 90-minute seminars are geared toward both prospective and current notaries public in Arkansas. The Secretary of State's office encourages notaries to attend to gain important information about the ever-changing Arkansas notary public laws and regulations.

Registration in advance is required. For your convenience, we offer three registration options:

- Log on to [www.sos.arkansas.gov/bcs/](http://www.sos.arkansas.gov/bcs/) and visit the *Notary Public* link.
- E-mail [danielle.fusco@sos.arkansas.gov](mailto:danielle.fusco@sos.arkansas.gov)
- Call (501) 682-3409 or toll free, (888) 233-0325.

Private training sessions are also available for companies and organizations. Call or e-mail to schedule a workshop with your group.

### Upcoming Notary Seminars

**May 1 — Russellville**

10 a.m. and 2 p.m.

**May 2 — Harrison**

2 p.m.

**May 9 — Little Rock**

10 a.m.

**May 10 — Mountain Home**

9 a.m. and 1 p.m.

**May 17 — Rogers**

9 a.m. and 2 p.m.

**June 20 — Little Rock**

10 a.m. and 1 p.m.



## Notary Public Basics

### What IS a notary public?

A notary public acts as an official and unbiased witness to the identity of a person who comes before the notary. This person may be taking an oath, giving written testimony or acknowledging his/her signature on a legal document. The key is identity; the notary must be certain that the person before him/her is who that person claims to be.

### How do I become a notary?

Under Arkansas law, a notary public is appointed and commissioned by the Secretary of State. Each applicant must submit an application with a fee of \$20 and a copy of the applicant's \$7,500 surety bond. The applicant will receive a certificate and oath form that must be filed with the circuit clerk in the county of residence, then return the signed certificate to the Secretary of State with the clerk's file mark within 30 days.