

SECRETARY OF STATE
STATE OF MONTANA
LINDA McCULLOCH

Business Services Division



Montana State Capitol
PO Box 202801
Helena, MT 59620-2801
(406)444-3665
<http://www.sos.mt.gov>

Re: _____
(exact name of Corporation or Limited Liability Company being reinstated)

To bring your domestic Corporation/LLC back into compliance with state statutes, you will need to submit an application for reinstatement, any delinquent annual reports, and a Title 15 tax clearance certificate (*see reinstatement application for tax certificate requirement*), along with the required filing fees.

Also, if you had any **Assumed Business Names/dba's** for your Corporation/LLC, you will need to complete and submit a new registration for them, because they were canceled at the time of your dissolution.

Please fill out all forms and submit them all together along with the appropriate filing fees to the Secretary of State's office at the above address.

YOUR COST FOR REINSTATEMENT

Filing fee for Reinstatement
(*see reinstatement application for appropriate filing fees*) \$ _____

Express Handling Fee (only if applicable) \$ _____
(*see reinstatement application for express handling fees*)

Filing fees for Annual Reports (for years marked)
_____ 2007 (\$30.00) _____ 2010 (\$30.00)
_____ 2008 (\$30.00) _____ 2011 (\$30.00)
_____ 2009 (\$30.00) _____ 2012 (\$15.00 if between January 1st & April 15th
\$30.00 after April 15th)

Total for all Annual Reports \$ _____

Total for Assumed Business Names (if applicable) \$ _____
(*\$20.00 per Assumed Business Name application*)

Total for Reinstatement \$ _____

Please note: For most reinstatements a **Title 15 Tax Clearance** certificate must be obtained **from** the Department of Revenue (*see reinstatement application for tax certificate requirement*). We have enclosed instructions and a request form for obtaining the certificate. You must include the **signed** original of the Title 15 Certificate with your reinstatement packet.

If you have any further questions, please give our customer service representatives a call at 444-3665.

Reception: (406) 444-2034 - Business Services Bureau: 444-3665 - Elections Bureau: 444-4732
Administrative Rules Bureau: 444-2055 - Records Management Bureau (1320 Bozeman Avenue): 444-9000
Fax: 444-3976 <http://sos.mt.gov>

STATE OF MONTANA

Prepare, sign and submit with an original signature and filing fee.

This is the minimum information required.

(This space for use by the Secretary of State only)

REINSTATEMENT or REVIVER
DOMESTIC or FOREIGN CORPORATION
APPLICATION



MAIL: LINDA McCULLOCH
Secretary of State
P.O. Box 202801
Helena, MT 59620-2801
PHONE: (406) 444-3665
FAX: (406) 444-3976
WEB SITE: sos.mt.gov

Filing Fee:

- Dom. Reinstatement \$30.00 plus Annual Reports
- Dom. Nonprofit Reinstatement \$10.00 plus Annual Reports
- Domestic & Foreign Reviver \$15.00 plus Annual Reports
- 24 Hour Priority Handling check box and Add \$20.00
- 1 Hour Expedite Handling check box and Add \$100.00

PLEASE CHECK ONE BOX:

- Domestic Reinstatement ([35-6-201, MCA](#))
- Domestic Nonprofit Reinstatement ([35-6-201, MCA](#))
- Domestic Reviver ([15-31-524, MCA](#))
- Foreign Reviver ([15-31-524, MCA](#))

1. The exact name of the corporation is: _____

2. The assets of the corporation have not been liquidated pursuant to [Sections 35-1-938 through 35-1-943, MCA](#), if a profit corporation, or Sections [35-2-726 through 35-2-727, MCA](#), if a nonprofit corporation.

3. Not less than a majority of its directors have authorized this Application of Reinstatement or Reviver

4. If the corporate name has been legally acquired by another corporation prior to its application for reinstatement, the corporation desires to be reinstated with the new name of: **(It is not necessary to complete this unless the business name has been taken by another entity.)**

5. **For Domestic or Foreign Reviver:** The corporation submits with this application a [Certificate of Reinstatement of Suspended Corporation](#) obtained from the Department of Revenue evidencing payment of delinquent taxes.

6. **For Domestic Reinstatement:** The corporation submits a certificate from the Department of Revenue stating that all taxes imposed pursuant to [Title 15, MCA](#), have been paid as well as the delinquent annual corporation reports for which the corporation was dissolved, with their respective filing fees.

7. I HEREBY SWEAR AND AFFIRM, under penalty of law, that the facts contained in this application are true.

Signature of Officer or Chair of the Board

Date

Exact Name and Title of Authorized Person

Daytime Contact phone: _____ Email: _____

HELP SHEET: Reinstatement or Reviver, Domestic or Foreign, Application

This form is to be used to revive any corporation having suffered a suspension or forfeiture or to reinstate any dissolved corporation, restoring its right to transact business in Montana.

Application for reviver is to be made by any stockholder or creditor of the corporation or by a majority of the surviving trustees or directors less than one year from the date of suspension or forfeiture. If more than a year elapses before an application for reviver is submitted, the corporation shall pay twice the amount of the tax and penalties due the state for the taxable year for which they were delinquent.

For reinstatement, this form is to be completed by a person who was an officer or director of the corporation at the time of its dissolution not more than five years after the dissolution.

GENERAL INSTRUCTIONS

Please type or print clearly when filling out this form.

ALL INFORMATION PUBLIC

All information provided, including names and addresses of the principals of the entity, will be made available on the Secretary of State's web site or upon request.

LEGAL AND ACCOUNTING IMPLICATIONS

There are important legal and accounting implications with respect to this entity's actions. Suitable legal and accounting advice should be secured before submission. The Secretary of State's office suggests that such advice be sought prior to filling out forms to be sure that you understand the terms and procedures.

FORM PROCESSING TIME

Please be advised that the Business Services Division of the Montana Secretary of State will process your business documents within 10 working days of receipt.

- During this period if it is determined that your document does not meet statutory requirements, a letter outlining the deficiencies will be returned to the original submitter.
- If the document is complete and correct, the document will be filed and a letter certifying the filing of the document will be returned to the original submitter.
- If you wish a "FILED STAMPED" copy of the document to be returned with the certification letter (at no additional fee), it will be necessary for you to submit the original and a copy of the document.

Express Handling

- You may request 24 hour priority handling of your document by simply marking the "24 hour priority handling" box and include an **additional** \$20.00 with your handling fee.
- You may request 1 hour expedite handling of your document by marking the "1 hour priority handling" box and include an **additional** \$100.00 with your filing fee.
- **Please note:** If your documents are returned for deficiencies and upon resubmittal you request either of the Express Services **you must also remit** a new priority (\$20.00) or expedite (\$100.00) handling fee.

SUBMISSION

Make checks payable to the Secretary of State. Upon completion, mail with ORIGINAL SIGNATURE to:

Secretary of State
PO Box 202801
Helena, MT 59620-2801

CONTACT US

If you have any questions regarding this form, please contact the Secretary of State, Business Services Division at (406) 444-3665.

DO NOT STAPLE PAYMENT TO FILING FORM