

Applications for Reinstatement

Governor Holcomb signed Senate Enrolled Act 180 into law on March 13, 2018. This legislation limits the amount of time that a business can file an application for reinstatement after it's been administratively dissolved or revoked by the Secretary of State. A business that has been administratively dissolved or revoked for five (5) years or more, may not be reinstated. The clock starts on the date of administrative dissolution or revocation.

Based on the recent change, the Secretary of State's office will accept applications for reinstatement for businesses that have been administratively dissolved or revoked for more than five years for a *brief* period of time. If your business or your client's business has been administratively dissolved or revoked for more than five years, please ensure that you have submitted your application for reinstatement to the Secretary of State's office no later than **July 31, 2018**.

Please be advised that it takes the Department of Revenue between 4 to 6 weeks to generate the certificate of clearance that is required as part of the application for reinstatement. Do not delay in making this request to the Department of Revenue to ensure you meet the July 31 filing deadline. This will be your final opportunity to reinstate. Attorneys and CPAs are encouraged to reach out to their clients and business owners are encouraged to seek legal advice regarding this decision.

For businesses that have been administratively dissolved or revoked for less than five years, you will have five years from the date of administrative dissolution or revocation to file an application for reinstatement. For example, if the business was administratively dissolved on January 11, 2015, you must file an application for reinstatement by January 10, 2020. If you miss the five year deadline, you will not be able to file an application for reinstatement under the new law. You must also consider the 4-6 week processing time for certificate of clearance requests from the Department of Revenue.