

# Bloom Legal Network: Louisiana Business Formation Checklist (PDF)

## Your Step-by-Step Guide to Establishing Your Business in Louisiana

Starting a business in Louisiana is exciting, but it requires careful attention to legal and administrative details. This checklist, provided by the experienced **Louisiana business law attorneys** at Bloom Legal Network, offers a comprehensive overview of the essential steps to legally form and set up your enterprise in the state. From **New Orleans startups** to **Metairie small businesses**, this guide helps ensure you build a strong foundation for success.

**Important Note:** This checklist provides general guidance. Every business is unique, and specific circumstances may require additional steps or specialized legal advice. For personalized assistance with your **Louisiana business formation**, contact Bloom Legal Network.

## Section 1: Pre-Formation Planning & Strategy

Before you file any documents, strategic planning is crucial.

- **1.1 Business Idea & Business Plan:**
  - Clearly define your business concept, target market, and operational model.
  - Develop a comprehensive business plan outlining goals, strategies, and financial projections.
- **1.2 Business Name Selection & Availability:**
  - Choose a unique and memorable **Louisiana business name**.
  - Conduct a **Louisiana Secretary of State business name search** to ensure availability.
  - Consider federal and state trademark searches to avoid infringement.
  - *Action:* Verify name availability.
- **1.3 Business Structure Determination:**
  - Evaluate **Louisiana business structures**:
    - **Sole Proprietorship** (simplest, personal liability)
    - **Partnership** (General, Limited, LLP – varies by liability, requires **partnership agreement**)
    - **Limited Liability Company (LLC)** (**Louisiana LLC formation** offers liability protection, requires **Louisiana operating agreement**)
    - **Corporation** (C-Corp, S-Corp – offers strongest liability protection, requires **articles of incorporation** and **bylaws**)
    - **Nonprofit Organization** (specific legal and tax requirements)
  - *Action:* Consult with a **Louisiana business lawyer** to select the optimal legal entity for your goals and liability needs.
- **1.4 Registered Agent Appointment:**

- Designate a **Louisiana Registered Agent** with a physical street address in the state to receive legal and official documents. This is a legal requirement for most entities.
- *Action:* Secure a reliable registered agent service.

## Section 2: Formal Registration & Federal Requirements

Once your planning is complete, it's time for formal registration.

- **2.1 File Formation Documents with Louisiana Secretary of State:**
  - **For LLCs:** File **Articles of Organization** with the **Louisiana Secretary of State**.
  - **For Corporations:** File **Articles of Incorporation** with the **Louisiana Secretary of State** and complete an Initial Report.
  - **For Partnerships (certain types):** File relevant partnership certificates.
  - *Action:* Complete and submit the required formation documents and pay filing fees.
- **2.2 Obtain Federal Employer Identification Number (EIN):**
  - Apply for an **EIN** from the IRS if your business will have employees, operate as a corporation or partnership, or file certain tax returns. This is your business's federal tax ID.
  - *Action:* Apply for your EIN online directly through the IRS website.
- **2.3 Create Internal Governing Documents:**
  - **For LLCs:** Draft a comprehensive **Louisiana LLC Operating Agreement**. This internal document outlines ownership percentages, management structure, voting rights, profit/loss distribution, and procedures for key events (e.g., admitting new members, dissolution).
  - **For Corporations:** Adopt **Corporate Bylaws**. These internal rules govern the corporation's operations, including director and shareholder meetings, officer appointments, and stock matters.
  - **For Partnerships:** Draft a detailed **Partnership Agreement** covering responsibilities, capital contributions, profit sharing, and dispute resolution.
  - *Action:* Develop and have all owners/members/shareholders sign these critical internal documents. Keep them securely stored with your business records.

## Section 3: Licenses, Permits, & Compliance

Ensuring compliance with all relevant regulations is vital.

- **3.1 Obtain State & Local Business Licenses and Permits:**
  - Research and acquire all necessary **Louisiana business licenses and permits** at the state, parish, and municipal levels.
  - This may include:

- **General occupational licenses** (often required by parishes/cities, e.g., **New Orleans occupational license or business license**)
  - **Sales tax certificates** (if selling goods or services, obtained via Louisiana Department of Revenue's LaTAP)
  - **Professional licenses** (for specific industries like healthcare, legal, real estate, etc.)
  - **Zoning and building permits** (verify your business location's zoning, obtain occupancy certificates)
  - **Health permits** (for food service, etc.)
  - **Fire safety permits**
- *Action:* Utilize resources like Louisiana's **geauxBIZ portal** to create a custom checklist for your industry and location, then apply for each required license/permit.
- **3.2 Register for State Taxes:**
    - Register your business with the **Louisiana Department of Revenue** for applicable state taxes (e.g., sales tax, income tax withholding if you have employees).
    - *Action:* Complete state tax registration.
  - **3.3 Open Business Bank Account:**
    - Establish separate bank accounts for your business to maintain the legal distinction between personal and business finances, crucial for liability protection. Many banks require your **operating agreement** or **bylaws**.
    - *Action:* Open dedicated business checking and savings accounts.
  - **3.4 Business Insurance:**
    - Obtain appropriate business insurance policies, such as general liability, property insurance, workers' compensation (if hiring employees), and professional liability.
    - *Action:* Secure adequate insurance coverage.

## Section 4: Initial Operational & Legal Considerations

Laying the groundwork for smooth operations.

- **4.1 Employee Compliance (If Applicable):**
  - **Federal Requirements:** Obtain I-9 forms for employment eligibility verification, W-4 forms for federal tax withholding.
  - **Louisiana State Requirements:** Obtain L-4 forms for state income tax withholding.
  - Understand and comply with **Louisiana employment laws**, including minimum wage, overtime, and workplace safety.
  - Develop **employee handbook** and key policies (e.g., anti-discrimination, harassment, PTO).
  - *Action:* Fulfill all new hire reporting and compliance obligations.
- **4.2 Contract Review & Drafting:**
  - Have **client contracts**, **vendor agreements**, **independent contractor agreements**, and **commercial lease agreements** professionally drafted or

reviewed. Well-structured agreements are the backbone of secure business operations and **protect your Louisiana business from risk**.

- *Action:* Ensure all critical contracts are legally sound and protect your interests.
- **4.3 Intellectual Property Protection (Optional but Recommended):**
  - Consider protecting your business's trademarks (logo, brand name) and copyrights (original content) if applicable.
  - *Action:* Consult on intellectual property strategy.
- **4.4 Record Keeping:**
  - Set up a system for organized record-keeping of all legal documents, financial transactions, and compliance filings.

## Section 5: Ongoing Compliance & Growth

Your legal obligations continue beyond formation.

- **5.1 Annual Filings:**
  - Ensure timely filing of **Louisiana annual reports** with the Secretary of State and any other required state or federal reports.
- **5.2 Regular Legal Review:**
  - Periodically review your business structure, contracts, and compliance measures to ensure they align with your growth and changing regulations.
  - *Action:* Establish a schedule for legal check-ins.
- **5.3 Succession Planning:**
  - As your business matures, consider **business succession and exit planning** to ensure a smooth transition of ownership or operations.