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NEW COMPANY CHECKLIST (FOR GEORGIA COMPANIES)

When starting a new company there are numerous requirements imposed by governmental taxing and licensing authorities which must be complied with from the outset. Getting these matters dealt with early in the formation of a new company is essential to the smooth management of the business. The following list is intended to cover most of the requirements that must be considered by all new business enterprises established in Georgia. The list is not comprehensive and does not cover industry-specific matters such as occupational safety issues, environmental issues, special licensing or permits or other such matters, nor does it cover taxation or licensing requirements as may be imposed by states other than Georgia:

- **Choice of entity:**
Choosing the right form of entity for your business is a crucial initial determination. There are many factors to consider. Obtain professional help in making this choice. Once you decide, your entity will probably need to be registered with the Georgia Secretary of State.
- **Federal employer identification number (EIN):**
This is necessary for many of the filings and taxes described below and is also required to open a checking account.
- **Form of entity – required tax elections:**
For limited liability companies intended to be taxed as corporations, an election must be filed by the 75th day of the company's existence in order to be effective from inception. For corporations intended to be taxed as S corporations, an election must be filed by the 15th day of the third month of the company's initial year in order to be effective from inception.
- **Federal payroll taxes are described in detail in the IRS's Circular E which will be sent to you after you obtain your federal EIN. Payroll tax deposit requirements are described there as well. Tax deposits are made using the Electronic Federal Tax Payment System (EFTPS). To obtain information regarding EFTPS go to <https://www.eftps.gov/eftps>. In addition to deposits, federal payroll tax returns must also be filed as follows:**
 - To be filed quarterly using Form 941:
 - Employee income taxes withheld
 - Employee social security taxes withheld
 - Employee medicare taxes withheld
 - Employer social security taxes
 - Employer medicare taxes
 - To be filed annually using Form 940 – Federal Unemployment Taxes
- **Georgia payroll taxes as follows:**
 - Employee income taxes withheld** – These are filed monthly using Form G6 and are paid electronically. A Georgia Tax ID number is required. This may be obtained by filing a State Tax Registration Application which can be obtained from the Georgia Department of Revenue. This same application also covers your sales tax ID number requirement (see below) since both are administered

by the Georgia Department of Revenue. To obtain information regarding taxes administered by the Georgia Department of Revenue, go to <http://dor.georgia.gov/>.

Unemployment taxes – These are reported and paid quarterly to the Georgia Department of Labor. A separate ID number must be obtained from the Department of Labor in order to comply with these requirements. This is obtained by filing an Employer Status Report which can be obtained from Department of Labor by calling or going to <http://www.dol.state.ga.us/em/>.

- **Federal corporate income taxes:**
For corporations or entities taxed as corporations, these returns are filed annually, but taxes are paid quarterly using EFTPS.
- **Georgia corporate income taxes:**
For corporations or entities taxed as corporations, these returns are filed annually, but taxes are paid quarterly using Form 601ES or electronically using Georgia's EFT system.
- **Georgia Sales taxes:**
These are filed either monthly or quarterly by completing an online sales and use tax form and should be paid electronically using Georgia's EFT system. A sales tax ID number must be obtained using the State Tax Registration Application mentioned above.
- **Workers' compensation insurance:**
All employers have a workers' compensation obligation. Companies with more than three employees must be covered by a qualified insurance plan. Discuss this with your insurance agent.
- **City and/or county business licenses:**
Call your local licensing bureau for requirements for your area.
- **County real property taxes:**
These will automatically be billed to the owner of record.
- **County personal property taxes:**
All businesses are required to file a personal property tax return for the county in which the business is located. Usually the form is automatically sent to the holders of business licenses.
- **Annual corporate registration:**
An annual corporate registration report must be filed annually with the Secretary of State. These are sent automatically to the registered address of the corporation.