

Annie Bones

From: Mike Powell [MPowell@sos.state.tx.us]
Sent: Thursday, January 12, 2006 8:49 AM
To: Annie Bones
Subject: Transacting Business in Texas

Annie:

This office is not authorized to provide legal opinions whether a business entity is transacting business in Texas. However, I was unable to find any statute or regulations from Texas Alcohol Beverage Commission or the Texas Comptroller of Public Accounts, any requirements for a business involved in interstate commerce to register with the Texas Secretary of State.

The Texas Business Organization Code states:

§ 9.002. FOREIGN ENTITIES NOT REQUIRED TO REGISTER. (a) A foreign entity not described by Section 9.001(a) may transact business in this state without registering under this chapter.

(b) Subsection (a) does not relieve a foreign entity from the duty to comply with applicable requirements under other law to file or register.

(c) A foreign entity is not required to register under this chapter if other state law authorizes the entity to transact business in this state.

Mike Powell
Attorney, Corporations

3/22/2006