

## Basic Steps to Starting a Business

**Step 1. Define the Business.** For whom, doing what, how and where

**Step 2. Choose a Business Name.** If you are planning on using a web site then you should consider registering your trade name and logo with the U.S. Patent and Trademark Office. You can do the basic research at [www.uspto.gov](http://www.uspto.gov) but will ultimately have to do a formal filing. The last thing that you want to happen is to receive a letter from some lawyer telling you to stop using the name you have chosen as it is trademarked.

**Step 3. Choose and Register Your Legal Structure.** The choices of legal structure for a business are: The following are registered with the Secretary of State who clears the name only in the state.

- Sole Proprietorship (optional)
- Partnership
- Limited Partnership
- Limited Liability Partnership

The following are registered with the Public Regulation Commission who clears the name only in the state.

- Corporation (C-Corporation)
- S Corporation (Sub-Chapter S of the IRS Code)
- Limited Liability Company
- Professional Corporations (special licensing requirements)

**Step 4. Obtain your Federal Employers Identification Number (FEIN) from the IRS.** The application forms (SS-4) are available at [www.irs.gov](http://www.irs.gov), by telephone, fax, the local IRS office or contact your closest SBDC for further assistance.

**Step 5. Register with the State Taxation and Revenue for CRS tax number.**

**Step 6. Obtain your Business License and Other Applicable Licenses.**

**Step 7. Even if you have no employees you need to fill out form ES802 at the New Mexico Department of Labor.** With no employees they will give you a letter exempting you from the \$4 per quarter per employee assessment.

**Step 8. If you have employees, contact the IRS and your State Taxation and Revenue Office or a tax accountant for the appropriate forms and rates for the following.** State Unemployment Tax (SUTA), Federal Unemployment Tax (FUTA), Federal Income Tax (FIT), State Income Tax (SIT) if applicable. Social Security Withholding (FICA), Medicare withholding, Immigration and Naturalization Service (INS) Form I-9 for Employment Eligibility Verification.

**Step 9. Check with an Attorney Regarding Leasing Agreements, Contracts, Patents, Copyrights, Intellectual Property and Licensing Agreement Requirements.**

**Step 10. Determine the Necessary Guidelines for Compliance with Title I and Title III of the Americans With Disabilities Act (ADA).** The latest information on this can be obtained on the following web site: [www.usdoj.gov/crt/ada/adahom1.htm](http://www.usdoj.gov/crt/ada/adahom1.htm).

**Step 11. Establish a Business Bank Account.** If you plan to accept credit cards it will be necessary to setup a Merchants Bank Account.

**Step 12. Check your Insurance Coverage.** The following are some, but not all, insurance policies that you need to consider.

- Property and Liability
- Business Interruption
- Product and professional liability
- Comprehensive general liability (sometimes call an umbrella policy)
- Motor vehicle
- Special types such as bonds, completion bonds, credit, crop, cast, etc.
- Life and Health: Basic and Major Medical
- Disability Income and Key Person
- Insure major equipment for replacement value
- Worker's Compensation: Required with 3 or more employees, contractors with no employees.

## Santa Fe and New Mexico Contact Information

### Public Regulation Commission (PRC)

PERA Building, Room 413  
P.O. Drawer 1269, Old Santa Fe Trail  
Santa Fe, N.M. 87504-1269  
Forms, name clearance (505) 827-4504/4509  
Forms available: : [www.nmprc.state.nm.us](http://www.nmprc.state.nm.us)

If issuing securities:

Form: Form J Notice of Claim Exemption; Fee \$350  
Regulation and Licensing: Security Division  
Plaza San Miguel  
725 St. Michaels Drive  
Santa Fe, N.M. 87504  
(505) 827-7140

### Business Licenses

#### City of Santa Fe

200 Lincoln Avenue  
Santa Fe, N.M. 87501  
Business Registration: (505) 955-6551/6553  
Building Inspections: (505) 955-6646  
Application forms are available at the above addresses.  
Information needed to apply: Certificate of Occupancy, CRS Number, Federal Tax ID Number

### N.M. Taxation and Revenue Department

Manual Lujan Sr. Building  
1200 S. St. Francis Dr.  
Santa Fe, N.M. 87505  
(505) 827-0946  
Forms available; [www.state.nm.us/tax](http://www.state.nm.us/tax)

### U.S. Small Business Administration

#### New Mexico District Office

625 Silver SW, Suite 320  
Albuquerque, N.M. 87102  
(505) 346-6759  
N.M Home Page: [www.sba.gov/nm](http://www.sba.gov/nm)

### Patents/Trade names/Trademarks

#### U.S. Patent and Trademark Office

1-800-786-9199  
[www.uspto.gov](http://www.uspto.gov)

### Occupational Safety and Health Admin. (OSHA)

827 Camino De Los Marquez, Suite 3  
Santa Fe, N.M. 87502  
(505) 827-4230

### District 2 Environmental Department

#4 Calle Medico  
Santa Fe, N.M. 87505  
(505) 827-1840  
Food Services Permits  
<http://www.nmenv.state.nm.us/>

### Department of Labor

301 W. DeVargas 2<sup>nd</sup> Floor  
Santa Fe, N.M. 87501  
(505) 827-7437/7438  
Forms available: [www.dol.state.nm.us](http://www.dol.state.nm.us)  
Form **ES802**

### Worker's Compensation Administration

Northeastern Regional Office  
2515 Ridge Runner Road, No. 2  
Las Vegas, N.M. 87701  
(505) 454-9521  
N.M. Toll Free (800) 281-7889

### County of Santa Fe

County Court House  
102 Grant Avenue  
Santa Fe, N.M. 87501  
Land Use Department: (505) 986-6225/6226

### New Mexico Economic Development

[www.edd.nm.state.us](http://www.edd.nm.state.us)

### Internal Revenue Service (FEIN No.)

2945 Rodeo Park Drive E. Suite 2  
Santa Fe, N.M. 87505  
1-800-829-4933 (Phone application)  
1-859-669-5760 (Fax. application)  
Forms available: [www.irs.gov](http://www.irs.gov)

### N.M. Small Business Development Center

[www.nmsbdc.org](http://www.nmsbdc.org)

### New Mexico State Government

[www.state.nm.us](http://www.state.nm.us)

### Copyrights and Intellectual Property

#### U.S. Copyright Office

Public Information Office (202) 707-3000  
[www.copyright.gov](http://www.copyright.gov)

### Construction Industries Division

725 St. Michaels Drive  
Santa Fe, N.M. 87505  
(505) 827-7031

### Regulation and Licensing Department

P.O. Box 25101  
725 St. Michaels Dr.  
Santa Fe, N.M. 87504  
(505) 827-7003  
[www.rld.state.nm.us](http://www.rld.state.nm.us)

For specific occupational licenses contact the appropriate Regulation and Licensing Department.