

## Basic Steps to Starting a Business

### Section 1:

- 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, [www.sos.state.nm.us](http://www.sos.state.nm.us) who clears the name only in the state.
  - Sole Proprietorship (Optional)
  - Partnership
  - Limited Partnership
  - Limited Liability PartnershipThe following are registered with the Public Regulation Commission, [www.nmprc.state.nm.us](http://www.nmprc.state.nm.us) who clears the name only in the state.
  - Corporation (C-Corporation)
  - S Corporation (Sub-Chapter S of the IRS Code)
  - Limited Liability Company
- 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 Workforce Solutions.** With no employees they will give you a letter exempting you from the \$4.30 per quarter per employee assessment. [www.dws.state.nm.us](http://www.dws.state.nm.us).
- 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.



800.281.7232  
www.nmsbdc.org

## Section 2:

### Public Regulation Commission (PRC)

PERA Building,  
1120 Paseo de Peralta Room 413  
P.O. Drawer 1269  
Santa Fe, N.M. 87501-1269  
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 address  
or online: <http://nm-santafe.civicplus.com>  
Information needed to apply: Certificate of Occupancy, CRS Number, and 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

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)  
[www.sba.gov](http://www.sba.gov)

#### 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

### Department of Workforce Solutions

301 W. DeVargas 2<sup>nd</sup> Floor  
Santa Fe, N.M. 87501  
(505) 827-7437/7438  
Forms, name clearance (505) 827-4504/4509  
Forms available: [www.dws.state.nm.us](http://www.dws.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

### 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)

### New Mexico State Government

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

### N.M. Small Business Development Center

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

### Copyrights and Intellectual Property

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

### Construction Industries Division

Toney Anaya Building:  
2550 Cerrillos Road  
P.O. Box 25101  
Santa Fe, N.M. 87504-5101  
(505) 476-4700

### Regulation and Licensing Department

P.O. Box 25101  
725 St. Michaels Dr.  
Santa Fe, N.M. 87504  
(505) 827-7003 Fax. (505) 827-1157  
[www.rld.state.nm.us](http://www.rld.state.nm.us)

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