

REGISTERING TO DO BUSINESS IN NEW JERSEY

In order for a production company to work in New Jersey and apply for the Film and Digital Media Tax Credit Program, the production company must register to do business in the state and obtain a New Jersey tax ID number. This process applies to legal entities only [**Corporations, Nonprofit Corporations, Limited Liability Company (LLC), Limited Liability Partnerships (LLP), Etc.**]. Below you will find detailed steps to guide you, as well as a link to help you check on the current registration status of an existing business.

Please note that the URL for the hyperlinks used throughout this document are provided as footnotes, if the hyperlinks do not open or you are using a hard copy of this document just put the URL listed in the footnotes into your browser to access the appropriate websites.

The process is as follows:

A Certificate of Formation/Authority

An LLC, corporation, or other legal entity must be formed in NJ or in the case of a business formed outside of NJ, authorized to conduct business in NJ by the NJ Department of Treasury's Division of Revenue.

Forming your Entity within New Jersey requires you to complete [New Jersey's Online Business Formation Service¹](#) application. A NJ based (domestic) business is then issued a *Certificate of Formation*. A business formed outside the state of NJ (a foreign business) that seeks authorization to conduct business in NJ follows the same procedure but will be selecting foreign instead of domestic business entity.

B Registering For Tax and Withholding Purposes.

Once you have received your Certificate of Formation/authorization, you must then obtain a Business Registration Certificate (BRC) by completing the [Online NJ-REG form²](#).

Obtaining the Certificate of Formation/Authority

There are things you will need to complete this step.

- 1. Out of State (Foreign) Corporations only, need a *Certificate of Good Standing (a.k.a Certificate of Status)* from your home state.** This is not required for LLC's or other legal entities.
- 2. You will need to designate a Registered Agent to represent your company.** A registered agent receives official papers and legal documents on behalf of your company. The registered agent must be located in New Jersey. Many business owners prefer to use a registered agent service rather than take on this role themselves; this is especially true of out of state businesses with out of state owners.

¹ <https://www.njportal.com/DOR/BusinessFormation/Home/Welcome>

² <https://www.njportal.com/DOR/BusinessRegistration/Home/FirstStep>

- 3. Employer Identification Number (EIN)** Issued by the IRS the EIN is a 9-digit number commonly called your Federal Tax ID number. This will be the same number on file with your home state.

Optional items to have in preparation

- 1. North American Industrial Classification System Code (NAICS)** You can look up your NAICS codes during the online process, but it is best to have the appropriate codes selected in advance. Use the keyword search at [the US Census Bureau Lookup](https://www.census.gov/naics/)³

Getting Started

Open the [Online Registration Service](https://www.njportal.com/DOR/BusinessFormation/Home/Welcome)⁴ and select Get Started

STATE OF NEW JERSEY
NJ DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES
BUSINESS FORMATION

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New Jersey's Online Business Formation

Welcome to New Jersey's online Business Formation Service. You may use this streamlined service to file certificates of formation and authorization of business entities.

When should I use this application?

- When you want to start a new business in the state of NJ (LLC, PA, DP, Non-Profit, etc)
- When you need to authorize a legal entity in NJ for your business in another state

You should use the Online Registration form instead if:

- You have already formed/authorized your business in NJ and need to register for tax purposes
- You are looking to start a Sole Proprietorship or Partnership

Please use the navigation to the left to complete your business filing. Once you finish each section it will be marked with a check mark.

Starting a Business

Resources to help you plan your business

- Starting a Business
- Selecting a Business Type
- Business Name Search
- Obtaining an EIN
- Register Trade/Service Mark

Filing Requirements

What you will need

- Business Name & Type
- Registered Agent information (including Email Address to receive Registered Agent notifications)
- Good Standing Certificate from your home state (only for foreign entities)
- Credit Card or eCheck

Additional Resources

Next steps and information to help manage and grow your business

- Register for Tax and Employer Purposes (after completing your business filing)
- Guide to Doing Business in NJ
- Other Resources
- Get Annual Report Filing Reminders
- Get CorpWatch Alerts

[Get Started](#)

On the first page you need to select the appropriate business type and your business name (less the “designator,” Inc, Corp, LLC etc.) for foreign entities the type should match your status in your home state. A NY corporation will be registering as a foreign corporation in NJ, a business formed in NJ would be choosing a NJ domestic business.

For foreign businesses, the business name must match the business name in your home state exactly. If you are forming the business in NJ the name cannot be in conflict with an existing NJ business. If you receive a name conflict issue at this stage, you should contact the NJ Business Action Center for Assistance. Call 1-800-Jersey-7.

³ <https://www.census.gov/naics/>

⁴ <https://www.njportal.com/DOR/BusinessFormation/Home/Welcome>

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Business Name

Business Name Search

What type of business would you like to form? * Please click here for important information on business types.

- Select One --
- Select One --
- NJ Domestic For-Profit Corporation (DP)
- NJ Domestic Professional Corporation (PA)
- NJ Domestic Limited Liability Company (LLC)
- NJ Domestic Limited Partnership (LP)
- NJ Domestic Limited Liability Partnership (LLP)
- NJ Domestic Non-Profit Corporation (NP)
- NJ Foreign For-Profit Corporation (FR)
- NJ Foreign Limited Liability Company (FLC)
- NJ Foreign Limited Partnership (LF)
- NJ Foreign Limited Liability Partnership (FLP)
- NJ Foreign Non-Profit Corporation (NF)
- NJ Domestic Non-Profit Veteran Corporation (NV)

Required Fields [*]

x Cancel

On the next page you will submit your IRS issued EIN number, your NAICS code, the planned duration of your business and the effective date.

The duration allows you to create a perpetual business that will be operating in perpetuity, but you can also set a date in the future at which the entity will cease operations.

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Business Name Business Data Business Purpose Business Address

You have chosen to file a **Domestic Limited Liability Company** named: **FILM PRODUCTION ENTERPRISES LLC**

Business Data

Business Information

Employer Identification Number (optional) Need a EIN?

000

NAICS Code (optional) Need NAICS code?

Duration

perpetual

Effective Date

07/18/2022

Continue --> -- Back

x Cancel

Required Fields [*]

The business purpose is a general description of your business. Your description can be brief, but if you feel that it is necessary to provide a longer description, you may upload an attachment.

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Business Name Business Data **Business Purpose** Business Address

You have chosen to file a **Domestic Limited Liability Company** named: **FILM PRODUCTION ENTERPRISES LLC**

Business Data

Business Purpose Required Fields [*]

You may enter a business purpose of up to 300 characters. Need more information on Business Purpose?

Business Purpose

Film and Television Production

300 characters maximum
30/300

You may upload a description of your business purpose if you wish. The upload is not required.

Choose File No file chosen

(Acceptable File Formats: PNG or PDF. Maximum file size is 3MB or 10 pages.)
If your document exceeds 10 pages the system may still accept your document, but you will be unable to download your Formation Certificate due to the size of the document.

Upload

Continue -- Back x Cancel

You are then asked for your business address, it is not necessary to have an address in NJ in this step, you may use any US or international address.

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Business Name Business Data Business Purpose **Business Address**

You have chosen to file a **NJ Domestic Limited Liability Company (LLC)** named: **FILM PRODUCTION ENTERPRISES LLC**

Main Business Address Required Fields [*]

Main Business Address can be a US or International address. Enter an International Address.

Main Business Address

Address Line 1
20 West State street

Address Line 2

City
Trenton

State
New Jersey

Zip Code
08625 -

Continue -- Back x Cancel

As previously discussed, the Registered Agent is an individual or company authorized to accept legal documents on behalf of the company. A Registered Agent Service will have a number issued by the State of NJ, which should be entered on this screen. If an individual with a NJ address will be serving as the registered agent, you will need to select Enter Registered Agent /Office and provide the name and address of the individual.

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You have chosen to file a **NJ Domestic Limited Liability Company (LLC)** named: **FILM PRODUCTION ENTERPRISES LLC**

Registered Agent

Additional Information on Registered Agent

Registered Agent Information Required Fields [*]

Enter a Registered Agent/Office
Or
Enter a Registered Agent Number*

Continue -- x Cancel

At this point in the process, the pages will diverge depending on the type of business entity you have chosen. An LLC must list the members (owners) and a corporation will be listing the Directors and incorporators of the business. Carefully read each of the subsequent pages and answer the questions appropriately for your business type.

When you get to the payment page you will be charged \$125 for the registration, (there may be a small fee added for processing) and the company will be issued either a Certificate of Formation (for a company formed in NJ) or a Certificate of Authorization (or a business originally formed in another state).

Congratulations! At this point, your business has completed the first step in the registration process. Next, you will need to be registered for tax and employer purposes so you can receive a Business Registration Certificate.

Registering For Tax and Withholding Purposes

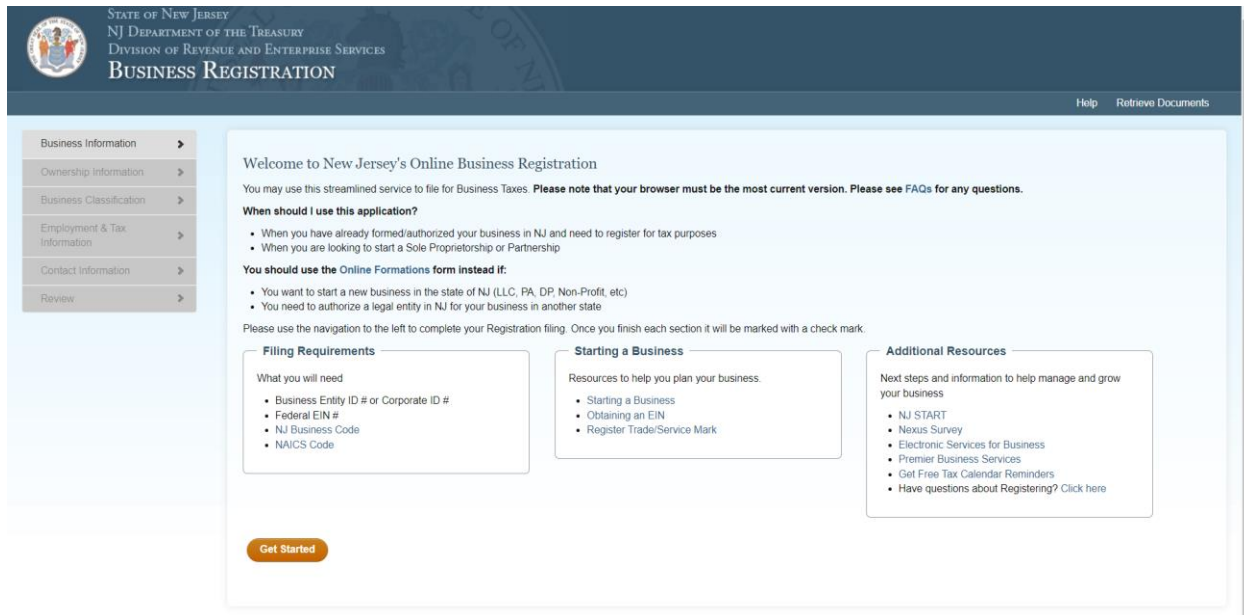
There are things you will need to complete this step.

1. **Entity ID (a.k.a Corporation ID)**. In the previous process, you were assigned a 10-digit Entity ID number on your Certificate of Formation/Authority. That number is required to complete the next step in the process for Corporations, Limited Liability Companies, etc. It is not required for sole proprietorships or general partnerships.
2. **Employer Identification Number (EIN)**. Your IRS issued EIN is required to complete this step. In rare instances, you may use the owner's social security number but this is rare. If you need to determine if the business can use a social security company contact the NJ Business Action Center at 1-800-Jersey-7 for assistance.
3. **North American Industrial Classification System Code (NAICS)** This will be required when completing this form. It is best to have the appropriate codes selected in advance. Use the keyword search at [the US Census Bureau Lookup](https://www.census.gov/naics/)⁵

⁵ <https://www.census.gov/naics/>

4. **Standard industrial Codes (SIC).** Similar to the NAICS codes, this system of industrial codes helps identify a firm’s primary Activity. You can search by keyword for SIC codes on the [website for the US Department of Labor](#)⁶
5. **NJ Business Code.** NJ categorizes the goods and services offered by businesses by use of a [NJ Business Code](#).⁷ Reviewing the codes and selecting the most appropriate 4-digit code in advance will make the process easier.

To begin the process, you need to use the [online NJ-REG form](#)⁸. Click on the button that says, “Get Started.”



On the first page of the form corporations, LLCs, and other entities need to “Register a Business Entity,” a sole proprietorship or partnership would select the option for partnerships and proprietorships. The other options on this page are for special circumstances. If you suspect you would qualify for registration under one of the other categories contact the NJ Business Action Center at 1-800-Jersey-7 for assistance.

⁶ <https://www.osha.gov/data/sic-search>

⁷ <http://www.state.nj.us/treasury/revenue/buscodes.pdf>

⁸ <https://www.njportal.com/DOR/BusinessRegistration>

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BUSINESS REGISTRATION

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Start Registration

Required Fields [*]

Start Registration

Registration is required to do business in New Jersey. Please note that all corporations, LLC's and limited partnerships must register using their New Jersey Business Entity ID and EIN. If you are registering a partnership or proprietorship, you must provide either your SSN or EIN. This number will serve as your business tax ID in New Jersey.

Please note that a 501(c)(3) organization should not use this online service to register. A 501(c)(3) organization will register using Form REG-1E. For more information, use the link here.

Select one:

- Register a Business Entity
- Register a Partnership or Proprietorship
- Register as an individual contracting with a NJ State or Local Government Agency
- Register a non-New Jersey Business Entity with employees residing in New Jersey
- Register as an individual solely for Transient Accommodations
- Register as Remote Seller only

[Continue](#)

Legal entities [Corporations, Nonprofit Corporations, Limited Liability Company (LLC), Limited Liability Partnerships (LLP), Etc.] only, will now be asked for some of the information, which you should have gathered in preparation for completing this form.

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Employment & Tax Information >
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Business Identification Business Data Business Address

Business Identification

Required Fields [*]

Business Identification

Entity ID* Need Entity ID?

EIN* (EIN is a nine-digit long Employer ID Number assigned by IRS. It cannot be assigned or provided by the State.) Need EIN Number?

[Continue](#) [Back](#) [Cancel](#)

A sole proprietorship or partnership will be asked different questions and the screens moving past this screen will diverge a bit based on your answers. Please read the screens carefully and complete the information requested. There is no fee associated with this step and upon completion you will be issued a Business Registration Certificate (BRC).

Congratulations! Now that you have completed this process and have a Business Registration Certificate, you are fully authorized to conduct business in New Jersey.

Checking the status of a Business already authorized in NJ

Businesses authorized in NJ must have a Business Registration Certificate (BRC). If you are properly registered and need a copy of your BRC, or if you want to check on the status of a

company with whom you are conducting business, you can look up a BRC at the [On-Line Business Registration Certificate Service](#).⁹

In preparation for using this service, you need some information.

1. **The legal name of the business** that is the subject of your search. The form only requires the “Name Control,” which are the first 4 letters of the legal name.
2. Either the **Employer Identification Number** or the **Entity ID number can be used for your search**. You do not need both of these numbers and you should **only use one** of the two and **not both** when performing your search.

If you already have a copy of a company’s BRC and wish to confirm that the BRC is valid, you can use the name control and the certificate number on the BRC to receive confirmation that the certificate is valid.

The screenshot shows the New Jersey Division of Revenue website. At the top left is the NJ State Seal and the text 'Revenue | NJBGS'. The main heading is 'New Jersey Division of Revenue' followed by 'On-Line Business Registration Certificate Service'. Below this is a paragraph: 'To verify the registration status of your business and obtain a Business Registration Certificate, enter the Name Control and one of the following: Taxpayer Identification Number; or Business Entity Identification Number. We will verify whether your business is registered and if so, generate an online, printable Business Registration Certificate.' This is followed by two more paragraphs: 'If you wish to validate a previously issued Business Registration Certificate, enter the Name Control and Certificate Number for the BRC. We will indicate whether the Business Registration Certificate is valid.' and 'If you are a registered unincorporated contractor and need proof of registration with the Division of Revenue, you will need to obtain a Business Registration Certificate.'

Name Control: (required*) Enter the first four characters of your business name or trade name. If the business name is less than 4 characters, finish the field with hyphens (-). Do NOT enter spaces, slashes or any other special characters except an ampersand (&) or the hyphen (-).	<input type="text"/>
Taxpayer ID (Federal Employer ID Number): Your Taxpayer Identification (FEIN) must be twelve digits long. Enter the first nine digits followed by three zeroes (000), or if you have a three digit suffix, enter the suffix after the first nine digits. Do NOT enter spaces, dashes or slashes.	<input type="text"/>
Business Entity ID: This is the ten-digit ID assigned to all corporations, LLC's and limited partnerships. Enter all ten digits, including leading zeros. Do NOT enter spaces, dashes or slashes. If your business is a General Partnership or Proprietorship, this search field is not applicable.	<input type="text"/>
Certificate Number: This number, sometimes called the "Sequence Number", is the unique ID assigned to each business registration certificate. It may prove useful for authenticating a previously issued business registration certificate. The Certificate Number must be seven digits long. Do NOT enter spaces, dashes or slashes. This option will only validate a previously issued Business Registration Certificate, it will not generate a new certificate.	<input type="text"/>

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Contact the NJ Business Action Center (1-800-Jersey-7) if you have any questions about this process or concerning doing business in New Jersey.

⁹ https://www1.state.nj.us/TYTR_BRC/jsp/BRCLoginJsp.jsp