

Form 713—General Information
(Annual Report of a Limited Liability Partnership)

The attached form is designed to meet minimal statutory filing requirements pursuant to the relevant code provisions. This form and the information provided are not substitutes for the advice and services of an attorney and tax specialist.

Commentary

In accordance with Section 152.806 of the Texas Business Organizations Code (BOC), effective January 1, 2016, a Texas general or limited partnership that is registered with the secretary of state as a limited liability partnership (LLP) must file an annual report with the secretary of state. The report is due no later than June 1 of each year following the calendar year in which the application for registration takes effect.

No later than March 31 of each year, the secretary of state will notify a Texas partnership with an active LLP registration of the need to file the annual report. Please note that failure to receive the notice sent by the secretary of state does not relieve the partnership of the requirement to file the annual report when due.

Consequences of Non-Compliance: If the secretary of state does not receive the LLP's annual report before June 1 of the current report year, the status of the LLP registration will be updated to reflect the delinquency. A partnership that fails to file its annual report by May 31 of the calendar year following the year in which the report is due will have its registration automatically terminated by the secretary of state. An LLP registration that has been automatically terminated by the secretary of state can be reinstated within three years of the effective date of the termination by filing an application for reinstatement together with all past due annual reports and applicable fees.

Instructions for Form

- **File Number:** It is recommended that the file number assigned by the secretary of state to the LLP registration be provided to facilitate processing of the document.
- **Report Year:** Provide the report year in the space provided. Multiple report years cannot be reflected on a single annual report form. A separate annual report form must be submitted for each report year due.
- **Item 1—Entity Name:** Set forth the name of the partnership as it is currently reflected in the records of the secretary of state. If the name of the partnership has changed since the time of its initial registration or most recent annual report, an amendment to the registration (SOS Form 722) should be included with the annual report in order to update the name of the partnership. The name must include the phrase “limited liability partnership” or an abbreviation of that phrase. If the partnership is a limited partnership, then the name must comply with the requirements of BOC section 5.055(a), and also must contain the phrase “limited liability partnership” or “limited liability limited partnership” or an abbreviation of one of those phrases.
- **Item 2—FEIN:** Enter the partnership's federal employer identification number (FEIN) in the space provided. The FEIN is a 9-digit number (e.g., 12-3456789) issued by the Internal Revenue Service (IRS). If the partnership has not obtained a FEIN at this time, check the appropriate statement and leave the field blank. The partnership may file an amendment to the registration after it receives its FEIN number from the IRS.

- **Item 3—Number of Partners:** Provide the number of general partners as of the date of filing the report in the partnership in item 3. (For purposes of completing the registration, § 153.352 of the BOC provides that the term "partners" refers to general partners only and does not include the limited partners in a limited partnership.) In the case of any past due annual report being submitted, the number of partners as of May 31 of each year that a report is due should be provided.

All general partnerships must have two or more general partners. *The secretary of state will not accept an annual report that lists the number of partners as one unless the partnership is on file with this office as a limited partnership.* The filing fee will be calculated by multiplying the number of partners listed in item 3 by **\$200** per partner.

- **Item 4—Principal Office:** Set forth the street address of the principal office of the partnership. The address may be inside or outside of Texas as applicable. If the principal office address has changed since the partnership's initial registration or most recent annual report, provide the new principal office address.
- **Execution:** For a general partnership, the registration must be signed by a majority-in-interest of the partners, or by one or more partners authorized by a majority-in-interest of the partners. For a limited partnership, any general partner may sign.

The annual report need not be notarized. However, before signing, please read the statements on this form carefully. *A person commits an offense under section 4.008 of the BOC if the person signs or directs the filing of a filing instrument the person knows is materially false with the intent that the instrument be delivered to the secretary of state for filing. The offense is a Class A misdemeanor unless the person's intent is to harm or defraud another, in which case the offense is a state jail felony.*

- **Payment and Delivery Instructions:** The filing fee for the annual report is **\$200** per general partner. To calculate the filing fee multiply the number of partners stated in item 3 by \$200. Fees may be paid by personal checks, money orders, LegalEase debit cards, or American Express, Discover, MasterCard, and Visa credit cards. Checks or money orders must be payable through a U.S. bank or financial institution and made payable to the secretary of state. Fees paid by credit card are subject to a statutorily authorized convenience fee of 2.7 percent of the total fees.

Submit the completed form in duplicate along with the filing fee. The form may be mailed to the Secretary of State, Reports Unit, P.O. Box 12028, Austin, Texas 78711-2028; faxed to (512) 463-1423; or delivered to the James Earl Rudder Office Building, 1019 Brazos, Austin, Texas 78701. If a document is transmitted by mail or by fax, include a transmittal cover sheet with contact and payment information (Form 807). On filing the document, the secretary of state will return the appropriate evidence of filing to the submitter together with a file-stamped copy of the document, if a duplicate copy was provided as instructed. If you require further assistance, call the Reports Unit at (512) 475-2705 or e-mail your question to ReportsUnit@sos.texas.gov

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