

## Instructions M002i

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### General Information

All corporations and limited liability companies ("LLCs") registered with the Arizona Corporation Commission are required to appoint a statutory agent in the state of Arizona. See A.R.S. §§ 29-3115. The statutory agent is required to accept the appointment by signing a statement of acceptance. Statutes are available on the Arizona Legislature's website, [www.azleg.gov](http://www.azleg.gov), by following the link for Arizona Revised Statutes. The Statutory Agent Acceptance form provided by the Arizona Corporation Commission meets the minimum statutory requirements. Use of the A.C.C.'s form is not required.

#### What is a Statutory Agent?

A Statutory Agent is an individual or a business entity that a corporation or LLC appoints for the purpose of accepting service of process (lawsuit papers or legal documents) for the corporation or LLC. See A.R.S. §§ 10-501, 10-504, 10-1507, 10-1510, 10-3501, 10-3504, 29-3115. The agent is called a "statutory" agent because a statute requires that the corporation or LLC appoint someone for this purpose. See A.R.S. §§ 10-501, 10-504, 10-1507, 10-1510, 10-3501, 10-3504, 29-3115. If, for example, a lawsuit is filed against the corporation or LLC, the Statutory Agent will be the one who is served (receives the papers on behalf of the entity), and then the Statutory Agent should give the papers to the corporation or LLC. Note that the law requires that the corporation or LLC maintain a statutory agent with a valid address on the records of the Arizona Corporation Commission at all times, and the failure to do so will subject the corporation or LLC to being administratively dissolved. See A.R.S. §§ 10-1420, 10-11420, 29-3708. Official notices from the Arizona Corporation Commission will be sent to the statutory agent's address.

#### Who can be the Statutory Agent?

A Statutory Agent can be an individual, or an Arizona corporation or LLC, or a foreign corporation or LLC that is authorized to transact business in Arizona. A corporation or LLC cannot be its own Statutory Agent – it must appoint someone apart from itself. For example, the LLC can appoint one of its members or managers in his or her capacity as an individual as the statutory agent, but cannot appoint the LLC itself as the statutory agent.

A statutory agent for a limited liability company or registered foreign limited liability company must have a place of business or residence in this state. A statutory agent must be either an individual resident of this state, a domestic corporation, a limited liability company, a foreign corporation or a foreign limited liability company authorized to transact business in this state.

The statutory agent must accept the appointment in writing. The statutory agent can accept the appointment by completing and submitting the Statutory Agent Acceptance form M002 found on our website at: [www.ecorp.azcc.gov](http://www.ecorp.azcc.gov). If the statutory agent is an entity, an authorized agent of that entity can sign the acceptance. An authorized agent is anyone given authority to sign for that entity.

**Is the Acceptance form the same as an appointment?** No. Use a Statement of Change form to appoint a new statutory agent. Forms are available on our website at this link: [www.ecorp.azcc.gov](http://www.ecorp.azcc.gov)

#### Who can sign the Acceptance form?

Only the statutory agent that has been appointed can sign the form. If an individual has been appointed, that individual will sign the form. If an entity has been appointed as statutory agent, then an authorized agent for that entity will sign the form. An authorized agent is anyone given authority to sign for that entity.

#### Who can submit the Acceptance form?

Once the Acceptance is signed by the statutory agent, anyone can submit the form to the A.C.C. It is strongly recommended, however, that the Acceptance be submitted simultaneously with whatever other document makes the appointment to ensure accurate processing of both documents.

**Filing fee.** There is no filing fee. If the Acceptance is submitted separately from the document making the appointment (not recommended), the Acceptance can be independently expedited.

For Expedited processing, add \$35.00.

For Two-Hour Service, add \$400.00.

For Same Day Service, add \$200.00.

For Next Day Service, add \$100.00.

For questions, contact our Call Center at 602-542-3026. All fees are nonrefundable. See A.R.S. §§ 10-122, 10-3122 and 29-3213.

**Processing time.** Processing times are posted on the A.C.C. website each Monday at [www.ecorp.azcc.gov](http://www.ecorp.azcc.gov)

For expedited (faster) processing, payment of the expedite fee plus payment of the filing fee must be submitted. See A.R.S. §§ 10-122, 10-3122 and 29-3213.

The expedite fee is \$35.00. See Decision No. 68008, July 22, 2005, Docket No. AC-00000A-05-0488.

Same Day/Next Day Service fees, See Decision No. 77503, December 17, 2019, as amended on January 15, 2020. Docket No. ACC-00000A-19-0213.

## Instructions

**Number 1.** List the exact name of the corporation or LLC as shown in the records of the Arizona Corporation Commission, including exact spelling, punctuation, and the corporation or LLC identifier such as Inc., Incorporated, Limited Liability Company or LLC, etc.

**Number 2.** List the exact name of the statutory agent as appointed by the entity. If the entity appointed an individual as statutory agent, list the name of that individual. If the entity appointed an existing corporation or LLC as the statutory agent, list the name of the corporation or LLC. The Acceptance may be rejected if the statutory agent name does not match exactly the name of the appointed statutory agent.

## Signature and Verification

The Statutory Agent Acceptance may be signed only by the appointed statutory agent. If the appointed statutory agent is an individual, that individual must sign. If the appointed statutory agent is an entity, then an authorized agent of that entity must sign. An authorized agent is anyone given authority to sign for that entity.

The document is submitted under penalty of law, and the "I accept" box must be checked.

Sign on the signature line in the Signature section. Print the name of the individual signing next to the signature. Fill in the date. Check the appropriate box underneath the signature line to indicate the capacity of the signer.

## Submit the document

It is strongly recommended that the Statutory Agent Acceptance form be submitted at the same time as the document making the appointment to ensure accurate processing of both documents.

**Cover Sheet.** All documents must be submitted with a Cover Sheet. Forms are available on our website at this link: [www.ecorp.azcc.gov](http://www.ecorp.azcc.gov)

**By Mail.** Mail the completed paper document, cover sheet, and payment (see below for payment information) to:  
Arizona Corporation Commission  
Corporations Division - Examination Section  
1300 W. Washington St.  
Phoenix, Arizona 85007

**In Person.** Deliver the completed document, cover sheet, and payment (see below for payment information) to:  
Arizona Corporation Commission  
Corporations Division - Examination Section  
1300 W. Washington St.  
Phoenix, Arizona 85007

## Payment Methods

**Credit card.** If submitting the document in person, payment by credit card is acceptable. Credit cards cannot be used if submitting by mail. The Arizona Corporation Commission accepts only Visa or MasterCard.

**Check.** If submitting the document by mail or in person, payment by check is acceptable. Checks must be made payable to "Arizona Corporation Commission," with all words spelled out and no abbreviations. Checks must be completely and properly filled out, including the amount sections. We will not accept checks drawn on non-U.S. banks.

**Money order.** If submitting the document by mail or in person, payment by money order is acceptable.

**Cash.** If submitting the document in person, cash payments are acceptable at the Phoenix office ONLY (Tucson does not accept cash). Do not mail cash. NOTE: No bills larger than \$20.00 will be accepted.

## Questions

For questions, contact Customer Service at 602-542-3026, or, within Arizona only, 800-345-5819.