

## ASSUMED NAME BUSINESS ACT - 805 ILCS 405 Illinois Compiled Statutes

### Who must file?

Illinois law requires that individuals conducting or transacting a business under any name other than the real names of the owners must file an Assumed Name Certificate with the County Clerk in the county in which business is located. If the business will be incorporated, a corporation, or an LLC, file with the Illinois Secretary of State (217) 782-7880, not the County Clerk. For retail tax information, call (217) 524-4772.

### What is the procedure?

1. The **Assumed Name Certificate** must be completed with the name and physical address (not P.O. Box) of the business, the type of product or service you're offering, and the names and home addresses of all owners/partners in the business. All business owners/partners must sign the form in front of a Notary Public (which are available in our office). The certificate is then filed in the County Clerk's Office along with a \$10.00 filing fee, **no personal checks accepted**. At that time the Assumed Name Publication Notice will be issued to you.
2. The Assumed Name Publication Notice must be taken to a general circulation newspaper in Rock Island County. The Publication Notice is published once a week for three consecutive weeks. The first of the three filing notices must be published within 15 days of the initial filing of the Assumed Name Certificate.
3. After publishing, the newspaper completes the Publisher's Certificate, attaches a copy of the publication and mails a copy to the County Clerk's Office. The Publisher's Certificate must be received in the County Clerk's Office in order for the filing requirements to be complete. The Publisher's Certificate must be returned to the County Clerk's Office within 50 days from the date of filing.
4. After receipt of the Publisher's Certificate, the business will be mailed a Certificate of Ownership of Business. This will have completed all the Assumed Name filing requirements.

\*Note: Certification of registration will be considered **VOID** if the first of the three notices is not published within 15 days of the initial filing of the Assumed Name Certificate or proof of the publication is not provided within 50 days from the date of filing.

### What if there are changes in the business information?

If there is any change in the address, name of owner(s) or address, it is necessary to file a **Supplemental Assumed Name Certificate** with the County Clerk's Office, indicating the change. The filing fee for this is \$1.50, **no personal checks accepted**. Publication is again required if the change involves: adding owner(s) names to the business, closing the business, withdrawing owner(s) names when withdrawal involves 25% or more of the total ownership, or change of business address.

Most of these procedures can be accomplished by mail to the County Clerk's Office. If you have any questions, please call the Clerk's Office at (309) 558-3569.