



New Mexico

Secretary of State

Business Services Division

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REQUIREMENTS AND INSTRUCTIONS FOR INCORPORATING A NEW MEXICO NONPROFIT CORPORATION (53-8-30 TO 53-8-33 NMSA 1978)

FILING FEES: \$25. Payment of fees must be made by check or money order, made payable to the New Mexico Secretary of State.

FILING: The incorporator(s) of a corporation shall file with the Secretary of State:

- 1) The signed original of the Articles of Incorporation
- 2) The Statement of Acceptance of Designated Initial Registered Agent, signed by the registered agent
- 3) The \$25 filing fee.

EXECUTION OF DOCUMENTS: The Articles of Incorporation shall be executed (signed) by the person forming the corporation (the incorporator). The registered agent's statement shall be signed by the person designated in the articles as registered agent, if the agent is an individual, or, if the designated registered agent is a corporation, by an authorized officer of that entity.

NOTE: Please refer to the New Mexico Nonprofit Corporation Act (53-8-1 to 53-8-99, NMSA 1978) for the complete statutes governing a nonprofit corporation. The Business Services Division can only act in an administrative capacity. We cannot offer you legal advice or opinion on your particular filing. We recommend that you consult with your own attorney and accountant during the incorporation process.

INCLUDED IN THIS PACKET ARE INSTRUCTIONS FOR COMPLETING OUR FORMS. PLEASE FOLLOW THESE INSTRUCTIONS CAREFULLY.

Instructions For Completing Form DNP

(Articles of Incorporation)

Article One: Enter the complete corporate name. Please note that the official corporate name is determined from Article One, exactly as set forth including punctuation. A “dba” name or “aka” name cannot be included as part of the corporate name in Article One.

Article Two: If the corporation is to have a period of existence other than perpetual, enter the desired period of duration, upon which date corporate existence would automatically expire. If no entry is made, the duration is assumed to be perpetual.

Article Three: Enter a specific purpose for which the corporation is organized (i.e., the type of activities to be conducted or services to be performed).

Article Four: A New Mexico corporation must continually maintain a registered agent and registered office address. A registered agent must be either an individual resident of New Mexico, or a domestic profit or nonprofit corporation having a place of business in New Mexico, or a foreign profit or nonprofit corporation authorized to transact business in New Mexico and having a place of business in New Mexico. Filing corporation cannot be its own registered agent. (1) Enter the name of the registered agent, who must be located at the registered office address. (2) Enter the complete street and mailing address of the registered office located in New Mexico. If the registered office is outside a municipality where a street address does not exist, provide a description of the geographical location.

Article Five: A New Mexico nonprofit corporation is required to have no less than three directors. Enter the name and address of each director.

Article Six: Enter the name and address of each incorporator (the person or persons forming the corporation).

Date and Execution: Enter the date the document was executed (signed). Each person named as incorporator in Article Six must sign the Articles of Incorporation.

Instructions For Completing Form DNP-STMNT
(Statement for Registered Agent)

Individual as Registered Agent-Box 1

If the registered agent is an **individual** resident of New Mexico, enter the person's name on line 1, the corporation's name on line 2 and the registered agent's signature on line 3.

Corporation as Registered Agent-Box 2

If the registered agent is a **registered corporation** in New Mexico, enter the name and title of the person authorized to sign for the corporation on line 1, the name of the corporation acting as the registered agent on line 2, the nonprofit's name on line 3, and the signature of the corporation's authorized person on line 4.

Do not fill out both boxes, only the one that's applicable.