

# ASSUMED NAME INFORMATION FOR APPLICANT MOULTRIE COUNTY, ILLINOIS

805ILCS405/1

Assumed Name/ApplicantInfo

## ASSUMED NAME BUSINESS ACT

### 805 ILCS 405

*Illinois Compiled Statutes (405/1): No person or persons shall conduct or transact business in this State under an assumed name, or under any designation, name or style, corporate or otherwise, other than the real name or names of the individual or individuals conducting or transacting such business, unless such person or persons shall file in the office of the County Clerk of the County in which such person or persons conduct or transact or intend to conduct or transact such business, a certificate setting forth the name under which the business is, or is to be, conducted or transacted, and the true or real full name or names of the person or persons owning, conducting or transacting the same, with the post office address or addresses of such person or persons and every address where such business is, or is to be, conducted or transacted in the county.*

**Assumed Name Certificate of Ownership of Business:** If a person conducts or transacts business under any other name than the real name(s) of the individual(s), said person(s) must file in the office of the County Clerk of the County in which such business is conducted, an Assumed Name Certificate setting forth the name under which the business is, or is to be, conducted or transacted, and the true or real full name(s) of the person(s) owning, conducting or transacting same, with the post office address(es) of such person(s) and every address where such business is, or is to be conducted or transacted in the county. The Assumed Name Certificate is to be executed and acknowledged by all parties involved in conducting or intending to conduct the business. The Certificate must be filed with the Moultrie County Clerk, together with a \$5.00 filing fee.

**Publication Notice:** Upon receipt of the completed Assumed Name Certificate, the County Clerk will issue an "Assumed Name Publication Notice". Notice of the filing of said Assumed Name Certificate shall be published in a newspaper in general circulation (for one year past) within the county in which the Certificate is filed. Notice shall be published once a week for three (3) consecutive weeks. The first publication **must be within 15 days** after the Assumed Name Certificate is filed with the County Clerk. The three publications **must be completed within 50 days** from the date of filing the Assumed Name Certificate, or the entire filing if VOID. **It is your responsibility** to deliver the Publication Notice to the newspaper on a timely basis and to pay for the publications.

**Publisher's Certificate:** After the third (final) publication, the newspaper will forward to the County Clerk's office a "Publisher's Certificate". This Publisher's Certificate must be filed with the County Clerk's office within 50 days from the date of filing the original Assumed Name Certificate. If the Clerk does not receive the Publisher's Certificate within the 50 day time period, said Certificate shall be deemed void.

**Receipt for Proof of Publication of Notice of Ownership of Business:** Upon the County Clerk's office receiving the Publisher's Certificate a Receipt for Proof of Publication of Notice of Ownership of Business will be prepared for the applicant. This Receipt should be retained in your permanent files.

**Certificate of Ownership of Business:** At the time the County Clerk's office issues the Receipt for Proof of Publication, a "Certificate of Ownership of Business" will also be issued. This Certificate may be displayed or retained in your permanent files.

**Change/Addition/Withdrawal of Name(s) of Ownership:** It is your responsibility to report any changes within the business to County Clerk's office within 30 days of the change, at which time a Supplemental Certificate will be issued. If the addition or withdrawal of name constitutes 25% or more of total ownership, then notice of the change shall be published in the newspaper. This would only need to be published one time. For Change or Addition of Name , a \$5.00 filing fee shall be paid to the County Clerk's office; for Withdrawal of Name, a \$1.50 filing fee shall be paid to the County Clerk's office.

**Change of Address:** It is your responsibility to report any change of address, whether it be for the business or the owner's residence address change within 30 days of the change, at which time a Supplemental Certificate will be issued. There is no filing fee or publication needed.

**Change of Business Name:** If the business name changes, it is your responsibility to report the change to the County Clerk's office within 30 days. The previous business will need to be cancelled (as listed below) and the new name will be treated as a new application (as described in the first five steps above).

**Cancellation of Business:** Should you dissolve your business, it is your responsibility to report the cancellation to the County Clerk's office within 30 days, at which time a Business Registration Cancellation form will be prepared. There is no filing fee or publication needed.

**Contact Information:**

Georgia C. England, Moultrie County Clerk, 217.728.4389 [ctyclrk@moultrie.com](mailto:ctyclrk@moultrie.com)

Illinois Department of Revenue for your Tax ID number: 1.800.732.8866 [www.revenue.state.il.us](http://www.revenue.state.il.us)

Internal Revenue Service for information regarding FEIN Numbers:

General Info 1.800.829.1040 FEIN Info: 1.800.829.4933

Other Helpful Information – First Stop Business Center: 1.800.252.2923