

PUBLIC REGULATION COMMISSION
CORPORATIONS BUREAU
CHARTERED DOCUMENTS DIVISION
P.O. BOX 1269
SANTA FE, NEW MEXICO 87504-1269
(505) 827-4511

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

FILING FEES: Articles of Incorporation, \$25 (submit a signed original of the articles, together with a duplicate copy which may be either signed or photocopied; the duplicate copy and a Certificate of Incorporation will be returned for the corporation's records). *The following fees apply only if you want an additional copy or copies to be certified: \$10* per certified copy; if you do not provide the extra copy, a reproduction fee of **\$1** per page, minimum **\$5** is charged in addition to the \$10 certification fee. Payment of fees must be made by **check or money order**, made payable to the New Mexico Public Regulation Commission (NMPRC). The PRC does not accept cash payment for any fees.

FORMATION: One or more persons may act as incorporator or incorporators of a corporation by signing and delivering in duplicate to the commission Articles of Incorporation. The person forming the corporation need not be an officer or director of the corporation.

FILING: The incorporator(s) of a corporation shall file with the commission: **(1) the signed original of the Articles of Incorporation, together with a duplicate copy** which may be either signed or photocopied; **(2) a statement** signed by the registered agent acknowledging acceptance of that appointment; and **(3) \$25** filing fee. If the commission determines that the documents delivered for filing conform with the provisions of the Nonprofit Corporation Act, it shall, when all required filing fees have been paid, retain the signed original in the files of the commission and return the duplicate together with a Certificate of Incorporation.

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.

BYLAWS: The commission does not file the corporation's bylaws. The bylaws in effect for the corporation shall be signed by two authorized officers of the corporation and shall be maintained at the corporation's principal office in New Mexico and shall be subject to inspection and copying by the public. If the most recently adopted bylaws are not so maintained, they shall be void. The corporation may charge a reasonable fee for copying its bylaws, not to exceed one dollar (\$1.00) per page.

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. A copy of the statutes can be obtained from this office at your request. The Corporations Bureau 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.**

Please visit our website at: www.nmprc.state.nm.us

DOCUMENTS MUST BE TYPED OR PRINTED LEGIBLY

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: Enter the desired period of existence of the corporation. This may be stated as “perpetual”, meaning the corporation will exist until the corporation chooses to dissolve, or as a specific period of time or date upon which the existence of the corporation would automatically expire.

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. The duty of the registered agent is to forward to the corporation any notice, process or demand that is served on the corporation. A registered agent must be either an individual resident of New Mexico, or a domestic corporation having a place of business in New Mexico, or a foreign 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 complete street 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. (2) Enter the name of the registered agent, who must be located at the registered office address.

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 D-STMNT (Statement for Registered Agent)

On line one, enter the printed name of the individual designated as registered agent, or, if a corporation is the registered agent, the name of the authorized officer who is signing for that corporation. Filing corporation cannot be its own registered agent.

On line two, enter the complete name of the corporation, exactly as it is stated in article one of the Articles of Incorporation.

If the registered agent named in the articles is an individual, that individual must sign the statement on the first signature line only. If the registered agent named in the articles is a corporation, only the next signature block must be used. The name of the corporation being appointed as registered agent must be entered, and an authorized officer of that corporation must sign on the “By____” line. *Use only the signature lines that apply. If the individual signature line is used, the other signature block must be left blank, and vice versa.*

**SUBMIT ORIGINAL AND A COPY
TYPE OR PRINT LEGIBLY**

**Nonprofit Corporation
ARTICLES OF INCORPORATION**

The undersigned, acting as incorporator(s) to form a corporation under the New Mexico Nonprofit Corporation Act, adopt the following Articles of Incorporation:

ARTICLE ONE: The name of the Corporation is: _____

ARTICLE TWO: The period of duration is: _____

ARTICLE THREE: The purpose for which the corporation is organized is: _____

ARTICLE FOUR:

(1) The New Mexico street address of the corporation's initial registered office is:

(P.O. Box is not acceptable. Provide a description of the geographical location if a street address does not exist)

(2) The name of the initial registered agent at the address of the initial registered office is:

ARTICLE FIVE: The names and addresses of the initial board of directors are: *(minimum number of directors required is three) (attach schedule if needed)*

NAME

ADDRESS

ARTICLE SIX: The name and address of each incorporator is: *(attach schedule if needed)*

NAME

ADDRESS

Dated: _____

Signature of Incorporator(s)
(each person named in Article Six must sign)

