

New Federal Reporting Requirement for Beneficial Ownership Information (BOI)

Beginning on January 1, 2024, many companies in the United States will have to report information to the Financial Crimes Enforcement Network (FinCEN) about their beneficial owners, i.e., the individuals who ultimately own or control such companies.

WHO NEEDS TO REPORT?

Your company may need to report information about its beneficial owners if it is:

1. A corporation, a limited liability company (LLC), or was otherwise created in the United States by filing a document with a secretary of state or any similar office under the law of a state or Indian tribe; or
2. A foreign company and was registered to do business in any U.S. state or Indian tribe by such a filing.

23 types of entities are exempt from the beneficial ownership information reporting requirements. Explore them at www.fincen.gov/boi or access FinCEN's [Small Entity Compliance Guide](#), featuring checklists for each exemption, to determine whether your company qualifies. Alternatively, contact an attorney at Koley Jessen P.C., L.L.O. for assistance in making this determination.

WHAT DO YOU NEED TO REPORT?

1. The entity's name
2. The entity's physical address
3. The entity's domestic state
4. The entity's TIN or EIN
5. The names and additional information of each "beneficial owner" of the entity

**If any of the above changes, you will be required to report those changes to FinCEN within 30 days.*

WHEN DO I NEED TO REPORT?

Reporting companies will have to report beneficial ownership information through FinCEN's website: <https://boiefiling.fincen.gov/fileboir>. A step-by-step tutorial of the process is available [here](#).

- If your company was created or registered prior to January 1, 2024, you will have until January 1, 2025 to report BOI.

If your company is created or registered on or after January 1, 2024, you must report BOI within 90 days of notice of creation (*note this will change to 30 days in 2025*)

- Any updates or corrections to beneficial ownership information that you previously filed with FinCEN must be submitted within 30 days.

WHO IS A BENEFICIAL OWNER?

The rule describes a "beneficial owner" as any individual who, directly or indirectly, owns or controls a company, meeting **at least one** of two criteria:

1. Owning or controlling at least 25% of the ownership interest of the reporting company; **or**
2. Exercising substantial control over the reporting company.

Additional information regarding beneficial owners is available at www.fincen.gov/boi.