

ASSUMED NAME CERTIFICATE

OVERVIEW

You may obtain more information about assumed names from the Texas Business and Commerce Code. For assumed name filing FAQ's, please refer to the [Texas Secretary of State](#).

The Texas Business and Commerce Code Chapter 71 requires, along with most banks, that businesses must file for an Assumed Name Certificate commonly known as "DBA (Doing Business As)". Depending on the type of business, this application will be done either with the County Clerk for each county in which business is to be conducted or with the Texas Secretary of State.

Effective September 1, 2019 the County Clerk no longer accepts Assumed Name submissions for a corporation, limited partnership, limited liability partnership, limited liability company (LLC), or foreign filing entity. During the 86th Legislative Session, [House Bill 3609](#) was passed which requires corporations to now file with the Texas Secretary of State.

If you need to file an assumed name associated with a protected or registered series, please contact the [Secretary of State](#) for assistance. ([SB 1523](#) and [SB 1514](#))

It is recommended that those starting a business should consider obtaining legal help to ensure that their interests are protected.

If your business is **unincorporated**, please continue reading the information below.

OWNERSHIP OF THE BUSINESS NAME

An Assumed Name Certificate is NOT a business license. If your business is located inside the city limits of a municipality, please reach out to that city hall regarding their local requirements.

In addition, an Assumed Name Certificate is NOT a Trademark, copyright or Right of Ownership for the business name. Duplicating a business name is discouraged but the County Clerk's office cannot prevent it. It is the sole responsibility of the business owner to protect the integrity of their business name.

Note: Business owners are required file a rendition for the year. You can contact the local County Appraisal District by phone or website as well as the Texas Comptroller for form 50-144. There are deadlines involved so timely submission is suggested.

Validity and Expiration

An Assumed Name certificate is good for 10 years from the date of filing. If you are still using the business name ten (10) years after your filing date, you must file a new certificate **before** the expiration date. Texas Business & Commerce Code § 71.151.

ASSUMED NAME APPLICATION PROCESS

STEP 1: SELECTING A NAME

Choose a name for your business then search the online records of the Harrison County Clerk to see if that name is in use. We do have available computers for public access in our Marshall office.

Note: The staff in the Harrison County Clerk's office is not allowed to do the search for you and cannot legally verify that a filing of a duplicate name has occurred or that your search methods produced accurate results. **SEARCH HERE:** [Search Assumed Names](#)

STEP 2: COMPLETING AND SUBMITTING THE APPLICATION FORM

Fill out the form completely and sign it in front of a notary. The Assumed name certificate filed at the county level must include original signatures of each person whose name is to be listed on the certificate. Once it has been completed, forms can be submitted for filing by mail or in person. At this time, there is no notary available in our office, so please have the document fully completed before arriving in person.

Filing Fees: \$23.00 + .50 per additional name

Additional Copies: \$1.00 per page (Plain Copy)
\$7.00 Certified Copy

ADDITIONAL INFORMATION

Waiver for Veterans

In 2017, the Texas Legislature waived some of the fees for filing Assumed Name certificates for military veterans as defined by Texas Occupations Code § 55.001 (persons who served on active duty and were discharged or released from active duty). You must present valid identification showing your active duty or veteran status to claim this waiver.

Change in your information?

If any of the information on the original certificate changes during the 10 year period of validity, then a notice of abandonment AND a new certificate application must be filed. Any incorrect or outdated information on the currently recorded certificate will remain until it expires at 10 years or the certificate holder files an abandonment.

Texas Business & Commerce Code § 71.152.

Notice of Abandonment

A notice of abandonment should be filed if the owner ceases to conduct business or render professional services under the assumed name stated in the certificate. The abandonment shall be filed in the same office as where the assumed name certificate was originally filed along with the appropriate fees. *Texas Business & Commerce Code § 71.153.*

The County Clerk staff does not notarize, provide legal advice or opinions.

The staff of the County Clerk's Office are legally forbidden from offering legal advice or opinion, nor can a specific law office be recommended. *Texas Local Government Code § 81.101*


Harrison County Clerk

Helpful Contact Information:

Harrison TX Appraisal District: <https://harrisoncad.net/forms/>

Texas Economic Development: <https://gov.texas.gov/business>

State Comptroller: www.comptroller.texas.gov
800-531-5441

For an Employer's ID#, go to: <http://www.texasworkforce.org>

Small Business Helpline
800-829-4933

Additional information about starting a business may be found at the Texas Secretary of State's website on how to start a business: <https://www.sos.state.tx.us/corp/business-startup.shtml>