

FBT

KANSAS SECRETARY OF STATE
**Foreign (non-Kansas) Business Trust
Application**

INSTRUCTIONS FOR FILING FOREIGN BUSINESS TRUST APPLICATION

**SUBMIT THE DOCUMENTS
WITHOUT THIS PAGE**

Note: All documents filed by the Secretary of State's office are considered public record and may be viewable online.

How to complete the Foreign (non-Kansas) Business Trust Application:

Before proceeding, a copy of the trust instrument will need to be submitted with the business trust application. The application can't be accepted without the trust instrument.

Each of the numbered instructions below corresponds to a section on the form.

1. Provide the name of the business trust.

The name of the business trust on the application must be identical to the name of the business trust as it appears on the copy of the trust instrument.

Check to see if the name of the business is in use by any other business already registered with our office online at <https://www.sos.ks.gov/eforms/BusinessEntity/NameAvailability.aspx>.

If the name is currently in use, either a Consent to Use of Similar Business Name or a letter advertising must be submitted with the formation document.

Consent to Use of Similar Business Name: Pursuant to K.S.A. 17-7918, the business may submit a Consent to Use of Similar Business name (Form CN), completed by the business registered with the Secretary of State's office, found at https://www.sos.ks.gov/forms/business_services/CN.pdf.

Letter of advertising: Pursuant to K.S.A. 17-7933, a letter of advertising must indicate that the business, in all means of identification and advertising, will identify as a business out of their foreign (non-Kansas) state or country. If the current business is domesticated in the same foreign state or country, a letter of advertising cannot be used and a Consent to Use of Similar Business Name from the current business must be provided.

2. Provide the jurisdiction where the business organized. This must be either a U.S. state, U.S. territory, or foreign country.

3. Provide the name of the resident agent.

Resident agent: This is either an individual or a business registered in Kansas (may be the business the business trust application is for) who will receive any legal documents (e.g., subpoenas, court orders, summons, etc.) for the business named in section 1. If the resident agent is a business, search for the legal name of the business at <https://www.sos.ks.gov/eforms/BusinessEntity/Search.aspx>.

4. Provide the registered office for the resident agent.

Registered office: Must be an address in Kansas where the resident agent may be regularly present. The address must include the building number, street, city, state, and zip code. This can't be a PO box.

5. Provide the date the business began doing business in Kansas. This field may be left blank if this date would be the date the application is filed with the Kansas Secretary of State's Office. This date determines if information reports must be filed with the business trust application.

Information report: This is a document that is filed every two years to maintain good standing with the Kansas Secretary of State. If an even year was entered in section 6, the information report would have been filed every following even year, and if an odd year was entered in section 6, the information report would have been filed every following odd year. Each of the information reports that have not been filed up to the last 10 years must be submitted with the business trust application.

6. Provide the names and addresses of each of the trustees.

7. The irrevocable consent to service of process must be signed by every trustee of the business trust. An attachment may be provided if more space is needed.

8. A signature from a trustee must certify that the resolution is a true and correct copy of the original.

9. The business trust application must be signed by an authorized person for the business entity.

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Fee Schedule

Business Trust Application

The filing fee for the Business Trust application is as follows:

Business Trust Application:..... \$65

A one-time penalty fee of \$85 must be submitted if one or more information reports are being filed after the entity's forfeiture date. Forfeiture dates are 3 months after the end of the reporting period.

If information reports are being submitted, the filing fee for each must also accompany the information reports. The filing fee for a business trust information report is as follows:

Business Trust: **IBT** \$110

For more information, go to <https://www.sos.ks.gov/businesses/information-reports.html>.

Mail to:

Kansas Secretary of State
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka KS 66612

Checks and credit/debit cards are accepted for payment. Once processing the Business Trust Application is completed, a certified copy of the Business Trust Application will be mailed to the address of the sender.

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Kansas Attorney General Notice

Effective July 1, 2025, it is required for businesses or individuals owning or acquiring any interest in real property located within 100 miles of the boundary of any military installation located in Kansas, Nebraska, Colorado, Oklahoma, Iowa, and Texas to register said interest with the Kansas Attorney General's Office.

The following are subject to this requirement:

The government, any political party or subdivision, any corporate entity, any agent, or any citizen of the following:

- People's Republic of China (including the Hong Kong special administrative region)
- Republic of Cuba
- Islamic Republic of Iran
- Democratic People's Republic of Korea
- Russian Federation
- Bolivarian Republic of Venezuela
- Any organization that is designated as a foreign terrorist organization

This includes any individual having a controlling interest in any company formed for the purpose of holding interest in real property on behalf of any of the foregoing.

Any of the above businesses or individuals owning an interest in real property described above must submit the Foreign Principal Real Property Interest Registration Form found on the Attorney General's website at <https://www.ag.ks.gov> to the Kansas Attorney General on or before 90 days of either registering with the Kansas Secretary of State or upon acquisition of the real property.

Contact for Questions:

Kansas Attorney General
Public Protection Division
(785) 296-3751
cprotect@ag.ks.gov

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**COVER PAGE
FOREIGN BUSINESS TRUST
APPLICATION**

Note: The credit/debit card information will be destroyed upon the filing of the document.

Contact Information

Contact Person

Direct Phone Number for Contact Person

Payment Information

Credit/Debit Card Number

Expiration Date

Billing Zip Code

FBT**KANSAS SECRETARY OF STATE
Foreign (non-Kansas) Business Trust
Application**

Memorial Hall, 1st Floor
120 S.W. 10th Avenue
Topeka, KS 66612-1594

(785) 296-4564
kssos@ks.gov
<https://sos.ks.gov>

A copy of the trust instrument with all amendments must accompany the application.

1. Name of business trust:

Legal name registered in the foreign (non-Kansas) state or country.

(Do not include DBA, fictitious, assumed, or trade names)

2. State or foreign country of jurisdiction:**3. Name of resident agent:**

Must be an individual, the business named in section 1, or a business already registered with our office. **Do not leave blank.**

4. Registered office in Kansas for the resident agent:

Must be a street, rural route, or highway. **A PO box is unacceptable.**

Street Address (A PO Box is unacceptable)

City

State

Zip

KS

5. Date the business trust began doing business in Kansas:

Month

Day

Year

Provide a date only if this date is in the past. Otherwise leave blank.

6. Name and mailing address of trustees:

Name

Address

City

State

Zip

Country

Do not leave blank.

Name

Address

City

State

Zip

Country

If additional space is needed, please provide attachment.

7. Irrevocable Consent

This business trust hereby irrevocably consents that actions may be commenced against it in the proper court of any county where there is proper venue by the service of process on the secretary of state as provided for in K.S.A. 60-304, and amendments thereto, and stipulates and agrees that such service shall be taken and held, in all courts, to be as valid and binding as if due service had been made upon the governors of the foreign covered entity;

Signature(s) of Trustee(s) (All trustees must sign consent)

X	X
X	X
X	X

8. I certify that this resolution is a true and correct copy of the resolution adopted by the trustees.

Signature of Trustee

X

9. I declare under penalty of perjury pursuant to the laws of the state of Kansas that the foregoing is true and correct.

Signature of Authorized Person

X