

How to Form an LLC in South Dakota Yourself (2026 Costs and Steps)

A free step-by-step guide from BusinessOwner.com. State information verified from official sources on September 15, 2026.

Quick answer

The total state cost to file online is \$150 with the South Dakota Secretary of State, Division of Business Services. You can [file online](#). Online filings are processed immediately, while new paper filings are processed within 1-3 business days on average.

Step 1: Check that your LLC name is available

Search the South Dakota Secretary of State's business name records before filing to ensure your desired name is available.

Step 2: Choose a registered agent

You may serve as your own registered agent if you are an individual who resides in South Dakota with both a physical and a mailing address in the state. The form asks for an actual street address in this state. The 'office holder' agent option does not apply to LLCs.

Step 3: File your Articles of Organization (Domestic Limited Liability Company)

Submit the Articles of Organization (Domestic Limited Liability Company) to the South Dakota Secretary of State, Division of Business Services. The filing fee is \$150 if you file online. If you file by mail, the fee is \$165. Online filings are processed immediately. Paper filings are processed within 1-3 business days on average.

Step 4: Create an operating agreement

Create an operating agreement to outline ownership, roles, voting procedures, and what happens if a member leaves. This document covers the internal management of your LLC.

Step 5: Get your EIN from the IRS

Get your Employer Identification Number (EIN) from the IRS for free at <https://www.irs.gov/ein>.

Step 6: Keep your LLC in good standing

File an Annual Report each year by the 1st day of the anniversary month of your initial filing. The fee is \$55 if filed online or \$70 on paper, which includes a \$15 paper filing fee. You may file up to 2 months early. Reports not filed within 2 months after the due date become delinquent and incur a \$55 late fee. South Dakota imposes no corporate income tax, and no LLC franchise or minimum tax appears on the Department of Revenue's business tax list.

Frequently asked questions

How much does it cost to file an LLC in South Dakota?

The filing fee is \$150 online and \$165 by mail. The total state cost to file online is \$150.

When is the annual report due?

The Annual Report is due on the 1st day of the anniversary month of your initial filing each year. You may file up to 2 months early.

What happens if I miss the annual report deadline?

Reports not filed within 2 months after the due date become delinquent and incur a \$55 late fee.

Can I file my LLC formation documents by mail?

Yes, you can file by mail. The filing fee is \$165. New paper filings are processed within 1-3 business days on average.

Does South Dakota have an LLC franchise tax?

South Dakota imposes no corporate income tax, and no LLC franchise or minimum tax appears on the Department of Revenue's business tax list.

Want us to file it for you? \$249 plus state fees.

Want the whole business set up? Book a call with BusinessOwner.com.

Sources

Official sources, last verified September 15, 2026:

- [sosenterprise.sd.gov: RegistrationInstr.aspx](https://sosenterprise.sd.gov/RegistrationInstr.aspx)
<https://sosenterprise.sd.gov/BusinessServices/Business/RegistrationInstr.aspx>
- [General Information: South Dakota Secretary of State](https://sdsos.gov/general-information/filing-fees.aspx)
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- [Corporations: South Dakota Secretary of State](#)

<https://sdsos.gov/Business-Services/corporations/corporate-forms/limited-liability-companies.aspx>

- [sdsos.gov: domesticllcannualreport20250701.pdf](https://sdsos.gov/docs/business/domesticllcannualreport20250701.pdf)

<https://sdsos.gov/docs/business/domesticllcannualreport20250701.pdf>

- [Taxes | South Dakota Department of Revenue](https://dor.sd.gov/businesses/taxes/)

<https://dor.sd.gov/businesses/taxes/>

- [IRS: Get an employer identification number](https://www.irs.gov/ein)

<https://www.irs.gov/ein>

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