

How to Form an LLC in Texas 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 cost to file is \$300 through the Texas Secretary of State at <https://www.sos.state.tx.us/corp/sosda/index.shtml>. You may pay with a credit card, which adds a 2.7% convenience fee, or avoid that fee by using a check, money order, or a prefunded SOSDirect client account.

Step 1: Check that your LLC name is available

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

Step 2: Choose a registered agent

You must designate a registered agent who can receive legal documents on behalf of the LLC. A member or owner may serve as the registered agent if they are an individual Texas resident; the LLC itself cannot be its own agent. The registered office must be a physical Texas street address where the agent can be personally served during normal business hours, not solely a mailbox or telephone answering service. The agent must consent to the role.

Step 3: File your Certificate of Formation - Limited Liability Company (Form 205)

File the Certificate of Formation - Limited Liability Company (Form 205) with the Texas Secretary of State. The filing fee is \$300 whether you file online or by mail. If you pay by credit card, a statutory convenience fee of 2.7% of total fees applies. You can avoid this fee by paying with a check, money order, or a prefunded SOSDirect client account.

Step 4: Create an operating agreement

Create an operating agreement to outline the ownership structure, member roles, voting rights, and procedures for when a member leaves the LLC. This document governs the internal operations of your LLC.

Step 5: Get your EIN from the IRS

Obtain an Employer Identification Number (EIN) from the IRS. The EIN is free from the IRS. You

can apply at <https://www.irs.gov/ein>.

Step 6: Keep your LLC in good standing

LLCs in Texas do not file annual reports with the Secretary of State. Instead, you must file annually with the Texas Comptroller of Public Accounts. The required filing is the Franchise Tax Report / Public Information Report (Texas Comptroller of Public Accounts), due by May 15 each year (or the next business day if a weekend or holiday).

The Texas Franchise Tax applies to each taxable entity formed in Texas. There is no minimum tax. An entity with annualized total revenue at or below the No Tax Due Threshold (\$2,650,000 for 2026 and 2027 reports) owes no tax and files only a Public Information Report or Ownership Information Report. The report itself carries no filing fee.

Frequently asked questions

How much does it cost to form an LLC in Texas?

The total state cost to file online is \$300. If you pay by credit card, a 2.7% convenience fee applies.

Do I need to publish notice of my LLC formation in Texas?

No notice publication is required; the old newspaper-publication requirement was repealed in 2003.

What happens if my LLC revenue is below the tax threshold?

An entity with annualized total revenue at or below the No Tax Due Threshold (\$2,650,000 for 2026 and 2027 reports) owes no tax and files only a Public Information Report or Ownership Information Report.

Can I serve as my own registered agent in Texas?

A member or owner may serve as registered agent if they are an individual Texas resident. The LLC itself cannot be its own agent.

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:

- [SOSDirect - An Online Business Service from the Office of the Secretary of State](https://www.sos.state.tx.us/corp/sosda/index.shtml)
<https://www.sos.state.tx.us/corp/sosda/index.shtml>

- [Index: FAQ & Help](https://direct.sos.state.tx.us/help/help-corp.asp?pg=fee)
<https://direct.sos.state.tx.us/help/help-corp.asp?pg=fee>
- [Form 205 Instructions for Certificate of Formation Limited Liability Company](https://www.sos.state.tx.us/corp/instructions/205.shtml)
<https://www.sos.state.tx.us/corp/instructions/205.shtml>
- [Business and Nonprofit Forms](https://www.sos.state.tx.us/corp/forms_boc.shtml)
https://www.sos.state.tx.us/corp/forms_boc.shtml
- [Formation of Texas Entities FAQs](https://www.sos.state.tx.us/corp/formationfaqs.shtml)
<https://www.sos.state.tx.us/corp/formationfaqs.shtml>
- [Filing & Other General FAQs](https://www.sos.state.tx.us/corp/filingandothergeneralfaqs.shtml)
<https://www.sos.state.tx.us/corp/filingandothergeneralfaqs.shtml>
- [Texas Express Expedited Business Filings | Texas Secretary of State](https://www.sos.state.tx.us/express.shtml)
<https://www.sos.state.tx.us/express.shtml>
- [Filing Options](https://www.sos.state.tx.us/corp/options.shtml)
<https://www.sos.state.tx.us/corp/options.shtml>
- [Registered Agents FAQs](https://www.sos.state.tx.us/corp/registeredagentfaqs.shtml)
<https://www.sos.state.tx.us/corp/registeredagentfaqs.shtml>
- [Franchise Tax](https://comptroller.texas.gov/taxes/franchise/)
<https://comptroller.texas.gov/taxes/franchise/>
- [NO TAX DUE REPORTING FOR REPORT YEAR 2024 AND LATER](https://comptroller.texas.gov/taxes/franchise/ntd-rpt-updates-2024.php)
<https://comptroller.texas.gov/taxes/franchise/ntd-rpt-updates-2024.php>
- [Business Services](https://www.sos.state.tx.us/corp/index.shtml)
<https://www.sos.state.tx.us/corp/index.shtml>
- [IRS: Get an employer identification number](https://www.irs.gov/ein)
<https://www.irs.gov/ein>

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