



TRELLIS

Trellis Legal, LLC

5149 Butler St., Suite 300, Pittsburgh, PA 15201

[www.Trellispgh.com](http://www.Trellispgh.com)

## Makin' Moves: Moving Your Company's Home Base Should I? Can I? How Do I?

***DISCLAIMER: This outline is a general guide. Be sure to contact an attorney if you have questions or specific issues that need to be addressed.***

Whether you're looking to pick up and move your business's home base to another state or expand its reach into new territory, the process of business registration requirements around relocation can be cumbersome. This resource includes a few considerations and steps to make sure you follow when moving across state lines.

---

### 1. Decide what makes sense for your business and structure

It's important to analyze your current legal structure and determine which structure and process makes the most sense based on your business, industry, location, and more. There are also many factors and angles to approach what makes the most sense from a business (and life!) perspective: taxes and financial impact, regulatory environment, labor/talent availability as well as availability of other resources, long-term business strategy, and more.

Will you reincorporate or [domesticate in the new state](#)? Register as a foreign entity instead and keep the existing 'home state'? Will you merge into a new entity? Each option has legal and tax implications so it's important to engage with an attorney and an accountant to help you understand the requirements, risks, and procedures.

### 2. Check what type of business move changes are even *allowed* in your previous state AND your new state. (Numbers 1 and 2 here tend to happen at once.)

The state in which your business has its "home" is most often where it was formed and/or founded, and it's legally referred to as a domicile (its state of incorporation or registration), even if its main office or primary place of operations is elsewhere.

Because business law is an operation of state law, what moving your businesses' domicile looks like, and the steps involved depends on where you're coming from and where you're going, and every state's laws, guidelines, and processes differ from state to state. **Foreign registration** and **domestication** are two different types of entity changes or filings related to bringing a new state into your business practice, whether it's changing that domicile (the state of incorporation) or adding a location to do business. See some steps for each below:

©2026 Trellis Legal, LLC. This is not an exhaustive list of legal needs or contract considerations but rather a few common terms and issues. This is drafted by a Pennsylvania attorney. If you are out of state, please ensure you speak with an attorney in your state. Trellis Legal resources are provided free of charge as informational. They do not constitute specific legal advice or create an attorney-client relationship. If you have specific questions about how you should use the resource or about your unique situation, please speak with an attorney.

- a. **Domestication.** The process of **domesticating** a business means moving its domicile from one state to another. If you determine that domesticating your business in a new state is the appropriate course of action, you must follow the guidelines of **both** the current state of domicile as well as the new state of domicile:
- i. **Confirm both states allow domestication.** A handful of states have specific procedures in effect, and some do not allow the business to be domesticated out but do allow for domestication in. If one state does not allow it, you may need to do a different form of move, such as a merger, close one business and start anew, or a foreign registration.
  - ii. **Get owner/decisionmaker approval.** If allowed in both states, you want to confirm your operating agreement or bylaws allow it and get board, shareholder and/or member approval as applicable. Document this with a formal resolution.
  - iii. **Prepare a plan of domestication.** Some states require this to be filed with your registration documents. In either case, it is good to have the formal documentation of ownership changes, current state and new state, and the laws you intend to be subject to under the new plan.
  - iv. File required documents with the states. Depending on the states, the order of this depends.
  - v. **Work with your accountant** as well to make sure there isn't anything additional involved in state and federal tax/revenue IDs and licensures.
- b. **Foreign Registration.** Businesses can only have one domicile, however, they can of course do business all over the US. Under foreign registration, your company will be legally authorized and registered to do business in another state (called a foreign state, even though it's still within the US), but its domicile will remain the same. Not all companies even have their corporate headquarters in the same state as their state of incorporation/organization.
- i. Generally, if you are going to do business, including hiring employees who live in other states or opening offices, outside the borders of your business' domicile, you may need to **register your business as a foreign entity**. This registration depends on the type of business you'll be conducting and the state where it will take place. Each state has its own laws that define what "doing business" is and is not, and whether such scenarios would warrant foreign registration.
  - ii. [Pennsylvania law mandates](#) foreign registration for doing business, and defines specific scenarios that do not constitute doing business. For example, holding an internal meeting, maintaining a bank account, or owning real estate merely for investment purposes (without other activities) do not specifically count. In some states, like PA, registering as a foreign entity does mean you consent to being sued in that state's court (even if you hadn't in any other way), so it's important to work with an attorney to understand what the risks of this are and if it's truly necessary.
  - iii. **To register as a foreign entity, you typically need to**
    1. Ensure the name of your business is distinguishable from other entities named/registered in the state. If it is not available, the state will likely have guidelines for what to do and what to call the business there.
    2. File a foreign registration statement with the help of an attorney.

