

Quick Reference Guide: Future File Date & Future Effective Date

FUTURE FILE DATE		
A Future File Date is allowed for the following business entity types:		
Domestic Corporations Out of State Corporations	Excluding: Certificate of Correction, Statement of Information, Certificate of Ratification	Codes: 110(a), 119
Domestic Limited Liability Companies Out of State Limited Liability Companies	Excluding: Certificate of Correction	Code: 17702.10
A Future File Date is NOT allowed for the following business entity types:	Domestic Limited Partnerships Out of State Limited Partnerships General Partnerships Limited Liability Partnerships Unincorporated Associations	
FUTURE EFFECTIVE DATE		
A Future Effective Date is allowed for the following business entity types:		
Domestic Corporations	Excluding: Articles of Incorporation, Conversions, Certificate of Correction	Code: 110(a)
Out of State Corporations	Excluding: Conversions, Certificate of Correction	Code: 110(a)
Domestic Limited Liability Companies	Excluding: Articles of Incorporation, Certificate of Correction Statement of Information	Codes: 17702.05(c), 17701.14
Out of State Limited Liability Companies	Excluding: Certificate of Correction, Statement of Information	Codes: 17702.05(c), 17701.14
Domestic Limited Partnerships	Excluding: Certificate of Limited Partnership, Certificate of Correction Agent Resignation	Codes: 15902.06(b), 15902.02(f), 15902.01(c)
Out of State Limited Partnerships	Excluding: Application for Registration, Certificate of Correction Agent Resignation	Codes: 15902.06(b), 15902.02(f), 15902.01(c), 15909.04
Limited Liability Partnerships	N/A	Code: 16953(e)
For General Partnerships, a Future Effective Date is ONLY allowed for a Certificate of Merger.		Code: 16915(b)(4)
For Unincorporated Associations, a Future Effective Date is NOT allowed.		Code: N/A

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How can I submit a document with a Future File or Future Effective Date?

1. **Future File Date** – If it is your intent to file a document with a future file date pursuant to California Corporations Code section 110(a), the future file date will need to be set forth in an attachment to the document preferably with the name of the corporation and the following: Future File Date of <insert date>.

Example: Future File Date of January 1, 2024.

2. **Future Effective Date** – If it is your intent to file a document with a future effective date pursuant to California Corporations Code section 110(c), the future effective date will need to be set forth within the document or in an attachment to the document preferably with the name of the corporation and the following: Future Effective Date of <insert date>.

Example: Future Effective Date of January 1, 2024.

3. **For Free Form Future File Dates Expressed on an Attachment Separate From the Articles** - If it is your intent to file a document with a future file date pursuant to California Corporations Code section 110(a) and draft your own Articles of Incorporation, a future file date will need to be expressly set forth in the Articles of Incorporation (e.g., stated in Article I) using the following language: Future File Date of <insert date>.

Example: Future File Date of January 1, 2024.

Definitions

1. **File Date** – The stamped date of filing generally is the date a document conforming to law is received by the Secretary of State.
2. **Future File Date** – A request that a document be filed with a stamped date in the future of not more than 90 calendar days after receipt by the Secretary of State, as long as the document is received in the Secretary of State's office at least one business day prior to the requested date of filing.
Example: A document submitted on March 30 with a requested future file date of May 30 (60 days from March 30), will be reviewed, and, if conforming to applicable statutes, will be held until May 30, and will be stamped with the May 30 file date.
3. **Future Effective Date** – A request that a document receive the regularly applicable file date, generally the date received, but the changes to a record within the document are not effective until the stated future date in the document of not more than 90 calendar days from file date.

Example: A document submitted on March 30 with a requested future effective date of May 30 (60 days from March 30), will be reviewed, and, if conforming to applicable statutes, will be stamped with a March 30 file date AND will be stamped with an effective date of May 30.