



Division of Revenue and Enterprise Services

S Corporation Status

Corporations may elect to register in New Jersey as a Sub-Chapter S corporation. Since the S corporation status for federal purposes does not automatically flow through for New Jersey state purposes, you must apply for S corporation status in this state and receive approval of the election. Without this filing and approval, your filings in New Jersey will be considered as those of a standard C corporation with all the rates that apply to that designation.

The steps to apply for S Corp status in New Jersey are as follows:

- Apply for S corporation status with the [Internal Revenue Service](#)
- [Be fully registered](#) with the NJ Division of Revenue and Enterprise Services, and have a Certificate of Incorporation or a Certificate of Authority to do business in this State.
- File a New Jersey S Corporation Election [using the online SCORP application](#).

For the election to be in effect for the current tax year, the New Jersey S Corporation Election must be filed within 3 ½ months from the beginning of the fiscal year. For example, filing of the election for a fiscal period beginning July 1 must be done by October 15.

Every shareholder of the corporation must consent to this election. Out-of-state corporations must be authorized to do business in New Jersey.

Once an election is made and accepted, a corporation may remain a New Jersey S corporation as long as it is a Federal S corporation. To revoke an election, a letter of revocation must be filed with the NJ Division of Revenue and Enterprise Services, [using the online SCORP application](#), signed by all shareholders holding more than 50% of the outstanding shares of stock on the day of the revocation and filed with a copy of the original election form. The filing deadline for a letter of revocation is on or before the last day of the first tax year of the election.

- [S-Corp Frequently Asked Questions](#)