

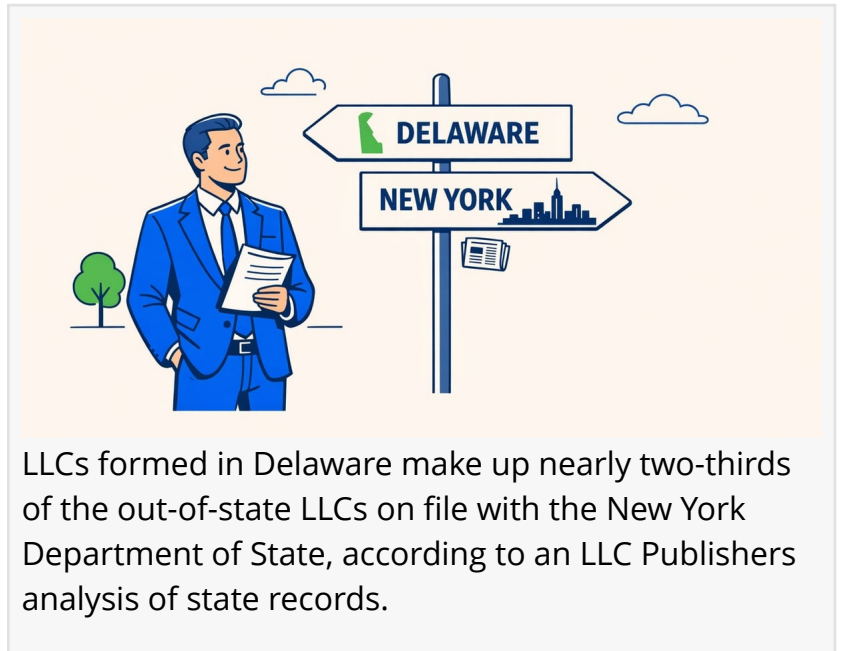
Delaware LLCs Are Nearly Two-Thirds of Out-of-State LLCs Registered in New York, State Records Show

113,670 of 176,065 foreign LLCs and PLLCs on file in New York were formed in Delaware. Section 802 publication notices state the jurisdiction of formation.

NEW YORK, NY, UNITED STATES,
September 21, 2026 /

EINPresswire.com/ -- An analysis of New York Department of State records by [LLC Publishers](#), a specialist New York LLC publication service operating across all 62 New York counties, finds that [LLCs formed in Delaware](#) make up nearly two-thirds of the out-of-state limited liability companies registered to do business in New York. As of

September 2, 2026, 113,670 of the 176,065 foreign limited liability companies and foreign professional service limited liability companies on file with the Department of State were formed in Delaware, or 64.56 percent, more than every other jurisdiction combined.



LLCs formed in Delaware make up nearly two-thirds of the out-of-state LLCs on file with the New York Department of State, according to an LLC Publishers analysis of state records.

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Owners of Delaware LLCs often ask whether New York publication applies to them, since Delaware has no publication step of its own. Section 802 does not distinguish by state of formation.”

Sandeep Arneja, Owner, LLC Publishers

A foreign LLC is one formed under the law of any jurisdiction other than New York, including another U.S. state. Section 802 of the New York Limited Liability Company Law provides that before doing business in New York, a foreign LLC shall apply to the Department of State for authority to do so. Section 802 then provides that within 120 days after the application for authority is filed, a copy of it or a notice containing its substance shall be published once in each week for six successive weeks in two newspapers of "the county within this state in which the office of the foreign limited liability company is located," one printed daily and one printed weekly,

designated by the county clerk. The state's application form notes that the company "is not required to have an actual physical office in New York State." Among the contents Section 802 lists for the notice are the jurisdiction and date of the company's formation. Section 1306 contains a parallel provision for foreign professional service LLCs.

New Jersey is the second most common jurisdiction of formation among foreign LLCs on file, at 12,127, or 6.89 percent. Florida follows with 6,511, Nevada with 3,958 and Connecticut with 3,810. All other jurisdictions together account for about 20.4 percent.

The Department of State also publishes related figures on the New York Open Data portal. The state's Active Corporations dataset, which counts only entities the state currently lists as active, showed 112,107 Delaware-formed entities among 175,141 foreign LLCs and foreign professional service LLCs in its September 21, 2026 update, or 64.0 percent. The state's All Filings dataset records 12,344 applications for authority filed by foreign LLCs and foreign professional service LLCs in 2025, of which 7,007 were filed by companies formed in Delaware.

Sandeep Arneja, owner of LLC Publishers, said:

"Owners of Delaware LLCs often ask whether New York publication applies to them, since Delaware has no publication step of its own. Section 802 does not distinguish by state of formation. The notice states where the company was formed, and the six weekly publications run the same way for a Delaware LLC as for an LLC formed in any other jurisdiction."

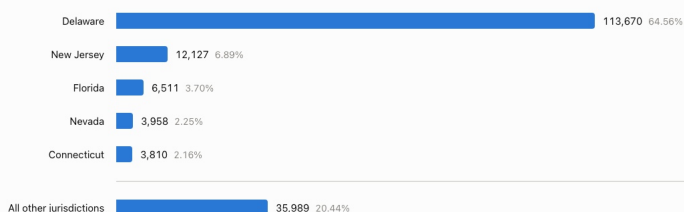
Section 802 provides that if proof of publication, consisting of the certificate of publication with the newspapers' affidavits of publication annexed, has not been filed with the Department of



LLC Publishers — New York LLC publication service handling newspaper placement, affidavits, and state filing across all 62 counties.

Where New York's foreign LLCs were formed

176,065 foreign LLCs and foreign PLLCs on file with the New York Department of State, by jurisdiction of formation, September 2026



Source: LLC Publishers analysis of New York Department of State records. The state's own Active Corporations dataset (data.ny.gov) gives Delaware 64.0%. LLC Publishers

Of 176,065 foreign LLCs and foreign PLLCs on file with the New York Department of State as of September 2, 2026, 113,670 (64.56 percent) were formed in Delaware, followed by New Jersey, Florida, Nevada and Connecticut.

State within 120 days after the application for authority is filed, the company's authority to carry on, conduct or transact business in New York is suspended as of the end of that period. The same paragraph states that neither the failure to publish nor the resulting suspension limits or impairs the validity of any contract or act of the company, or its right to defend any action or special proceeding in the state. It further provides that the suspension is annulled if the company later files proof of publication in substantial compliance with the paragraph's provisions other than the 120-day period.

The records also show that "Delaware" can refer to two different places on a New York filing. Delaware County is one of New York's 62 counties, and 153 of the Delaware-formed LLCs on file list Delaware County, New York, as their New York county.

The jurisdiction and county tables, updated daily, with the methodology, are published as a public dataset, [Delaware LLCs Registered to Do Business in New York](#).

Arneja added:

"Whether a particular company is doing business in New York, and so needs authority here in the first place, is a question for an attorney who knows the facts. The filing record describes the companies that have registered."

LLC Publishers (<https://www.llcpublishers.com>) is a specialist New York LLC publication service operating across all 62 New York counties. It is not a law firm and does not provide legal services or legal advice. Because it works in every county, it publishes the notice required by Section 206 in the county on each LLC's record and does not require a change of county in order to publish. For LLCs formed outside New York, it publishes the notice required by Section 802, or by Section 1306 for professional service LLCs. It handles newspaper placement, affidavit collection, and Certificate of Publication filing with the New York Department of State.

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