

State Securities Law, De Minimis Registration Exemption Summary

Background:

Most states offer State Registered Investment Advisors (RIA) an exemption from registering in the state if TWO conditions are met:

The RIA has fewer than SIX (6) clients in the state

AND

The RIA does not have a physical place of business in the state.

Below is a summary by state of various links to the state securities websites and their comments on their de minimis exemption (or lack thereof) for Investment Advisors and their Representatives.

State:	Exemption:	Relevant Link(s):
Alabama		
Alaska	Yes	http://www.dced.state.ak.us/bsc/deminimis.htm
Arizona	Yes	http://www.azleg.state.az.us/ars/44/03152.htm
Arkansas		
California	Yes	<broken>
Colorado	Yes	http://www.dora.state.co.us/securities/ialaw.htm
Connecticut	Yes	http://www.ct.gov/dob/cwp/view.asp?a=2251&q=299182
Delaware		
District of Columbia		
Florida	?	Not able to locate this link...
Georgia		
Hawaii		
Idaho	Yes	http://www3.state.id.us/cgi-bin/newidst?sctid=300140403.K
Illinois	Yes	http://www.ilga.gov/commission/jcar/admincode/014/014001300H08050R.html
Indiana	Yes	http://www.in.gov/sos/securities/2805.htm
Iowa		
Kansas		
Kentucky		
Louisiana		
Maine		
Maryland		
Massachusetts		
Michigan		
Minnesota		
Mississippi		
Missouri	Yes	http://www.sos.mo.gov/securities/licensing_faq.asp#faq7
Montana	Yes	http://data.opi.state.mt.us/BILLS/mca/30/10/30-10-201.htm
Nebraska	Yes	http://uniweb.legislature.ne.gov/legaldocs/view.php?page=s0811003000 Nebraska does not spell out the rule in their code, but acknowledges the federal de minimis rule for STATE registered RIAs. For Federally covered advisors, Nebraska does not have a de minimis exemption.

Nevada	Yes	http://law.onecle.com/nevada/business/90.340.html
New Hampshire	No	http://www.sos.nh.gov/securities/Investment%20Advisers%20under%20NH%20Law.pdf Some conflicting comments on the Internet regarding New Hampshire and the De Minimis provision, but from the New Hampshire State Government website, it appears that you must register separately in the State as an Investment Advisor Representative (IAR).
New Jersey		
New Mexico		
New York	Yes	<a 359-eee"="" href="http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS - Search ">http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS - Search "359-eee"
North Carolina	Yes	Registration and notice filing requirement. http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_78C.html
North Dakota		
Ohio	Yes	http://codes.ohio.gov/orc/1707.141
Oklahoma		
Oregon	Yes	http://www.cbs.state.or.us/dfcs/faqs/faq_pages/ia.html#727
Pennsylvania	Yes	http://www.psc.state.pa.us/forms/forms/pdf/notice.pdf
Rhode Island		
South Carolina		
South Dakota		
Tennessee		
Texas	No	http://www.ssb.state.tx.us/Dealer_And_Investment_Adviser_Registration/Frequently_Asked_Questions.php#twoA In Texas, registration as an RIA is not strictly required, but regular filings with the Texas securities authorities are needed which amounts to regulation.
Utah		
Vermont		
Virginia		
Washington	Yes	http://apps.leg.wa.gov/RCW/default.aspx?cite=21.20.040
West Virginia		
Wisconsin	Yes	http://www.wdfi.org/fi/securities/licensing/iaguide/DeMinimisExemption.htm
Wyoming	Yes	Wyoming has no securities regulation at the State level. Any Advisor that is based in Wyoming must register directly with the Securities and Exchange Commission (SEC).

Additional Links:

Investment Advisor Regulation Overview (SEC):
http://www.sec.gov/about/offices/oia/oia_investman/rplaze-042006.pdf

Disclaimer:

This document is **not** by any means intended to be an authoritative source on securities law and/or regulation. If you find any broken links or errors in this document, please [email me](#) and I will promptly work to update any errors.

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