

Small Business Notes

In this issue:

- **UPDATE: 12/27/24**
Federal Court Order Enjoins Corporate Transparency Act (CTA) Enforcement Again
- **UPDATE 12/23/24:**
Federal Court Reinstates Corporate Transparency Act (CTA) Enforcement
- Corporate Transparency Act (CTA) Enjoined Again; This Time Nationally

UPDATE 12/27/24: Federal Court Order Enjoins Corporate Transparency Act (CTA) Enforcement Again

Alert: December 27, 2024

Impact of Ongoing Litigation – Deadline Stay – Voluntary Submission Only

In light of a recent federal court order, reporting companies are not currently required to file beneficial ownership information with FinCEN and are not subject to liability if they fail to do so while the order remains in force. However, reporting companies may continue to voluntarily submit beneficial ownership information reports.

More information is available at [BOI | Beneficial Ownership Information](#).

UPDATE 12/23/24: Federal Court Reinstates Corporate Transparency Act Enforcement

On December 23, 2024 a federal appeals court reinstated the enforcement requirements of the Corporate Transparency Act that had been enjoined earlier in the month by a federal district court (see below).

The reporting requirements are back in place but with **new deadlines**:

- Businesses registered before January 1, 2024 now have until January 13, 2025 to report;
- Businesses registered after December 3, 2024 but before December 23, 2024 have an additional 21 days from the original requirement to file;
- Businesses created after January 1, 2025 have 90 days from creation to file.
- Businesses members of the National Small Business Association are not currently required to file (those businesses remain parties to the litigation on the constitutionality of the requirement to file).

Small Business Notes

Corporate Transparency Act (CTA) Enjoined Again; This Time Nationally

On December 3, 2024 the U.S. District Court for the Eastern District of Texas nationally enjoined operation of both the CTA's statute (31 U.S.C. 5336) and its regulations (31C.F.R. 1010.380) both injunctions to operate nationally and both to enjoin enforcing of the January 1, 2025 obligation for Reporting Companies under the CTA.

The case is *Top Cop Shop, et al, v. Garland* Civil Action No. 4:24-CV-478.

The 78 page order is an excellent history of the Act and the controversy surrounding it. Significantly the authoring judge stated in the order that "even in the face of the Deference the Court must give Congress, the CTA appears likely unconstitutional."

Past issues of Small Business Notes are available on the Department of Employment and Economic Development website at [Small Business Notes](#)



Department of Employment and Economic Development

180 E. 5th Street, Suite 1200, St. Paul, MN 55101

651-259-7114 | Toll Free: 800-657-3858 | Fax: 651-296-5287 | TTY/TDD: 651-282-5909 | [MN DEED](#)

An Equal Opportunity Employer and Service Provider