

States that allow professional employer organizations to obtain limited licenses and the parameters of those licenses

Submitted by National Association of Professional Employer Organizations, Oct. 13, 2017

Registration/Licensing/Certification State	Registration	Type of Act	Statute	Updated
Alabama	Yes	Registration	Alabama PEO Registration Act Section 25-14-5	2/22/2017
Alaska	No	Not Applicable		2/22/2017
Arizona	No	Not Applicable	PEO Licensing Act postponed until 2023	2/22/2017
Arkansas	Yes	Licensing	Arkansas PEO Act Section 23-92-401, et. seq.	2/22/2017
California	Yes	Registration	CAL. CODE Regs. tit. 8, §13633	2/22/2017
Colorado	Yes	Certification	Colorado Rev. Stat. 8-70-114(8)	2/22/2017
Connecticut	Yes	Registration	PEO Act, (Conn. Gen. Stat. 31-221c)	2/22/2017
Delaware	No	Not Applicable		2/22/2017

Florida	Yes	Licensing	Employee Leasing Act, (Fla. Stat. 468.524)	2/22/2017
Georgia	No	Not Applicable		2/22/2017
Hawaii	Yes	Registration	Haw. Rev. Stat. 373L-1 et seq.	2/23/2017
Idaho	No	Not Applicable	PEO Recognition Act, Idaho Labor Code 44-2401 et. al.	6/2/2017
Illinois	Yes	Registration	Employee Leasing Company Act, Ill. Comp. Stat. 215.113/20(a)	2/23/2017
Indiana	Yes	Registration	PEO Act, (Ind. Code 27-16-1-1 et seq.)	5/16/2017
Iowa	No	Not Applicable	Not Applicable	2/23/2017

Kansas	Yes	Registration	PEO Registration Act, (Kan. Stat. Ann. § 44-17-101 et seq.)	5/23/2017
Kentucky	Yes	Registration	Employee Leasing, (KY. Rev. Stat. Ann. 342.615)	2/23/2017
Louisiana	Yes	Registration	Professional Employer Organizations, (La. Stat. Ann. §22:1741 and 23:1761)	2/23/2017
Maine	Yes	Registration	Employee Leasing Companies Act, (Me. Rev. Stat. Ann. tit. 32, § 125- 14051 et seq.)	2/24/2017
Maryland	No	Not Applicable		2/24/2017
Massachusetts	No	Not Applicable		2/24/2017

Michigan	Yes	Licensing	PEO Act 370 of 2010, Mich. Stat. Ann. § 338.3721 et seq.	2/24/2017
Minnesota	Yes	Registration	Workers' Compensation Insurance, Lessors of Employees, Minn. Stat. Ann. § 79.255	2/24/2017
Mississippi	No	Not Applicable		2/24/2017
Missouri	No	Not Applicable		2/24/2017
Montana	Yes	Licensing	PEO Act, Mont. Code Ann. § 39-8-101 et seq.	7/31/2017
Nebraska	Yes	Registration	PEO Registration Act, Neb. Rev. Stat. §§ 48-2701 to 48- 2711	2/24/2017

Nevada	Yes	Registration	Employee Leasing Companies, Nev. Rev. Stat. §616B.6 70 et seq.	2/24/2017
New Hampshire	Yes	Licensing	Employee Leasing Companies, N.H. Rev. Stat. Ann. §277-B et seq.	2/24/2017
New Jersey	Yes	Registration	Employee Leasing Act, N.J. Stat. Ann. §34:8- 67, et. seq.	2/24/2017
New Mexico	Yes	Registration	Employee Leasing Act, N.M. Stat. Ann. §60-13A- 1, et seq.	2/24/2017

New York	Yes	Registration	Professional Employer Act, N.Y. Labor Law §31-915-924	2/24/2017
North Carolina	Yes	Licensing	North Carolina PEO Act, N.C. Gen. Stat. § 58-89A-1 et seq.	2/24/2017
North Dakota	Yes	Licensing	PEO Act, N.D. Cent. Code §43-55-01 et seq.	4/21/2017
Ohio	Yes	Registration	PEO Act, Ohio Rev. Code Ann. §4125.01 et seq.	2/24/2017

Oklahoma	Yes	Registration	PEO Recognition & Registration Act, Okla. Stat. Ann. tit. 40 §600.1 et seq. (See Chapter 16)	2/22/2017
Oregon	Yes	Licensing	Worker Leasing Companies, Or. Rev. Stat. Ann. §656.850 et seq.	2/24/2017
Pennsylvania	No	Not Applicable		2/24/2017
Rhode Island	Yes	Registration	2004 PEO Act, R.I. Gen. Laws § 5-75-1 et seq.	2/24/2017

South Carolina	Yes	Licensing	Regulation of Professional Employer Organizations, S.C. Code Ann. § 40-68-10 et. seq.	2/24/2017
South Dakota	No	Not Applicable		2/24/2017
Tennessee	Yes	Licensing	Tennessee Professional Employer Act, Tenn. Code Ann. § 62-43-101 et seq.	2/22/2017
Texas	Yes	Licensing	Professional Employer Organizations, Tex. (Labor) Code Ann. § 91.0012 et seq.	7/5/2017

Utah	Yes	Licensing	PEO Licensing Act, Utah Code Ann. §31A-40-101 et seq.	2/27/2017
Vermont	Yes	Licensing	Employee Leasing Companies, Vt. Stat. Ann. tit. 21, §1031-1043	4/27/2017
Virginia	Yes	Registration	Requirements for Registration as a PEO, Va. Code Ann. § 65.2-803.1	2/27/2017
Washington	No	Not Applicable		2/27/2017
Washington DC	No	Not Applicable		2/22/2017
West Virginia	Yes	Licensing	PEO Act, W. Va. Code Ann. § 33-46A-1 et seq.	2/27/2017

Regulation of Professional Employer Organizations, Wis. Stat. § 202.01 et seq.

Wisconsin Yes Registration 2/27/2017
Wyoming No Not Applicable 2/27/2017

De Minimis/Limited/Exempt Options

State	De Minimus Allowed	Type of Act	PEO must be domiciled outside State	Client must be domiciled outside State	Office can be maintained in State	Clients can be solicited in State	Worksite employee threshold	Registered in state with equivalent or greater requirements	Updated
Alabama	Yes	Limited	Yes	No	No	No	50	Yes	2/22/2017
Alaska	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable		Not Applicable	2/22/2017
Arizona	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable		Not Applicable	2/22/2017
Arkansas	Yes	Exempt	Yes	Not Applicable	No	No	100	Not Applicable	2/22/2017
California	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable		Not Applicable	2/22/2017
Colorado	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable		Not Applicable	2/22/2017
Connecticut	Yes	Limited	Yes	No	No	No	50	Yes	2/22/2017

Tennessee	Yes	Limited	Yes	No	No	No	50	Yes	2/22/2017
Texas	Yes	Limited	Yes	Yes	No	No	50	Not Applicable	7/5/2017
Utah	Yes	Limited	Yes	Not Applicable	No	No	50	Yes	2/27/2017
Vermont	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable		Not Applicable	4/27/2017
Virginia	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable		Not Applicable	2/27/2017
Washington	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable		Not Applicable	2/27/2017
Washington DC	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable		Not Applicable	2/22/2017
West Virginia	Yes	Limited	Yes	Yes	No	No	50	Yes	2/27/2017
Wisconsin	Yes	Limited	Yes	Yes	No	No	50	Yes	2/27/2017
Wyoming	No	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable		Not Applicable	2/27/2017

Fee Requirements

State	Application Fee	Renewal Fee	Licensing Fee	Limited App Fee	Limited Renewal Fee	Limited License Fee	Background Checks / Fingerprint Cards	Controlling Person Application Fee	Other Fee	Updated
Alabama	\$1,000	\$500	\$0	\$500	\$250	\$0	No			2/22/2017
Alaska							No			2/22/2017
Arizona							No			2/22/2017
Arkansas	\$1,000	\$1,000	\$0	\$100	\$100	\$0	No			2/22/2017
California	\$Varies	\$Varies	\$0				No			2/22/2017
Colorado	\$500	\$500	\$0	\$0	\$0	\$0	No	NA		2/22/2017
Connecticut	\$1,500	\$1,000	\$0	\$1,000	\$1,000	\$0	No			2/22/2017
Delaware	\$0	\$0	\$0	\$0	\$0	\$0	No			2/22/2017

								Fees vary for groups and time of year.	
Florida	\$250	\$900	\$1,500	\$250	\$250	Yes	\$107	Controlling Person License Fee:	2/22/2017
Georgia	\$0	\$0	\$0	\$0	\$0	No	\$106.75		2/22/2017
								Restoration fee:	
Hawaii	\$500	\$750	\$0	\$0	\$0	No	\$1,500		2/23/2017
Idaho	\$0	\$0	\$0	\$0	\$0	No	'0		6/2/2017
Illinois	\$1,000	\$1,000	\$0	\$0	\$0	No			2/23/2017
Indiana	\$500	\$250	\$0	\$250	\$250	No			5/16/2017
Iowa	\$0	\$0	\$0	\$0	\$0	No			2/23/2017
Kansas	\$1,000	\$500	\$0	\$500	\$500	No			5/23/2017
Kentucky	\$0	\$0	\$0	\$0	\$0	No			2/23/2017
Louisiana	\$500	\$300	\$0	\$0	\$0	No			2/23/2017
Maine	\$500	\$100	\$0	\$0	\$0	No			2/24/2017
Maryland	\$0	\$0	\$0	\$0	\$0	No			2/24/2017
Massachusetts	\$0	\$0	\$0	\$0	\$0	No			2/24/2017
				\$Variable depending upon month submitted	\$Variable depending upon month submitted				
Michigan						No			2/24/2017
Minnesota	\$100	\$0	\$0	\$0	\$0	No			2/24/2017
Mississippi	\$0	\$0	\$0	\$0	\$0	No			2/24/2017
Missouri	\$0	\$0	\$0	\$0	\$0	No			2/24/2017
Montana	\$750	\$750	\$0	\$500	\$500	Yes	\$27		7/31/2017
Nebraska	\$2,500	\$1,500	\$0	\$1,000	\$1,000	No			2/24/2017
Nevada	\$500	\$500	\$0	\$0	\$0	No			2/24/2017
New Hampshire	\$100	\$100	\$500	\$0	\$0	Yes	\$25		2/24/2017
New Jersey	\$0	\$0	\$0	\$0	\$0	No			2/24/2017
New Mexico	\$1,000	\$1,000	\$0	\$0	\$0	No			2/24/2017
New York	\$0.00	\$0.00	\$0	\$0.00	\$0.00	No			2/24/2017
North Carolina	\$1,000	\$1,000	\$0	\$1,000	\$0	Yes			2/24/2017
North Dakota	\$1,000	\$500	\$0	\$0	\$0	No			4/21/2017

Ohio	\$1,000 per PEO	\$250 per PEO	\$0	\$100	\$100	\$0	No		2/24/2017
				\$250 per PEO	\$250 per PEO				
Oklahoma	\$500 per PEO entity	\$250 per PEO entity	\$0	\$0	\$0	\$0	\$0	No	2/22/2017
Oregon	\$2,050 (2-year	\$2,050 (2-year	\$0	\$0	\$0	\$0	\$0	No	2/24/2017
Pennsylvania	\$0	\$0	\$0	\$0	\$0	\$0	\$0	No	2/24/2017
Rhode Island	\$500	\$250	\$0	\$0	\$0	\$0	\$0	No	2/24/2017
				\$200 for Individual PEOs and \$300 for PEO Groups	\$500 for Individual PEOs and \$1,000 for PEO Groups	\$Varies based on year and type of application.	\$Varies based on year and type of application.	Yes	
South Carolina	\$200 for Individual PEOs and \$300 for PEO Groups	\$1,500 for Individual PEOs and \$3,000 for PEO Groups	\$0	\$0	\$0	\$0	\$0	No	2/24/2017
South Dakota	\$0	\$0	\$0	\$0	\$0	\$0	\$0	No	2/24/2017
					\$500 for Individual PEOs and \$1,000 for PEO Groups	\$2,000 for Individual PEOs and \$2,000 for PEO Groups	\$500 for Individual PEOs and \$1,000 for PEO Groups	No	
Tennessee	\$250	\$250	\$100	\$100	\$100	\$100	\$100	No	2/22/2017
	\$300 for up to 249 employees, \$450 for up to 749 employees and \$700 for 750 or more employees	\$200 for up to 249 employees, \$450 for up to 749 employees and \$700 for 750 or more employees	\$Stated fees include \$150 application fee PLUS licensing fee	\$300	\$300	\$Stated fees include \$150 application fee PLUS licensing	\$Stated fees include \$150 application fee PLUS licensing	Yes	Change reporting or reinstatement may require additional fees.
Texas									7/5/2017
Utah	\$2,050	\$2,050	\$0	\$2,050	\$1,050	\$0	\$0	No	2/27/2017
Vermont	\$100 (plus licensing	\$1,000	\$1,000	\$0	\$0	\$0	\$0	No	4/27/2017
Virginia	\$0	\$Annual	\$0	\$0	\$0	\$0	\$0	No	2/27/2017
Washington	\$0	\$0	\$0	\$0	\$0	\$0	\$0	No	2/27/2017
Washington DC	\$0	\$0	\$0	\$0	\$0	\$0	\$0	No	2/22/2017
				\$200 per PEO	\$200 per PEO				
West Virginia	\$300 per PEO	\$300 per PEO	\$0	\$0	\$0	\$0	\$0	No	2/27/2017

Wisconsin	\$75 per PEO or	\$107 per PEO or	\$75 per	\$107 per			
Wyoming	PEO Group	PEO Group	PEO	PEO or			
	\$0	\$0	PEO Group	PEO Group	\$0 No		2/27/2017
			\$0	\$0	\$0 No		2/27/2017