AN ACT

ENTITLED, An Act to revise certain provisions regarding the registration of business names.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 37-11-1 be amended to read as follows:

37-11-1. Any person engaging in or conducting a business for profit in this state shall file a fictitious name statement unless one of the following apply:

(1) The name of the business plainly shows the true surname of each person interested in the business; or

(2) The name of the business is on file with the secretary of state in a required business filing.

Failure to file a required fictitious name statement is a Class 2 misdemeanor. The fictitious name statement shall include the name, post office address, and residence address of each person interested in the business and the address where the main office of the business is to be maintained. The fictitious name statement shall be electronically filed with the secretary of state, or filed in paper form with any register of deeds in the state. The filing shall be renewed every fifth year thereafter. A fee of ten dollars shall be paid with each new filing and renewal. The fee shall be retained by the filing office receiving the filing.

An Act to revise certain provisions regarding the registration of business names.

I certify that the attached Act originated in the

HOUSE as Bill No. 1136

_____
Chief Clerk

_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1136
File No. ____
Chapter No. _____

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____ , A.D., 20___

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20___
at _____ o'clock __ M.

_____
Secretary of State

By _____
Asst. Secretary of State