

TRADE NAMES

547.1 Use of trade name verified statement required.

A person shall not engage in or conduct a business under a trade name, or an assumed name of a character other than the true surname of each person owning or having an interest in the business, unless the person first records with the county recorder of the county in which the business is to be conducted a verified statement showing the name, post office address, and residence address of each person owning or having an interest in the business, and the address where the business is to be conducted. However, this provision does not apply to any person organized or incorporated in this state as a domestic entity or authorized to do business in this state as a foreign entity, if the person is a limited partnership under chapter 488, a corporation under chapter 490; a limited liability company under chapter 490A; a professional corporation under chapter 496C; a cooperative or cooperative association under chapter 497, 498, 499, or 501;* or a nonprofit corporation under chapter 504.

[C27, 31, 35, § 9866-a1; C39, § **9866.1**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 547.1]

89 Acts, ch 102, § 3; 96 Acts, ch 1170, §23; 2004 Acts, ch 1021, §119; 2004 Acts, ch 1049, §191; 2005 Acts, ch 4, §2

*Cooperative under chapter 501A probably also intended; corrective legislation is pending

547.2 Change in statement.

A like verified statement shall be recorded of any change in ownership of the business, or persons interested in the business and the original owners are liable for all obligations until the certificate of change is recorded.

[C27, 31, 35, § 9866-a2; C39, § **9866.2**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 547.2]

89 Acts, ch 102, § 4

547.3 Fee for recording.

The county recorder shall charge and receive a fee in the amount specified in section 331.604 for each verified statement recorded under this chapter. The recorder may return the original instrument to the sender or dispose of the instrument if the sender does not wish to have the instrument returned. An instrument filed in the recorder's office before July 1, 1990, may be returned to the sender or disposed of if the sender does not wish to have the instrument returned and if there is an official copy of the instrument in the recorder's office.

[C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 547.3]

85 Acts, ch 159, § 4; 89 Acts, ch 102, § 5; 90 Acts, ch 1021, § 4

547.4 Penalty.

Any person violating the provisions of this chapter shall be guilty of a simple misdemeanor.

[C27, 31, 35, § 9866-a3; C39, § **9866.3**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 547.4]

547.5 "Offense" defined.

Each day that any person or persons violate the provisions of this chapter shall be deemed to be a separate

and distinct offense.

[C27, 31, 35, § 9866-a4; C39, § **9866.4**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 547.5]

547.6 County recorder to submit monthly list of filings. Repealed by 91 Acts, ch 4, § 1.