

House File 175 - Enrolled

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HOUSE FILE 175

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1 3 AN ACT
1 4 RELATING TO THE NAMES OF BUSINESS ENTITIES.
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1 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 8 Section 1. Section 488.108, Code 2005, is amended by
1 9 adding the following new subsection:
1 10 NEW SUBSECTION. 7. This chapter does not control the use
1 11 of fictitious names. However, a limited partnership which
1 12 uses a fictitious name in this state shall deliver to the
1 13 secretary of state for filing a copy of the resolution of the
1 14 limited partnership certified by its general partners,
1 15 adopting the fictitious name.

1 16 Sec. 2. Section 547.1, Code 2005, is amended to read as
1 17 follows:

1 18 547.1 USE OF TRADE NAME == VERIFIED STATEMENT REQUIRED.

1 19 A person ~~or copartnership~~ shall not engage in or conduct a
1 20 business under a trade name, or an assumed name of a character
1 21 other than the true surname of each person owning or having an
1 22 interest in the business, unless the person first records with
1 23 the county recorder of the county in which the business is to
1 24 be conducted a verified statement showing the name, post
1 25 office address, and residence address of each person owning or
1 26 having an interest in the business, and the address where the
1 27 business is to be conducted. However, this provision does not
1 28 apply to any person organized or incorporated in this state as
1 29 a domestic entity or authorized to do business in this state
1 30 as a foreign entity, if the person is a limited partnership
1 31 under chapter 487 or 488, a corporation under or limited
~~1 32 liability company incorporated or organized in this state or~~
~~1 33 any foreign corporation or foreign limited liability company~~
~~1 34 authorized to do business in this state or doing business~~
~~1 35 pursuant to an exemption in chapter 490; or a limited~~
2 1 liability company under chapter 490A; a professional
2 2 corporation under chapter 496C; a cooperative or cooperative
2 3 association under chapter 497, 498, 499, or 501; or a
2 4 nonprofit corporation under chapter 504 or 504A.

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CHRISTOPHER C. RANTS
Speaker of the House

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JEFFREY M. LAMBERTI
President of the Senate

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I hereby certify that this bill originated in the House and
is known as House File 175, Eighty-first General Assembly.

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MARGARET THOMSON
Chief Clerk of the House

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Approved _____, 2005

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THOMAS J. VILSACK

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Governor