

CHAPTER 4
BUSINESS ENTITY NAMES
H.F. 175

AN ACT relating to the names of business entities.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 488.108, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 7. This chapter does not control the use of fictitious names. However, a limited partnership which uses a fictitious name in this state shall deliver to the secretary of state for filing a copy of the resolution of the limited partnership certified by its general partners, adopting the fictitious name.

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

547.1 USE OF TRADE NAME — VERIFIED STATEMENT REQUIRED.

A person ~~or copartnership~~ 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 487 or 488, a corporation under or limited liability company incorporated or organized in this state or any foreign corporation or foreign limited liability company authorized to do business in this state or doing business pursuant to an exemption in chapter 490; or 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 or 504A.

Approved March 3, 2005

CHAPTER 5
INHERITANCE TAX — JOINT ACCOUNT FUNDS — WITHDRAWAL NOTICE
H.F. 197

AN ACT relating to inheritance tax by eliminating the requirement that the department of revenue receive notice of withdrawal of funds from a joint account by a surviving joint owner.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 450.97, Code 2005, is repealed.

Approved March 3, 2005