

# State of South Dakota

EIGHTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2014

861V0607

## HOUSE BILL NO. 1152

Introduced by: Representatives Lust, Conzet, Cronin, Gosch, Hoffman, Hunhoff (Bernie),  
Sly, and Westra and Senators Rave, Lederman, Lucas, Maher, Monroe,  
Rhoden, Soholt, and Vehle

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning registration of  
2 limited partnerships.

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

4 Section 1. That § 48-7-102 be amended to read as follows:

5 48-7-102. The name of a limited partnership as set forth in its certificate of limited  
6 partnership:

7 (1) Shall contain ~~without abbreviation~~ the words "limited partnership" or the initials  
8 "L.P." or "LP";

9 (2) May not contain the name of a limited partner unless:

10 (a) It is also the name of a general partner or the corporate name of a corporate  
11 general partner; or

12 (b) The business of the limited partnership had been carried on under that name  
13 before the admission of that limited partner;

14 (3) Must be distinguishable upon the records of the secretary of state from, the name of



1 any corporation, whether for profit or not for profit, or limited partnership organized  
2 under the laws of South Dakota or licensed or registered as a foreign corporation,  
3 whether for profit or not for profit, or limited partnership in this state; and

4 (4) May not contain any word or phrase indicating or implying that it is organized other  
5 than for a purpose stated in its certificate of limited partnership.

6 Section 2. That § 48-7-904 be amended to read as follows:

7 48-7-904. A foreign limited partnership may register with the secretary of state under any  
8 name, whether or not it is the name under which it is registered in its state of organization, that  
9 includes ~~without abbreviation~~ the words "limited partnership" or the initials "L.P." or "LP" and  
10 that could be registered by a domestic limited partnership under the provisions of § 48-7-102.