

Topic: Sole Proprietorships and General Partnerships  
 Question by: Cheri L. Myers  
 Jurisdiction: North Carolina  
 Date: March 12, 2015

Jurisdiction	Question(s)
	The NC legislators are discussing registration of sole proprietorships and general partnerships statewide at the Secretary of State's Office. If your office registers sole proprietorships and/or general partnerships, can you please forward me a link or copy of your statutes and fees for these filings.
<b>Manitoba</b>	
<b>Corporations Canada</b>	
<b>Alabama</b>	
<b>Alaska</b>	
<b>Arizona</b>	
<b>Arkansas</b>	
<b>California</b>	<p>California is similar to Ohio. General Partnerships are permissive. California Corporations Code sections 16100-16114.  <a href="http://www.leginfo.ca.gov/cgi-bin/displaycode?section=corp&amp;group=16001-17000&amp;file=16100-16114">http://www.leginfo.ca.gov/cgi-bin/displaycode?section=corp&amp;group=16001-17000&amp;file=16100-16114</a></p> <p>The rules for the filing itself are found at California Corporations Code section 16303  <a href="http://www.leginfo.ca.gov/cgi-bin/displaycode?section=corp&amp;group=16001-17000&amp;file=16301-16310">http://www.leginfo.ca.gov/cgi-bin/displaycode?section=corp&amp;group=16001-17000&amp;file=16301-16310</a></p>
<b>Colorado</b>	
<b>Connecticut</b>	In CT SP's and GP's are registered at the municipal level, unless the company name matches the owners' surnames, in which case they are exempted from filing even on the municipal trade name registry. Ex. A solo legal practitioner who is the sole proprietor of a firm in her own name, like "Law Office of Maude Maudlin," need not register at our office OR with the municipal trade name registry.
<b>Delaware</b>	
<b>District of Columbia</b>	In DC we used to register general partnerships (registration was optional) prior to 2012 but now we do not. if general partnership or sole proprietorship use the trade name then that trade name must be registered with my office.
<b>Florida</b>	

Jurisdiction	Question(s)
	<p>The NC legislators are discussing registration of sole proprietorships and general partnerships statewide at the Secretary of State's Office. If your office registers sole proprietorships and/or general partnerships, can you please forward me a link or copy of your statutes and fees for these filings.</p>
<b>Georgia</b>	
<b>Hawaii</b>	<p>Hawaii does register sole proprietorships (\$25) and general partnerships (\$15). A sole proprietorship files a trade name application for their business name registration.</p> <p>Chapter 482 Trademarks, Service Marks, and Trade Names, Registration and Protection of  <a href="http://www.capitol.hawaii.gov/hrscurrent/Vol11_Ch0476-0490/HRS0482/HRS_0482-.htm">http://www.capitol.hawaii.gov/hrscurrent/Vol11_Ch0476-0490/HRS0482/HRS_0482-.htm</a></p> <p>Chapter 425 Partnerships  <a href="http://www.capitol.hawaii.gov/hrscurrent/Vol08_Ch0401-0429/HRS0425/HRS_0425-.htm">http://www.capitol.hawaii.gov/hrscurrent/Vol08_Ch0401-0429/HRS0425/HRS_0425-.htm</a></p>
<b>Idaho</b>	
<b>Illinois</b>	
<b>Indiana</b>	<p>Neither Sole proprietorships nor general partnerships file with the IN SOS. They file at the county level.</p>
<b>Iowa</b>	
<b>Kansas</b>	
<b>Kentucky</b>	
<b>Louisiana</b>	<p>Link To Statute <a href="http://www.legis.la.gov/Legis/Law.aspx?d=107545">http://www.legis.la.gov/Legis/Law.aspx?d=107545</a>            Link To fees <a href="http://www.sos.la.gov/BusinessServices/FileBusinessDocuments/GetFormsAndFeeSchedule/Pages/default.aspx">http://www.sos.la.gov/BusinessServices/FileBusinessDocuments/GetFormsAndFeeSchedule/Pages/default.aspx</a></p>
<b>Maine</b>	<p>The Secretary of State's office in Maine does not register Sole Proprietorships or General Partnerships. If someone is a sole proprietorship or a general partnership and they are doing business under a name other than their own personal name, they are required to file a trade name filing with the municipal clerk where they are doing business. More information <a href="http://www.maine.gov/sos/cec/corp/tradenameprotection.html">http://www.maine.gov/sos/cec/corp/tradenameprotection.html</a></p> <p>General Partnerships can file a statement of dissociation or statement of dissolution with our office. More information <a href="http://www.maine.gov/sos/cec/corp/generalpartnerships.html">http://www.maine.gov/sos/cec/corp/generalpartnerships.html</a> . We don't see these filings much at all.</p>
<b>Maryland</b>	
<b>Massachusetts</b>	<p>In Massachusetts sole proprietorships and general partnerships are not registered statewide at the Secretary of State's office.</p>
<b>Michigan</b>	<p>In Michigan, the Corporations Division does not register either.</p>

Jurisdiction	Question(s)
	<p>The NC legislators are discussing registration of sole proprietorships and general partnerships statewide at the Secretary of State's Office. If your office registers sole proprietorships and/or general partnerships, can you please forward me a link or copy of your statutes and fees for these filings.</p>
<b>Minnesota</b>	<p>In Minnesota, sole proprietorships and general partnerships are not required to make any filing unless they do business under a name that is not the name of the individual(s) who are the principals, in which case they must file an assumed name (some of you call these trade names) under Minnesota Statutes, sections 333.001 to 333.07. The filing fee is \$30 and the document must be printed in a legal newspaper for two successive issues, which has a cost payable to the private sector.</p> <p>Link to Minnesota Chapter 333 – Assumed Names: <a href="https://www.revisor.mn.gov/statutes/?id=333">https://www.revisor.mn.gov/statutes/?id=333</a></p>
<b>Mississippi</b>	
<b>Missouri</b>	
<b>Montana</b>	
<b>Nebraska</b>	
<b>Nevada</b>	<p>In Nevada, Sole Proprietorships and General Partnerships do not register per se, but must annually get a State Business License, which we administer here in Commercial Recordings. So they do not file Articles or an annual list, just a State Business License which is \$200 per year.</p>
<b>New Hampshire</b>	
<b>New Jersey</b>	
<b>New Mexico</b>	
<b>New York</b>	
<b>North Carolina</b>	<p>Our office does not file sole proprietorships. However if one wanted to register their name with our office they do have the ability to file a trade name.</p> <p>General partnerships are filed with our office but not any differently than any other type. They would simply file their partnership agreement. This is a link to the statute:  <a href="http://www.legis.la.gov/Legis/Law.aspx?d=107545">http://www.legis.la.gov/Legis/Law.aspx?d=107545</a></p>

Jurisdiction	Question(s)
	<p>The NC legislators are discussing registration of sole proprietorships and general partnerships statewide at the Secretary of State's Office. If your office registers sole proprietorships and/or general partnerships, can you please forward me a link or copy of your statutes and fees for these filings.</p>
<b>North Dakota</b>	<p>North Dakota does not register sole proprietorships; however, a sole proprietor using a trade name must file a Trade Name Registration with the Secretary of State for a fee of \$25.</p> <p>The Secretary of State does not "create" general partnerships in the same manner as other entities. General partnerships may file statements relative to creation, disassociation, merger, etc. They being optional filings, we get very few. However; a general partnership using a fictitious name must file a Fictitious Name Certificate with the Secretary of State. The fee for a Fictitious Name Certificate is \$25 for first 2 partners + \$3 for each additional partner, but not to exceed \$250.</p>
<b>Ohio</b>	<p>Sole proprietorships do not have the option to register with our office, however, they may need to register their business name as a trade or fictitious name under ORC 1329.01- <a href="http://codes.ohio.gov/orc/1329.01">http://codes.ohio.gov/orc/1329.01</a></p> <p>General Partnerships have an option to register with our office, but it is not mandatory and they may still transact business in Ohio without filing. They may need to file a trade name or fictitious name. If they want to register with our office they file a Statement of Partnership Authority under ORC 1776.33 - <a href="http://codes.ohio.gov/orc/1776.33">http://codes.ohio.gov/orc/1776.33</a></p> <p>Ohio adopted the Uniform Partnership Act in 2009 making this an option for general partnerships.</p>
<b>Oklahoma</b>	
<b>Oregon</b>	
<b>Pennsylvania</b>	
<b>Rhode Island</b>	<p>Rhode Island does not registry sole proprietorships or general partnerships on the State level. Both of those registrations are recorded with the City or Town in which the business is located.</p>
<b>South Carolina</b>	
<b>South Dakota</b>	
<b>Tennessee</b>	<p>Tennessee does not register sole proprietorships with the Secretary of State.</p> <p>General Partnerships can file optional "statements" with the Secretary of State, such as a statement of partnership authority or statement of dissolution. Each statement costs \$20 to file. Tennessee's Revised Uniform Partnership Act is found at TCA Section 61-1-101 et al. Use this link to view the TN Code: <a href="http://www.lexisnexis.com/hottopics/tncode/">http://www.lexisnexis.com/hottopics/tncode/</a></p>
<b>Texas</b>	

Jurisdiction	Question(s)
	<p>The NC legislators are discussing registration of sole proprietorships and general partnerships statewide at the Secretary of State's Office. If your office registers sole proprietorships and/or general partnerships, can you please forward me a link or copy of your statutes and fees for these filings.</p>
<p><b>Utah</b></p>	<p>We do them in Utah.....general partnerships register one of two ways, so I'll include both:</p> <p><a href="http://corporations.utah.gov/business/dba.html">http://corporations.utah.gov/business/dba.html</a></p> <p>our DBA statute includes sole proprietorships and general partnerships, as well as other assumed names</p> <p>fee is \$22.00 renewed every three years</p> <p><a href="http://corporations.utah.gov/business/gp.html">http://corporations.utah.gov/business/gp.html</a></p> <p>this is a new statute specifically for general partnerships, but the statutory language is permissive and so we still get them under the assumed name statute</p> <p>fee is \$22.00 for five years</p>
<p><b>Vermont</b></p>	
<p><b>Virginia</b></p>	
<p><b>Washington</b></p>	<p>In Washington State, the sole proprietorships and general partnerships register with the Department of Revenue. Here is a link to their site: <a href="http://www.bls.dor.wa.gov/">http://www.bls.dor.wa.gov/</a></p> <p>All legal entities register with Secretary of State.</p> <p>On a side note: 63% of all new Washington State businesses are entities, it's been a consistent shift away from sole proprietorships for several years now, primarily to LLC's as a favorite structure.</p>
<p><b>West Virginia</b></p>	
<p><b>Wisconsin</b></p>	
<p><b>Wyoming</b></p>	

**Additional comments:**

**Full text of email:**

Good afternoon everyone! Hope it is sunny where you are.

The NC legislators are discussing registration of sole proprietorships and general partnerships statewide at the Secretary of State's Office. If your office registers sole proprietorships and/or general partnerships, can you please forward me a link or copy of your statutes and fees for these filings.

Thank you so much in advance. Hope to see you in May!

Cheri

Cheri L. Myers

Director of Corporations

NC Office of the Secretary of State

919-807-2050

919-807-2294 fax