

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

• (517) 373-5383

RECEIVED

JUN 02 1987

Mich. State Law Library

**Senate Bill 233** (as reported without amendment)

Sponsor: Senator Norman D. Shinkle

Committee: Judiciary

Date Completed: 5-12-87

***RATIONALE***

Public Act 101 of 1907 states that individuals, partnerships, limited partnerships, and other business entities wishing to conduct business under an assumed name must file a certificate with the county clerk specifying the name under which the business is owned. In its 15th Annual Report, the Michigan Law Revision Commission's recommendations on the Uniform Limited Partnership Act proposed inclusion of a central registration requirement for limited partnerships operating under an assumed name. Although this provision was included with the adoption of the Uniform Limited Partnership Act of 1982, the registration requirement in Public Act 101 of 1907 was not changed. It has been suggested that Public Act 101 be amended to eliminate the requirement, and thus eliminate the need for duplicate registration.

***CONTENT***

The bill would amend Public Act 101 of 1907 to eliminate the requirement that a limited partnership not conduct business under an assumed name until it has filed a certificate with the county clerk stating the name under which the business is owned.

MCL 445.1

***FISCAL IMPACT***

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: L. Burghardt

***ARGUMENTS******Supporting Argument***

The bill would eliminate a requirement in Public Act 101 of 1907 that limited partnerships operating under an assumed name register with county clerks, and thus eliminate duplicate registration, since limited partnerships must comply with the central registration procedures under the Uniform Limited Partnership Act.

Legislative Analyst: G. Towne

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 233 (5-12-87)

S.B. 233 (5-12-87)