

New Business Checklist

Business Formation

Sole Proprietorship, Partnership or Corporation? Consult an attorney, accountant or the nearest Small Business Development Center to decide which business structure best meets your needs.

Business Name Registration

State law requires partnerships and sole proprietorships that use fictitious names to register their businesses with the county Register of Deeds Office. Limited partnerships and corporations must register and initiate the business formation process with the South Dakota Secretary of State's Office.

For information and business forms, contact the Secretary of State's Corporation Office at (605) 773-4845. To file online with the Secretary of State's Corporation Office visit the following website: <http://www.sdsos.gov>.

Special Licenses, Permits and Registrations

Depending upon the type of business, you may need a special license or registration at the city, county or state level. See licensing section for more state information.

Federal Taxes

Be aware of the personal and business tax implications of starting your own business. You will also need to obtain an employer identification number if you hire employees or operate as a corporation or partnership. Contact the IRS for appropriate business forms and information at 800-829-1040.

State Sales and Use Tax License

Contact:

Department of Revenue, Business Tax Division
Anderson Building
Pierre, SD 57501
P: 800-TAX-9188

<http://www.sd.gov/revenue.html>

Tribal Business

If doing business on Tribal land, please contact the Department of Revenue & Regulation to see how Sales & Contractors' Excise Tax applies on each reservation.

Contact:

Department of Revenue, Business Tax Division
Anderson Building
Pierre, SD 57501
P: 800-TAX-9188

<http://www.sd.gov/revenue.html>

Employer Responsibilities

You will need to be aware of the rights and responsibilities of employers and employees.

Contact:

Department of Labor, Unemployment Insurance Division
P.O. Box 4730
420 South Roosevelt
Aberdeen, SD 57402-4730
P: (605) 626-2452

Or Contact:

Division of Labor and Management
Kneip Building
700 Governors Drive
Pierre, SD 57501-2291
P: (605) 773-3681

Environmental Standards

Businesses must meet all air, water, and solid waste standards and requirements.

Contact:

Department of Environment and Natural Resources
Foss Building
523 East Capitol Avenue
Pierre, SD 57501-3182
P: (605) 773-3151

Zoned for Business

Find the best location for your business. Contact your city finance officer for information on business zoning.

Source of Assistance

Seek management advice and counseling. Your local Development Corporation, Small Business Administration, and your local Chamber of Commerce are good resources. Refer to the Resource List for more information.

Utility Service

Check with local utility providers for service, cost, deposit and supply information. The utility providers may be private or public entities.

Business Insurance

Identify your liability risks. Contact your local insurance agent to determine the types and amounts of insurance your business will require. Rates and types of coverage can vary so comparison shopping may be beneficial.

Trademarks, Etc.

Protect your ideas, products, symbols and logos through the proper registration and maintenance. Refer to the trademark fact sheet.

Contact:

South Dakota Secretary of State, Trademark Administrator
500 E Capital Suite 204
Pierre, SD 57051
P: (605) 773-3539

Or:

US Commissioner of Trademarks and Patents
P.O. Box 1450
Alexandria, VA 22313-1450
P: 800-786-9199

Or:

The US Library of Congress, Copyright Office
101 Independence Ave S.E.
Washington D.C. 20559-6000
P: (202) 707-5959