
New Business Checklist

Business Formation

Will your business be organized as a 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. There are several resources available at this link:

<http://sdbusinesshelp.com/small-business-development-center/>

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. Find several of the counties' websites with contact information for those county's Register of Deeds Offices here:

<http://www.sdcounties.org/counties/>

DBA/Fictitious Business Names can also be filed online on the Secretary of State's website:

<https://sosenterprise.sd.gov/BusinessServices/Fictitious/FictitiousHome.aspx>

Along with limited partnerships and corporations, LLCs must also 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 Business Filings Office at (605) 773-4845.

To file online with the Secretary of State's Business Filings Office visit:

<https://sdsos.gov/business-services/default.aspx>

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 Step 8: Licensing and Registering Your Business 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. For appropriate business forms and information, contact the IRS at 800-829-1040 or 800-829-3676, online at: <http://www.irs.gov/Businesses>.

State Sales and Use Tax License

Contact:

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

http://dor.sd.gov/Taxes/Business_Taxes

Tax License application can be found online at:

<https://apps.sd.gov/rv23cedar/main/main.aspx>

Tribal Business

If doing business on Tribal land, please review the link below provided by the Department of Revenue to see how Sales & Contractors' Excise Tax applies on each reservation:

<https://dor.sd.gov/media/5cnnz2ww/tribal.pdf>

Contact:

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

http://dor.sd.gov/Taxes/Business_Taxes/

Employer Responsibilities

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

Contact:

Department of Labor, Reemployment Assistance Services
PO Box 4730
420 South Roosevelt
Aberdeen, SD 57402-4730
P: (605) 626-2452

<https://dlr.sd.gov/ra/default.aspx>

Or Contact:

Division of Labor and Management
123 West Missouri Avenue
Pierre, SD 57501-2291
P: (605) 773-3681

https://dlr.sd.gov/employment_laws/default.aspx

Environmental Standards

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

Contact:

Department of Agriculture and Natural Resources

Foss Building

523 East Capitol Avenue

Pierre, SD 57501-3182

P: (605) 773-3151

<https://danr.sd.gov/Press/PermittingGuides.aspx>

 Zoned for Business

Find the best location for your business. Contact your city or county equalization or zoning office for information on business zoning. For a list of city websites go to

http://www.sdmunicipalleague.org/index.asp?Type=B_BASIC&SEC={D3F8855C-992B-4DC8-A309-BC9246FBBD64}

 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 Guide at the end of the Business Start-Up Packet 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. For listings of utility providers throughout South Dakota go to: <http://www.puc.sd.gov/consumer/sdutilityproviders.aspx>

 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 Step 2: Protecting Your Product in the Business Start-Up Packet.

<https://sdsos.gov/business-services/trademark-name-registration/default.aspx>

Contact:

South Dakota Secretary of State, Trademark Administrator

500 E. Capital, Suite 204

Pierre, SD 57501

P: (605) 773-2797

E: trademark@state.sd.us

Or Contact:

US Commissioner of Trademarks and Patents

PO Box 1450

Alexandria, VA 22313-1450

P: 800-786-9199

<http://www.uspto.gov>

Or Contact:

The US Library of Congress, Copyright Office

101 Independence Ave S.E.

Washington D.C. 20559-6000

P: 877-476-0778

<http://www.copyright.gov>