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:

☐ 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
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

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.

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