

June 2009

## **TITLE 45**

### **Partnerships**

### **Summary of Bills Enacted by 2009 Legislative Assembly**

This memorandum summarizes 2009 legislation primarily affecting North Dakota Century Code Title 45. Bills primarily affecting other titles may also affect this title, but those bills are not summarized in this memorandum.

**House Bill No. 1298**, as part of a bill that makes updates, technical clarifications, numerical changes, and grammatical changes to the limited partnership, fictitious partnership names, general partnership, limited liability partnership, and limited liability limited partnership laws, makes substantive changes to the partnership laws, including changes to the definition of "notice" as it relates to the limited partnership, general partnership, limited liability partnership, and limited liability limited partnership laws, addressing use of a nationally recognized delivery service to provide notice; changes the definition of "organization" as it relates to the limited partnership, general partnership, limited liability partnership, and limited liability limited partnership law, addressing the exclusion of nonprofit limited liability companies; modifies the limited partnership law regarding the use of remote communicated revocation of proxies; amends the remedies available to a judgment creditor of a partner in a limited partnership; provides the Secretary of State may cancel a certificate of fictitious partnership name of a limited partnership, limited liability partnership, or limited liability limited partnership that has ceased to exist for six months; and expands the registration requirements for a limited liability partnership engaged in farming or ranching or which owns or leases land used for farming or ranching.