

Session 106 - (1985-1986)

H*2532 (Rat #0625, Act #0533 of 1986) General Bill, By D.M. Beasley, J.F. Anderson, L.E. Gentry, T.E. Huff, E.C. Lewis, J.I. Rogers, Sheheen, P.E. Short and J.H. Toal

A Bill to amend Chapter 42, Title 33, Code of Laws of South Carolina, 1976 , relating to the Uniform Limited Partnership Act so as to adopt a short form notice filing certification instead of the long form certificate; expand the information that must be kept on file in the place of business of the partnership; expand the "safe harbor" powers of limited partners so as to enable limited partners to bargain for greater voting powers; to provide that additional general partners may be added with less than unanimous consent by the other partners; to provide for a "safe harbor" procedure by which limited partnerships may be merged; provide a "safe harbor" list of activities a foreign corporation can conduct in this State without being required to register as a foreign corporation; to require each limited partnership to keep a current list and full name and last known mailing address instead of business address of each partner; to clarify the use of the abbreviation LP or L.P. by limited partnerships; to require foreign limited partnerships to register in this State to use a name than can be used by a limited partnership formed in this State; to provide a revised assumed name filing requirement applicable to limited partnerships formed in this State; to establish a fee schedule for filing limited partnership certificates and obtaining copies of certificates and amendments; and to make technical modification and clarify ambiguities; to amend Article 1 of Chapter 5 of Title 15 by adding Section 15-5-45 so as to authorize the partners of any partnership formed under the laws of this State to sue and be sued in their own name; to amend Section 33-41-170, relating to the liability of partners of partnerships formed under the Uniform Partnership Act, so as to delete the provisions which make partners jointly and severally liable for everything chargeable to the partnership under the provisions of Sections 33-41-350 (wrongful act or omission) and 33-41-360 (breach of trust) and jointly for all other duties and obligations of the partnership and the provisions which authorize any partner to enter into a separate obligation to perform a partnership contract; and to estblish transition provisions which govern all limited partnerships formed before June 27, 1984.-amended title

03/06/85	House	Introduced and read first time HJ-1135
03/06/85	House	Referred to Committee on Judiciary HJ-1136
05/01/85	House	Committee report: Favorable with amendment Judiciary HJ-2810
05/02/85	House	Amended HJ-2906
05/02/85	House	Read second time HJ-2906
05/03/85	House	Read third time and sent to Senate HJ-2930
05/07/85	Senate	Introduced and read first time SJ-1943
05/07/85	Senate	Referred to Committee on Judiciary SJ-1943
05/13/86	Senate	Committee report: Favorable with amendment Judiciary SJ-2581
05/13/86	Senate	Amended SJ-2607
05/13/86	Senate	Read second time SJ-2674
05/13/86	Senate	Ordered to third reading with notice of amendments SJ-2674
05/14/86	Senate	Read third time SJ-2701
05/14/86	Senate	Returned SJ-2701
05/28/86	House	Concurred in Senate amendment and enrolled HJ-3450
06/03/86	House	Recalled from Legislative Council HJ-3580
06/03/86	House	Reconsider vote whereby concurred HJ-3585
06/03/86	House	Senate amendment amended HJ-3586
06/03/86	House	Returned HJ-3587
06/03/86	Senate	Concurred in House amendment and enrolled SJ-3511
06/05/86		Ratified R 625
06/18/86		Signed By Governor
06/26/86		Effective date 09/01/86
06/26/86		Act No. 533
06/26/86		See Act for exceptions to effective date
06/26/86		Copies available