

Senate Bill No. 103–Committee on Commerce and Labor

CHAPTER.....

AN ACT relating to professions; requiring applicants for licensure as professional engineers and land surveyors to be graduates of certain curricula approved by the state board of professional engineers and land surveyors; revising the provisions governing the active experience required of applicants for licensure as professional engineers; authorizing the state board of professional engineers and land surveyors to require certain business organizations to register with the board before engaging in or offering to engage in the practice of professional engineering or land surveying; revising the authority of the board to waive the examination on the fundamentals of engineering for certain applicants for a license as a professional engineer; revising the provisions governing the unlawful use of certain terms relating to the practice of professional engineering; providing a penalty; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 625.170 is hereby amended to read as follows:

625.170 1. The executive director of the board shall, once each year or at intervals established by the board, prepare a roster that shows, for each:

- (a) Professional engineer, his name, the city in which he lives, his license number and the discipline of engineering in which he specializes.
- (b) Professional land surveyor, his name, the city in which he lives and his license number.

(c) Engineer intern or land surveyor intern, his name and ~~license~~ **certificate** number.

2. The roster must be:

- (a) Made available to each licensee in a manner prescribed by the board.
- (b) Placed on file with the secretary of state and county and city clerks.
- (c) Distributed or sold to the public.

Sec. 2. NRS 625.177 is hereby amended to read as follows:

625.177 1. The board may require a firm, partnership, corporation or any other person who is not a natural person to ~~obtain a license from~~ **register with** the board before engaging in or offering to engage in the practice of professional engineering in this state. The board may charge a fee of not more than \$50 to ~~apply for the issuance of a license~~ **register** pursuant to this section.

2. The board may adopt regulations to carry out the provisions of this section.

Sec. 3. NRS 625.179 is hereby amended to read as follows:

625.179 1. The board may require a firm, partnership, corporation or any other person who is not a natural person to ~~obtain a license from~~ **register with** the board before engaging in or offering to engage in the practice of land surveying in this state. The board may charge a fee of not

more than \$50 to ~~apply for the issuance of a license~~ **register** pursuant to this section.

2. The board may adopt regulations to carry out the provisions of this section.

Sec. 4. NRS 625.183 is hereby amended to read as follows:

625.183 1. A person who:

(a) Is 21 years of age or older; and

(b) Is a citizen of the United States or is lawfully entitled to remain and work in the United States,

may apply to the board, in accordance with the provisions of this chapter and any regulations adopted by the board, for licensure as a professional engineer.

2. An applicant for licensure as a professional engineer must:

(a) Be of good character and reputation; and

(b) Pass the examination on the:

(1) Fundamentals of engineering or receive a waiver of that requirement; and

(2) Principles and practices of engineering,
pursuant to NRS 625.193.

3. An applicant for licensure as a professional engineer may not take the examination on the principles and practices of engineering, unless he:

(a) Is a graduate of an engineering curriculum of 4 years or more that is approved by the board and has a record of 4 years or more of active experience in engineering that is satisfactory to the board and indicates that he is competent to be placed in responsible charge of engineering work; or

(b) Has a record of 10 years or more of active experience in engineering work that is satisfactory to the board and indicates that he is competent to be placed in responsible charge of engineering work.

4. ~~For the purposes of determining~~ **To determine** whether an applicant for licensure as a professional engineer has an adequate record of active experience pursuant to paragraph (a) of subsection 3:

(a) Graduation from a college or university in a field other than engineering is equivalent to 2 years of active experience.

(b) Two of the 4 years of active experience must have been completed by working under the direct supervision of a ~~person who is a~~ professional engineer **who is licensed in the discipline in which the applicant is applying for licensure**, unless that requirement is waived by the board.

(c) The execution, as a contractor, of work designed by a professional engineer or the supervision of the construction of that work as a foreman or superintendent, is not equivalent to active experience in engineering.

5. ~~For the purposes of determining~~ **To determine** whether an applicant for licensure as a professional engineer has an adequate record of active experience pursuant to paragraph (b) of subsection 3:

(a) Satisfactory completion of 1 year of courses in engineering that are approved by the board, by a person who has not graduated from an

engineering curriculum, is equivalent to 1 year of active experience in engineering.

(b) Graduation from a college or university in a field other than engineering is equivalent to 2 years of active experience.

(c) Two of the 10 years of active experience must have been completed by working under the direct supervision of a ~~person who is a~~ professional engineer *who is licensed in the discipline in which the applicant is applying for licensure*, unless that requirement is waived by the board.

(d) The execution, as a contractor, of work designed by a professional engineer or the supervision of the construction of that work as a foreman or superintendent, is not equivalent to active experience in engineering.

(e) Not more than 4 years of active experience may be satisfied by the completion of educational course work.

6. A person who is not working in the field of engineering when he applies for licensure is eligible for licensure as a professional engineer if he complies with the requirements for licensure prescribed in this chapter.

Sec. 5. NRS 625.183 is hereby amended to read as follows:

625.183 1. A person who:

(a) Is 21 years of age or older; and

(b) Is a citizen of the United States or is lawfully entitled to remain and work in the United States,

may apply to the board, in accordance with the provisions of this chapter and any regulations adopted by the board, for licensure as a professional engineer.

2. An applicant for licensure as a professional engineer must:

(a) Be of good character and reputation; and

(b) Pass the examination on the:

(1) Fundamentals of engineering or receive a waiver of that requirement; and

(2) Principles and practices of engineering,
pursuant to NRS 625.193.

3. An applicant for licensure as a professional engineer may not take the examination on the principles and practices of engineering, unless he ~~is~~ ~~—(a) Is~~ *is* a graduate of an engineering curriculum of 4 years or more that is approved by the board and has a record of 4 years or more of active experience in engineering that is satisfactory to the board and indicates that he is competent to be placed in responsible charge of engineering work. ~~or~~

~~—(b) Has a record of 10 years or more of active experience in engineering work that is satisfactory to the board and indicates that he is competent to be placed in responsible charge of engineering work.]~~

4. To determine whether an applicant for licensure as a professional engineer has an adequate record of active experience pursuant to ~~[paragraph (a) of]~~ subsection 3:

(a) ~~[Graduation from a college or university in a field other than engineering is equivalent to 2 years of active experience.~~

~~—(b)†~~ Two of the 4 years of active experience must have been completed by working under the direct supervision of a professional engineer who is licensed in the discipline in which the applicant is applying for licensure, unless that requirement is waived by the board.

~~†(e)†~~ **(b)** The execution, as a contractor, of work designed by a professional engineer or the supervision of the construction of that work as a foreman or superintendent, is not equivalent to active experience in engineering.

5. ~~{To determine whether an applicant for licensure as a professional engineer has an adequate record of active experience pursuant to paragraph (b) of subsection 3:~~

~~—(a) Satisfactory completion of 1 year of courses in engineering that are approved by the board, by a person who has not graduated from an engineering curriculum, is equivalent to 1 year of active experience in engineering.~~

~~—(b) Graduation from a college or university in a field other than engineering is equivalent to 2 years of active experience.~~

~~—(c) Two of the 10 years of active experience must have been completed by working under the direct supervision of a professional engineer who is licensed in the discipline in which the applicant is applying for licensure, unless that requirement is waived by the board.~~

~~—(d) The execution, as a contractor, of work designed by a professional engineer or the supervision of the construction of that work as a foreman or superintendent, is not equivalent to active experience in engineering.~~

~~—(e) Not more than 4 years of active experience may be satisfied by the completion of educational course work.~~

~~—6.†~~ A person who is not working in the field of engineering when he applies for licensure is eligible for licensure as a professional engineer if he complies with the requirements for licensure prescribed in this chapter.

Sec. 6. NRS 625.193 is hereby amended to read as follows:

625.193 1. The examination for licensure as a professional engineer must consist of:

(a) An 8-hour examination on the fundamentals of engineering that must cover the subject matter of a general education or training in engineering. If the applicant for licensure as a professional engineer has **graduated from an engineering curriculum that is approved by the board and has** 15 years or more of experience in engineering, the examination on the fundamentals of engineering may be waived ~~†. For the purposes of determining the years of experience of an applicant for licensure as a professional engineer pursuant to this paragraph, the board shall consider graduation from an engineering curriculum that is approved by the board to be equivalent to 4 years of experience.†~~ **by the board.**

(b) An 8-hour examination on the principles and practices of engineering that must cover the discipline of engineering in which the applicant is applying for licensure.

2. An applicant for licensure as a professional engineer must pass the examination on the fundamentals of engineering or receive a waiver of that requirement before he may take the examination on the principles and practices of engineering.

3. When determining the content of the examinations on the fundamentals of engineering and the principles and practices of engineering, the board shall consider the recognized disciplines of engineering and may conform the examination to the particular qualifications of the applicant.

4. The board may require additional examinations for licensure in specialized areas of practice within one or more recognized disciplines of engineering.

5. The board may administer or authorize an accredited college or university that offers a program in engineering approved by the board to administer the examination on the fundamentals of engineering to persons who are not applicants for licensure as professional engineers in this state.

6. The board may prescribe or limit the use of notes, texts and reference materials by applicants who are taking the examinations.

7. The board may require the examinations or any portion of the examinations set forth in this section to be completed:

(a) In writing, with a pen or pencil of a type that has been approved by the board;

(b) With a computer that has been provided or approved by the board;
or

(c) Orally, in the manner prescribed by the board.

Sec. 7. NRS 625.270 is hereby amended to read as follows:

625.270 1. A person who:

(a) Is 21 years of age or older; and

(b) Is a citizen of the United States or is lawfully entitled to remain and work in the United States,

may apply to the board, in accordance with the provisions of this chapter and any regulations adopted by the board, for licensure as a professional land surveyor.

2. An applicant for licensure as a professional land surveyor must:

(a) Be of good character and reputation; and

(b) Pass the examination on the:

(1) Fundamentals of land surveying or receive a waiver of that requirement; and

(2) Principles and practices of land surveying,
pursuant to NRS 625.280.

3. An applicant for licensure as a professional land surveyor may not take the examination on the principles and practices of land surveying, unless he ~~is~~

~~—(a) Is~~ **is** a graduate of a land-surveying curriculum of 4 years or more that is approved by the board and has a record of 4 years or more of active experience in land surveying that is satisfactory to the board and indicates

that he is competent to be placed in responsible charge of land-surveying work . ~~}; or~~

~~—(b) Has a record of 10 years or more of active experience in land surveying work that is satisfactory to the board and indicates that he is competent to be placed in responsible charge of land surveying work.~~

~~—4. For the purposes of determining}~~

4. To determine whether an applicant for licensure as a professional land surveyor has an adequate record of active experience pursuant to ~~{paragraph (a) of}~~ subsection 3:

(a) ~~{Graduation from a college or university in a field other than land surveying is equivalent to 2 years of active experience.~~

~~—(b)}~~ Two of the 4 years of active experience must have been completed by working under the direct supervision of a ~~{person who is a}~~ professional land surveyor, unless that requirement is waived by the board.

~~{(e)}~~ **(b)** The execution, as a contractor, of work designed by a professional land surveyor , or the supervision of the construction of that work ~~{,}~~ as a foreman or superintendent, is not equivalent to active experience in land surveying.

5. ~~{For the purposes of determining whether an applicant for licensure as a professional land surveyor has an adequate record of active experience pursuant to paragraph (b) of subsection 3:~~

~~—(a) Satisfactory completion of 1 year of courses in land surveying that are approved by the board, by a person who has not graduated from a land surveying curriculum, is equivalent to 1 year of active experience in land surveying.~~

~~—(b) Graduation from a college or university in a field other than land surveying is equivalent to 2 years of active experience.~~

~~—(c) Two of the 10 years of active experience must have been completed by working under the direct supervision of a person who is a professional land surveyor unless that requirement is waived by the board.~~

~~—(d) The execution, as a contractor, of work designed by a professional land surveyor or the supervision of the construction of that work, as a foreman or superintendent, is not equivalent to active experience in land surveying.~~

~~—(e) Not more than 4 years of active experience may be satisfied by the completion of educational course work.~~

~~—6.}~~ A person who is not working in the field of land surveying when he applies for licensure is eligible for licensure as a professional land surveyor if he complies with the requirements for licensure prescribed in this chapter.

Sec. 8. NRS 625.381 is hereby amended to read as follows:

625.381 1. The board shall issue a license to practice professional engineering or land surveying to any applicant who, in the opinion of the board, has ~~{satisfactorily met}~~ **complied with** all the requirements of this chapter concerning professional engineers or professional land surveyors, respectively.

2. A license to practice professional engineering or land surveying must:

- (a) ~~{Show}~~ **Set forth** the full name of the licensee.
- (b) Include the number of the license.
- (c) Be signed by the chairman and executive director under the seal of the board.
- (d) Authorize the practice of professional engineering in the discipline for which the applicant has qualified or the practice of land surveying, respectively.

3. The issuance of a license to practice professional engineering or land surveying by the board is evidence that the ~~{person named thereon}~~ **licensee** is entitled to all the rights and privileges of a professional engineer or professional land surveyor, respectively, while the license remains ~~{unrevoked or unexpired.}~~ **on active status.**

Sec. 9. NRS 625.382 is hereby amended to read as follows:

625.382 1. The board may issue a license to practice professional engineering or land surveying to an applicant, upon presentation of evidence that he is licensed to practice professional engineering or land surveying, respectively, and in good standing in a state, territory, possession of the United States or country that maintains standards of engineering or land-surveying licensure, equivalent to those in ~~{Nevada,}~~ **this state**, if the applicant, in the judgment of the board, has the necessary qualifications pursuant to the provisions of this chapter.

2. The board may require an applicant for licensure as a professional engineer or professional land surveyor pursuant to subsection 1 to pass a written or oral examination conducted by not less than three professional engineers or professional land surveyors. ~~{, respectively.}~~

Sec. 10. NRS 625.385 is hereby amended to read as follows:

625.385 1. The board shall certify as an engineer intern or land surveyor intern any person qualified pursuant to the provisions of this chapter.

2. A person certified as an engineer intern or land surveyor intern pursuant to subsection 1 may practice only engineering or land surveying, respectively, as a subordinate. Any work performed by an engineer intern or land surveyor intern may, if deemed of a satisfactory nature by the board, be applied toward the requirements for experience set forth in NRS 625.183 and 625.270 for ~~{certification}~~ **licensure** as an engineer ~~{intern}~~ or land surveyor, ~~{intern,}~~ respectively.

Sec. 11. NRS 625.407 is hereby amended to read as follows:

625.407 1. Except as otherwise provided in this section:

(a) A firm, partnership, corporation or other person engaged in or offering to engage in the practice of engineering or land surveying in this state shall employ full time at least one professional engineer or professional land surveyor, respectively, at each place of business where ~~{such}~~ **the** work is or will be performed; and

(b) All engineering or land-surveying work done at a place of business must be performed under a professional engineer or professional land surveyor, respectively, who has been placed in responsible charge of the work and who is employed full time at that particular place of business.

2. If the only professional engineer or professional land surveyor employed full time at a place of business where engineering or land-surveying work is performed ceases to be employed at that place of business, during the 30 days next following his departure:

(a) The place of business is not required to employ full time a professional engineer or professional land surveyor; and

(b) The professional engineer or professional land surveyor placed in responsible charge of engineering or land-surveying work performed at the place of business is not required to be employed full time at that place of business.

3. Except as otherwise provided in subsection 5:

(a) A firm, partnership, corporation or other person who performs or offers to perform engineering services in a certain discipline at a particular place of business *in this state* shall employ full time at that place of business a professional engineer licensed in that discipline.

(b) Each person who holds himself out as practicing a certain discipline of engineering must be licensed in that discipline or employ full time a professional engineer licensed in that discipline.

4. Architects, registered interior designers, residential designers, professional engineers and landscape architects may, in accordance with *the provisions of* NRS 623.349, join or form a partnership, corporation, limited-liability company or other business organization or association with registrants and licensees outside of their field of practice, or with persons who are not registered or licensed.

5. The provisions of this section do not apply to a firm, partnership, corporation or other person who:

(a) Practices professional engineering for his benefit and does not engage in the practice of professional engineering or offer professional engineering services to other persons; or

(b) Is engaged in the practice of professional engineering or land surveying in offices established for limited or temporary purposes, including offices established for the convenience of field survey crews or offices established for inspecting construction.

Sec. 12. NRS 625.520 is hereby amended to read as follows:

625.520 1. Except as otherwise provided in subsection 4, it is unlawful for:

(a) Any person not properly licensed or exempted in accordance with the provisions of this chapter to:

(1) Practice, continue to practice, solicit to practice, offer to practice or attempt to practice engineering or any discipline thereof;

(2) Employ, use or cause to be used ~~any of the following terms~~ *the term "licensed engineer," "professional engineer" or "registered*

engineer” or any combination, variation or abbreviation thereof as a professional or commercial identification, representation, claim, asset or means of advantage or benefit ; ~~[-, namely, “engineer,” “engineering,” “engineered,” “professional engineer” or “licensed engineer”; or]~~

(3) **Employ, use or cause to be used the term “engineer,” “engineering” or “engineered” or any combination, variation or abbreviation thereof as a professional or commercial identification, representation, claim, asset or means of advantage or benefit without disclosing that he is not qualified, registered or licensed to practice professional engineering in this state; or**

(4) Directly or indirectly employ any means which in any manner tends or is likely to ~~[-create the impression on]~~ **mislead** the public or any member thereof that any person is qualified or authorized to practice engineering.

(b) Any professional engineer to practice or offer to practice a discipline of professional engineering in which the board has not qualified him.

(c) Any person to present or attempt to use, as his own, the license or ~~[-the]~~ stamp of another person.

(d) Any person to give any false or forged evidence of any kind to the board or any member thereof in obtaining a license.

(e) Any person to impersonate ~~[-any other]~~ **a** licensee of **a** like or different name.

(f) Any person to attempt to use an expired, suspended or revoked license.

(g) Any person to violate any of the provisions of this chapter.

2. ~~[-Whenever]~~ **If** any person is engaging or is about to engage in any act or practice that constitutes a violation of this chapter, the district court in any county ~~[-, if the court]~~ **which** would have jurisdiction over the violation, may, upon application of the board, issue an injunction or restraining order against the act or practice pursuant to Rule 65 of the Nevada Rules of Civil Procedure.

3. This section does not prevent a contractor licensed in accordance with the provisions of chapter 624 of NRS from using the term “engineer” or “engineering” if the term is used by the state contractors’ board in describing a specific classification.

4. ~~[-Subparagraph (2)]~~ **The provisions of subparagraph (3)** of paragraph (a) of subsection 1 ~~[-does]~~ **do** not apply to any corporation using such a term in its corporate name, if the corporation:

(a) ~~[-Filed]~~ **Files** its articles of incorporation with the secretary of state ; ~~[-on or before September 30, 1991;]~~ and

(b) Files with the board a written statement signed by a corporate officer under penalty of perjury in which he states that the corporation:

(1) Is not practicing or offering to practice engineering in this state; and

(2) Will not do so unless ~~[-and until]~~ it is ~~[-properly]~~ licensed or exempted in accordance with the provisions of this chapter.

5. Any person who violates any of the provisions of subsection 1 is guilty of a gross misdemeanor.

Sec. 13. NRS 78.045 is hereby amended to read as follows:

78.045 1. The secretary of state shall not accept for filing any articles of incorporation or any certificate of amendment of articles of incorporation of any corporation formed pursuant to the laws of this state which provides that the name of the corporation ~~{contain}~~ **contains** the word “bank” or “trust,” unless:

(a) It appears from the articles or the certificate of amendment that the corporation proposes to carry on business as a banking or trust company, exclusively or in connection with its business as a bank or savings and loan association; and

(b) The articles or certificate of amendment is first approved by the commissioner of financial institutions.

2. The secretary of state shall not accept for filing any articles of incorporation or any certificate of amendment of articles of incorporation of any corporation formed pursuant to the provisions of this chapter ~~{when}~~ **if** it appears from the articles or the certificate of amendment that the business to be carried on by the corporation is subject to supervision by the commissioner of insurance or by the commissioner of financial institutions, unless the articles or certificate of amendment is ~~{first}~~ approved by the commissioner who will ~~{be supervising}~~ **supervise** the business of the corporation.

3. Except as otherwise provided in subsection 4, the secretary of state shall not accept for filing any articles of incorporation or any certificate or amendment of articles of incorporation of any corporation formed pursuant to the laws of this state if the name of the corporation contains the words “engineer,” “engineered,” “engineering,” “professional **engineer,**” **“registered engineer”** or “licensed engineer” unless:

(a) The state board of professional engineers and land surveyors certifies that the principals of the corporation are licensed to practice engineering pursuant to the laws of this state; or

(b) The state board of professional engineers and land surveyors certifies that the corporation is exempt from the prohibitions of NRS 625.520.

4. The provisions of subsection 3 do not apply to any corporation, whose securities are publicly traded and regulated by the Securities Exchange Act of 1934, which does not engage in the practice of professional engineering.

5. The commissioner of financial institutions and the commissioner of insurance may approve or disapprove the articles or amendments referred to them pursuant to the provisions of this section.

Sec. 14. NRS 80.010 is hereby amended to read as follows:

80.010 1. Before commencing or doing any business in this state, every corporation organized pursuant to the laws of another state, territory,

the District of Columbia, a dependency of the United States or a foreign country, that enters this state to do business must:

(a) File in the office of the secretary of state of this state:

(1) A certificate of corporate existence issued not more than 90 days before the date of filing by an authorized officer of the jurisdiction of its incorporation setting forth the filing of documents and instruments related to the articles of incorporation, or the governmental acts or other instrument or authority by which the corporation was created. If the certificate is in a language other than English, a translation, together with the oath of the translator and his attestation of its accuracy, must be attached to the certificate.

(2) A certificate of acceptance of appointment executed by its resident agent, who must be a resident or located in this state. The certificate must set forth the name of the resident agent, his street address for the service of process, and his mailing address if different from his street address. The street address of the resident agent is the registered office of the corporation in this state.

(3) A statement executed by an officer of the corporation, acknowledged before a person authorized by the laws of the place where the acknowledgment is taken to take acknowledgments of deeds, setting forth:

(I) A general description of the purposes of the corporation; and

(II) The authorized stock of the corporation and the number and par value of shares having par value and the number of shares having no par value.

(b) Lodge in the office of the secretary of state a copy of the document most recently filed by the corporation in the jurisdiction of its incorporation setting forth the authorized stock of the corporation, the number of par-value shares and their par value, and the number of no-par-value shares.

2. The secretary of state shall not file the documents required by subsection 1 for any foreign corporation whose name is the same as, or deceptively similar to the name of a corporation, limited partnership or limited-liability company existing pursuant to the laws of this state or a foreign corporation, foreign limited partnership or foreign limited-liability company authorized to transact business in this state or a name to which the exclusive right is at the time reserved in the manner provided in the laws of this state, unless the written acknowledged consent of the holder of the registered or reserved name to use the same name or the requested similar name accompanies the articles of incorporation.

3. The secretary of state shall not accept for filing the documents required by subsection 1 or NRS 80.110 for any foreign corporation if the name of the corporation contains the words “engineer,” “engineered,” “engineering,” “professional **engineer**,” “**registered** engineer” or “licensed engineer” unless the state board of professional engineers and land surveyors certifies that:

(a) The principals of the corporation are licensed to practice engineering pursuant to the laws of this state; or

(b) The corporation is exempt from the prohibitions of NRS 625.520.

4. The secretary of state shall not accept for filing the documents required by subsection 1 or NRS 80.110 for any foreign corporation if it appears from the documents that the business to be carried on by the corporation is subject to supervision by the commissioner of financial institutions, unless the commissioner certifies that:

(a) The corporation has obtained the authority required to do business in this state; or

(b) The corporation is not subject to or is exempt from the requirements for obtaining such authority.

Sec. 15. Section 2 of Senate Bill No. 19 of this session is hereby amended to read as follows:

Sec. 2. NRS 80.010 is hereby amended to read as follows:

80.010 1. Before commencing or doing any business in this state, every corporation organized pursuant to the laws of another state, territory, the District of Columbia, a dependency of the United States or a foreign country, that enters this state to do business must:

(a) File in the office of the secretary of state of this state:

(1) A certificate of corporate existence issued not more than 90 days before the date of filing by an authorized officer of the jurisdiction of its incorporation setting forth the filing of documents and instruments related to the articles of incorporation, or the governmental acts or other instrument or authority by which the corporation was created. If the certificate is in a language other than English, a translation, together with the oath of the translator and his attestation of its accuracy, must be attached to the certificate.

(2) A certificate of acceptance of appointment executed by its resident agent, who must be a resident or located in this state. The certificate must set forth the name of the resident agent, his street address for the service of process, and his mailing address if different from his street address. The street address of the resident agent is the registered office of the corporation in this state.

(3) A statement executed by an officer of the corporation, acknowledged before a person authorized by the laws of the place where the acknowledgment is taken to take acknowledgments of deeds, setting forth:

(I) A general description of the purposes of the corporation; and

(II) The authorized stock of the corporation and the number and par value of shares having par value and the number of shares having no par value.

(b) Lodge in the office of the secretary of state a copy of the document most recently filed by the corporation in the jurisdiction

of its incorporation setting forth the authorized stock of the corporation, the number of par-value shares and their par value, and the number of no-par-value shares.

2. The secretary of state shall not file the documents required by subsection 1 for any foreign corporation whose name is the same as, or deceptively similar to the name of a corporation, limited partnership or limited-liability company existing pursuant to the laws of this state or a foreign corporation, foreign limited partnership or foreign limited-liability company authorized to transact business in this state or a name to which the exclusive right is at the time reserved in the manner provided in the laws of this state, unless the written acknowledged consent of the holder of the registered or reserved name to use the same name or the requested similar name accompanies the articles of incorporation.

3. The secretary of state shall not accept for filing the documents required by subsection 1 or NRS 80.110 for any foreign corporation if the name of the corporation contains the words “engineer,” “engineered,” “engineering,” “professional engineer,” “registered engineer” or “licensed engineer” unless the state board of professional engineers and land surveyors certifies that:

(a) The principals of the corporation are licensed to practice engineering pursuant to the laws of this state; or

(b) The corporation is exempt from the prohibitions of NRS 625.520.

4. The secretary of state shall not accept for filing the documents required by subsection 1 or NRS 80.110 for any foreign corporation if it appears from the documents that the business to be carried on by the corporation is subject to supervision by the commissioner of financial institutions, unless the commissioner certifies that:

(a) The corporation has obtained the authority required to do business in this state; or

(b) The corporation is not subject to or is exempt from the requirements for obtaining such authority.

5. As used in this section, “street address” of a resident agent means the actual physical location in this state at which a resident agent is available for service of process.

Sec. 16. The amendatory provisions of this act do not apply to offenses committed before the effective date of section 12 of this act.

Sec. 17. If a land-surveying curriculum of 4 years or more is established at a university within the University and Community College System of Nevada, the board of regents of the University of Nevada shall, not later than 30 days after the curriculum is established:

1. Publicly declare that the curriculum has been established at the university; and

2. Provide written notification of the declaration to

:

- (a) The director of the legislative counsel bureau; and
- (b) The executive director of the state board of professional engineers and land surveyors.

Sec. 18. 1. This section and sections 1 to 4, inclusive, 6 and 8 to 17, inclusive, of this act become effective upon passage and approval.

2. Section 5 of this act becomes effective on July 1, 2010.

3. Section 7 of this act becomes effective on July 1, 2010, if the board of regents of the University of Nevada publicly declares the establishment of the curriculum specified in section 17 of this act on or before July 1, 2006.

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