

Senate Concurrent Resolution No. 19–Committee on Judiciary

FILE NUMBER.....

SENATE CONCURRENT RESOLUTION—Directing the Legislative Commission to conduct an interim study of methods to encourage corporations and other business entities to organize and conduct business in this state.

WHEREAS, The State of Nevada is recognized for its achievements in establishing and maintaining an attractive climate for business entities to organize and conduct business; and

WHEREAS, The State of Nevada has a vital interest in ensuring that business entities continue to enjoy the benefits of organizing and conducting business in this state; and

WHEREAS, A comprehensive assessment of the possible methods to encourage corporations and other business entities to organize and conduct business in this state would be beneficial in maintaining and improving the attractive climate for business entities that exists in this state; and

WHEREAS, A comprehensive assessment should include a review of methods that have helped other states to become more user-friendly to business entities, such as the reduction of certain administrative fees, the expanded use of available technology and the extension of the hours of operation of the Office of the Secretary of State; and

WHEREAS, The establishment of a court of limited jurisdiction to resolve litigation and contractual disputes relating to business entities may promote greater specialization among judges, may ensure that cases and disputes are heard by judges with experience and expertise in complex corporate and fiduciary matters, may contribute to the development and stability of corporate and business law and may ensure consistency in the disposition of cases and disputes involving business entities; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Legislative Commission is hereby directed to appoint a subcommittee consisting of legislators to conduct an interim study of methods to encourage corporations and other business entities to organize and conduct business in this state; and be it further

RESOLVED, That, in addition to the subcommittee, the Legislative Commission shall appoint an advisory committee to assist the subcommittee, which must include, without limitation:

1. One representative from the Office of the Secretary of State;
2. One representative from the Commission on Economic Development; and
3. One representative from the Business Law Section of the State Bar of Nevada; and be it further

RESOLVED, That the study must include, without limitation, a comprehensive assessment of:

1. Whether any laws concerning business entities should be revised to facilitate the organization of business entities in this state and the conducting of business by business entities in this state;

2. The administrative fees charged to business entities who organize or conduct business in this state;

3. The need for expanded use of technology, including, without limitation, electronic filing of documents, to assist the Office of the Secretary of State in maintaining a high level of service for business entities;

4. Whether the hours of operation of the Office of the Secretary of State should be extended; and

5. Whether a court of limited jurisdiction should be established to resolve litigation and contractual disputes relating to business entities, and the possible organization of such a court, including, without limitation:

(a) The jurisdiction of such a court;

(b) The manner in which the judges for the court would be selected if such a court were to be established in this state and the qualifications required for such judges; and

(c) The development of a proposed structure and administration for the court, with consideration given to caseloads, facilities and personnel required for the operation of the court and consideration given to the possible effects on the operation and organization of the other courts in this state; and be it further

RESOLVED, That no action may be taken by the subcommittee on recommended legislation unless it receives a majority vote of the Senators on the subcommittee and a majority vote of the Assemblymen on the subcommittee; and be it further

RESOLVED, That the Legislative Commission submit a report of the results of the study and any recommended legislation to the 71st session of the Nevada Legislature.

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