

SENATE CONCURRENT RESOLUTION NO. 19—COMMITTEE ON JUDICIARY

MARCH 4, 1999

Referred to Committee on Judiciary

SUMMARY—Directs Legislative Commission to conduct interim study of methods to encourage corporations and other business entities to organize and conduct business in this state. (BDR R-534)

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

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.

- 1 WHEREAS, The State of Nevada is recognized for its achievements in
- 2 establishing and maintaining an attractive climate for business entities to
- 3 organize and conduct business; and
- 4 WHEREAS, The State of Nevada has a vital interest in ensuring that
- 5 business entities continue to enjoy the benefits of organizing and
- 6 conducting business in this state; and
- 7 WHEREAS, A comprehensive assessment of the possible methods to
- 8 encourage corporations and other business entities to organize and conduct
- 9 business in this state would be beneficial in maintaining and improving the
- 10 attractive climate for business entities that exists in this state; and
- 11 WHEREAS, A comprehensive assessment should include a review of
- 12 methods that have helped other states to become more user-friendly to
- 13 business entities, such as the reduction of certain administrative fees, the
- 14 expanded use of available technology and the extension of the hours of
- 15 operation of the Office of the Secretary of State; and
- 16 WHEREAS, The establishment of a court of limited jurisdiction to resolve
- 17 litigation and contractual disputes relating to business entities may promote
- 18 greater specialization among judges, may ensure that cases and disputes are
- 19 heard by judges with experience and expertise in complex corporate and
- 20 fiduciary matters, may contribute to the development and stability of
- 21 corporate and business law and may ensure consistency in the disposition
- 22 of cases and disputes involving business entities; now, therefore, be it

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

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

9 1. One representative from the Office of the Secretary of State;

10 2. One representative from the Commission on Economic
11 Development; and

12 3. One representative from the Business Law Section of the State Bar
13 of Nevada; and be it further

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

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

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

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

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

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

30 (a) The jurisdiction of such a court;

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

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

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

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

~