

Amendment No. 398

Senate Amendment to Senate Bill No. 266

(BDR 2-732)

Proposed by: Committee on Judiciary**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: No

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by deleting sections 1 through 3 and adding a new section designated section 1, following the enacting clause, to read as follows:

“**Section 1.** NRS 11.500 is hereby amended to read as follows:

11.500 1. Notwithstanding any other provision of law, and except as otherwise provided in this section, if an action that is commenced within the applicable period of limitations is dismissed because the court lacked jurisdiction over the subject matter of the action, the action may be recommenced in the court having jurisdiction within:

- (a) The applicable period of limitations; or
- (b) Ninety days after the action is dismissed,

↪ whichever is later.

- 2. An action may be recommenced only one time pursuant to paragraph (b) of subsection 1.

KEL/BAW

Date: 4/19/2005

S.B. No. 266—Revises provisions governing statutes of repose and statutes of limitation in actions relating to deficiencies in construction of improvements to real property.



3. An action may not be recommenced pursuant to paragraph (b) of subsection 1 more than 5 years after the date on which the original action was commenced.

4. Paragraph (b) of subsection 1 does not apply to a contract that is subject to the provisions of chapter 104 of NRS.

~~[5. If an action is recommenced pursuant to paragraph (b) of subsection 1, any applicable findings of fact or conclusions of law entered by the court that dismissed the action shall be deemed binding in the action that is recommenced.]”.~~

Amend the title of the bill to read as follows:

“AN ACT relating to limitation of actions; revising the provision governing the recommencement of an action dismissed for lack of subject matter jurisdiction; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Revises provision governing recommencement of actions dismissed for lack of subject matter jurisdiction. (BDR 2-732)”.