

SENATE BILL NO. 266—SENATOR SCHNEIDER

MARCH 22, 2005

Referred to Committee on Judiciary

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

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

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.

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

- 1 **Section 1.** NRS 11.500 is hereby amended to read as follows:
2 11.500 1. Notwithstanding any other provision of law, and
3 except as otherwise provided in this section, if an action that is
4 commenced within the applicable period of limitations is dismissed
5 because the court lacked jurisdiction over the subject matter of the
6 action, the action may be recommenced in the court having
7 jurisdiction within:
8 (a) The applicable period of limitations; or
9 (b) Ninety days after the action is dismissed,
10 ➔ whichever is later.
11 2. An action may be recommenced only one time pursuant to
12 paragraph (b) of subsection 1.
13 3. An action may not be recommenced pursuant to paragraph
14 (b) of subsection 1 more than 5 years after the date on which the
15 original action was commenced.
16 4. Paragraph (b) of subsection 1 does not apply to a contract
17 that is subject to the provisions of chapter 104 of NRS.



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

