

## Amendment No. 829

Assembly Amendment to Assembly Bill No. 146 First Reprint (BDR 7-972)

**Proposed by:** Assembly Committee on Ways and Means**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will:

- (1) ADD a 2/3s majority vote requirement for final passage of A.B. 146 (§§ 11, 14).  
 (2) ADD an appropriation where one does not currently exist in A.B. 146.

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"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) green bold dashed underlining is newly added transitory language.

BAW/BJE



Date: 5/18/2009

A.B. No. 146—Provides for the establishment of a state business portal.  
 (BDR 7-972)



## ASSEMBLY BILL NO. 146—ASSEMBLYMAN OCEGUERA

FEBRUARY 9, 2009

Referred to Committee on Taxation

SUMMARY—Provides for the establishment of a state business portal.  
(BDR 7-972)

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

~

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

AN ACT relating to business; providing for the establishment of a state business portal by the Secretary of State; revising the provisions relating to the issuance of state business licenses and transferring certain responsibilities concerning state business licenses from the Department of Taxation to the Secretary of State; **making an appropriation**; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

**Section 2** of this bill provides for the establishment of a state business portal by the Secretary of State to facilitate interaction among businesses and governmental agencies in this State by allowing businesses to conduct necessary transactions with governmental agencies in this State through use of the state business portal. The Secretary of State is required to: (1) establish, through cooperative efforts, the standards and requirements necessary to design, build and implement the state business portal; (2) establish the standards and requirements necessary for a state or local agency to participate in the state business portal; (3) authorize a state or local agency to participate in the state business portal if the Secretary of State determines that the agency meets the standards and requirements necessary for such participation; (4) determine the appropriate requirements to be used by businesses and governmental agencies conducting transactions through use of the state business portal; and (5) adopt regulations and take any appropriate action as necessary to provide for the establishment, operation and maintenance of the state business portal.

**Section 3** of this bill authorizes the Secretary of State, within the limit of money authorized to him and subject to the approval of the State Board of Examiners, to enter into contracts and other lawful agreements with private or public entities to assist the Secretary of State in establishing, operating or maintaining the state business portal.

**Section 4** of this bill provides that the Secretary of State may apply for and accept any gift, donation, bequest, grant or other source of money to provide for the establishment, operation and maintenance of the state business portal.

**Sections 6-18** of this bill transfer certain duties and responsibilities concerning the issuance of state business licenses from the Department of Taxation to the Secretary of State. (NRS 360.760-360.798)

**Section 45.5 of this bill makes an appropriation for the design and implementation of the state business portal.**

1 WHEREAS, Historically, various state and local governmental agencies have  
2 often required businesses to submit various applications for necessary licenses,  
3 permits and approvals, through the use of numerous forms and formats and multiple  
4 web sites, as determined by those separate agencies; and

5 WHEREAS, Advances in information technology enable governmental agencies  
6 to make the exchange of information from business to government, from  
7 government to business, and across governmental agencies more efficient and  
8 effective for all parties; and

9 WHEREAS, States that make required transactions among businesses and  
10 governmental agencies faster, easier and cheaper than other states provide a  
11 competitive advantage for businesses under their jurisdiction and thereby encourage  
12 economic development within their jurisdiction; and

13 WHEREAS, The State of Nevada should strive to become the national leader for  
14 online interaction between business and government; and

15 WHEREAS, The establishment of a state business portal by the Secretary of  
16 State would provide a single, secure portal for the transaction of business and  
17 would improve efficiency, eliminate redundancy, streamline the establishment of  
18 businesses, improve accountability and enhance economic development in this  
19 State; now, therefore,

20  
21 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
22 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:  
23

24 **Section 1.** Title 7 of NRS is hereby amended by adding thereto a new chapter  
25 to consist of the provisions set forth as sections 2, 3 and 4 of this act.

26 **Sec. 2. 1.** *The Secretary of State shall provide for the establishment of a*  
27 *state business portal to facilitate interaction among businesses and governmental*  
28 *agencies in this State by allowing businesses to conduct necessary transactions*  
29 *with governmental agencies in this State through use of the state business portal.*

30 **2.** *The Secretary of State shall:*

31 *(a) Establish, through cooperative efforts, the standards and requirements*  
32 *necessary to design, build and implement the state business portal;*

33 *(b) Establish the standards and requirements necessary for a state or local*  
34 *agency to participate in the state business portal;*

35 *(c) Authorize a state or local agency to participate in the state business portal*  
36 *if the Secretary of State determines that the agency meets the standards and*  
37 *requirements necessary for such participation;*

38 *(d) Determine the appropriate requirements to be used by businesses and*  
39 *governmental agencies conducting transactions through use of the state business*  
40 *portal; and*

41 *(e) Adopt such regulations and take any appropriate action as necessary to*  
42 *carry out the provisions of this chapter.*

43 **Sec. 3.** *Within the limit of money authorized to him and subject to the*  
44 *approval of the State Board of Examiners, the Secretary of State may enter into*  
45 *contracts and other lawful agreements with private or public entities to assist the*  
46 *Secretary of State in establishing, operating or maintaining the state business*  
47 *portal and carrying out the provisions of this chapter.*

48 **Sec. 4.** *The Secretary of State may apply for and accept any gift, donation,*  
49 *bequest, grant or other source of money to carry out the provisions of this*  
50 *chapter.*

1       **Sec. 5.** Title 7 of NRS is hereby amended by adding thereto a new chapter to  
2 consist of the provisions set forth as sections 6 to 18, inclusive, of this act.

3       **Sec. 6.** *As used in sections 6 to 18, inclusive, of this act, unless the context*  
4 *otherwise requires, the words and terms defined in sections 7 to 10, inclusive, of*  
5 *this act have the meanings ascribed to them in those sections.*

6       **Sec. 7. 1.** *Except as otherwise provided in subsection 2, “business”*  
7 *means:*

8       (a) *Any person, except a natural person, that performs a service or engages*  
9 *in a trade for profit;*

10       (b) *Any natural person who performs a service or engages in a trade for*  
11 *profit if the person is required to file with the Internal Revenue Service a*  
12 *Schedule C (Form 1040), Profit or Loss From Business Form, or its equivalent*  
13 *or successor form, a Schedule E (Form 1040), Supplemental Income and Loss*  
14 *Form, or its equivalent or successor form, or a Schedule F (Form 1040), Profit or*  
15 *Loss From Farming Form, or its equivalent or successor form, for that activity;*  
16 *or*

17       (c) *Any entity organized pursuant to this title, including, without limitation,*  
18 *those entities required to file with the Secretary of State, whether or not the entity*  
19 *performs a service or engages in a business for profit.*

20       2. *The term does not include:*

21       (a) *A governmental entity.*

22       (b) *A nonprofit religious, charitable, fraternal or other organization that*  
23 *qualifies as a tax-exempt organization pursuant to 26 U.S.C. § 501(c).*

24       (c) *A person who operates a business from his home and whose net earnings*  
25 *from that business are not more than 66 2/3 percent of the average annual wage,*  
26 *as computed for the preceding calendar year pursuant to chapter 612 of NRS and*  
27 *rounded to the nearest hundred dollars.*

28       (d) *A natural person whose sole business is the rental of four or fewer*  
29 *dwelling units to others.*

30       (e) *A business whose primary purpose is to create or produce motion*  
31 *pictures. As used in this paragraph, “motion pictures” has the meaning ascribed*  
32 *to it in NRS 231.020.*

33       (f) *A business organized pursuant to chapter 82 or 84 of NRS.*

34       **Sec. 7.5.** *“Place of business” means a facility maintained by a business at a*  
35 *fixed location where the owner or an agent of the business conducts any of the*  
36 *principal business activities of the business.*

37       **Sec. 8.** (Deleted by amendment.)

38       **Sec. 9.** *“State business license” means the business license required*  
39 *pursuant to this chapter.*

40       **Sec. 10.** *“Wages” means any remuneration paid for personal services,*  
41 *including commissions, and bonuses and remuneration payable in any medium*  
42 *other than cash.*

43       **Sec. 11. 1.** *A person shall not conduct a business in this State unless and*  
44 *until the person obtains a state business license issued by the Secretary of State.*  
45 *If the person is:*

46       (a) *An entity required to file an initial or annual list with the Secretary of*  
47 *State pursuant to this title, the person must obtain the state business license at the*  
48 *time of filing the initial or annual list.*

49       (b) *Not an entity required to file an initial or annual list with the Secretary of*  
50 *State pursuant to this title, the person must obtain the state business license*  
51 *before conducting a business in this State.*

52       2. *An application for a state business license must:*

53       (a) *Be made upon a form prescribed by the Secretary of State;*

1 (b) Set forth the name under which the applicant transacts or intends to  
2 transact business, or if the applicant is an entity organized pursuant to this title  
3 and on file with the Secretary of State, the exact name on file with the Secretary  
4 of State, the entity number as assigned by the Secretary of State, if known, and  
5 the location in this State of his place or places of business;

6 (c) Be accompanied by a fee ~~of \$100+~~ in the amount of \$200 plus an  
7 additional \$200 for each additional location in this State of his places of  
8 business; and

9 (d) Include any other information that the Secretary of State deems  
10 necessary.

11 *☞ If the applicant is an entity organized pursuant to this title and on file with the*  
12 *Secretary of State and the applicant has no location in this State of its place of*  
13 *business, the address of its registered agent shall be deemed to be the location in*  
14 *this State of its place of business.*

15 3. The application must be signed pursuant to NRS 239.330 by:

16 (a) The owner of a business that is owned by a natural person.

17 (b) A member or partner of an association or partnership.

18 (c) A general partner of a limited partnership.

19 (d) A managing partner of a limited-liability partnership.

20 (e) A manager or managing member of a limited-liability company.

21 (f) An officer of a corporation or some other person specifically authorized  
22 by the corporation to sign the application.

23 4. If the application for a state business license is defective in any respect or  
24 the fee required by this section is not paid, the Secretary of State may return the  
25 application for correction or payment.

26 5. The state business license required to be obtained pursuant to this section  
27 is in addition to any license to conduct business that must be obtained from the  
28 local jurisdiction in which the business is being conducted.

29 6. For the purposes of this chapter, a person shall be deemed to conduct a  
30 business in this State if a business for which the person is responsible:

31 (a) Is organized pursuant to this title, other than a business organized  
32 pursuant to chapter 82 or 84 of NRS;

33 (b) Has an office or other base of operations in this State;

34 (c) Has a registered agent in this State; or

35 (d) Pays wages or other remuneration to a natural person who performs in  
36 this State any of the duties for which he is paid.

37 7. As used in this section, "registered agent" has the meaning ascribed to it  
38 in NRS 77.230.

39 **Sec. 12.** If a person fails to obtain a state business license and pay the fee  
40 required pursuant to section 11 of this act before conducting a business in this  
41 State and the person is:

42 1. An entity required to file an annual list with the Secretary of State  
43 pursuant to this title, the person:

44 (a) Shall pay a penalty of \$100 in addition to the annual state business  
45 license fee;

46 (b) Shall be deemed to have not complied with the requirement to file an  
47 annual list with the Secretary of State; and

48 (c) Is subject to all applicable provisions relating to the failure to file an  
49 annual list, including, without limitation, the provisions governing default and  
50 revocation of its charter or right to transact business in this State, except that the  
51 person is required to pay the penalty set forth in paragraph (a).

2. Not an entity required to file an annual list with the Secretary of State, the person shall pay a penalty in the amount of \$100 in addition to the annual state business license fee.

Sec. 13. 1. A natural person is not required to obtain more than one state business license for any combination of activities conducted by that person which are reported to the Internal Revenue Service for any federal tax year on two or more of the forms described in paragraph (b) of subsection 1 of section 7 of this act.

2. As used in this section, "federal tax year" means any period of 12 months for which a person is required to report income, tax deductions and tax credits pursuant to the provisions of the Internal Revenue Code and any regulations adopted pursuant thereto.

Sec. 14. 1. A person who applies for renewal of a state business license shall submit a fee ~~for \$100~~ in the amount of \$200 plus an additional \$200 for each additional location in this State of his places of business to the Secretary of State:

(a) If the person is an entity required to file an annual list with the Secretary of State pursuant to this title, at the time the person submits the annual list to the Secretary of State, unless the person submits a certificate or other form evidencing the dissolution of the entity; or

(b) If the person is not an entity required to file an annual list with the Secretary of State pursuant to this title, on the last day of the month in which the anniversary date of issuance of the state business license occurs in each year, unless the person submits a written statement to the Secretary of State, at least 10 days before that date, indicating that the person will not be conducting a business in this State after that date.

2. The Secretary of State shall, 90 days before the last day for filing an application for renewal of the state business license of a person who holds a state business license, provide to the person a notice of the state business license fee due pursuant to this section and a reminder to file the application for renewal required pursuant to this section. Failure of any person to receive a notice does not excuse the person from the penalty imposed by law.

3. If a person fails to submit the annual state business license fee required pursuant to this section in a timely manner and the person is:

(a) An entity required to file an annual list with the Secretary of State pursuant to this title, the person:

(1) Shall pay a penalty of \$100 in addition to the annual state business license fee;

(2) Shall be deemed to have not complied with the requirement to file an annual list with the Secretary of State; and

(3) Is subject to all applicable provisions relating to the failure to file an annual list, including, without limitation, the provisions governing default and revocation of its charter or right to transact business in this State, except that the person is required to pay the penalty set forth in subparagraph (1).

(b) Not an entity required to file an annual list with the Secretary of State, the person shall pay a penalty in the amount of \$100 in addition to the annual state business license fee. The Secretary of State shall provide to the person a written notice that:

(1) Must include a statement indicating the amount of the fees and penalties required pursuant to this section and the costs remaining unpaid.

(2) May be provided electronically, if the person has requested to receive communications by electronic transmission, by electronic mail or other electronic communication.

1       Sec. 15. (Deleted by amendment.)

2       Sec. 15.5. *The Secretary of State may adopt such regulations as are*  
3 *necessary to carry out the provisions of this chapter.*

4       Sec. 16. ~~HH~~ *The Secretary of State shall deposit all money received*  
5 *pursuant to this chapter with the State Treasurer for credit to [the Account for*  
6 *Operation of the State Business Portal.*

7       ~~2. The money in the Account may be used, to the extent of legislative~~  
8 ~~authorization, only for the costs of:~~

9       ~~(a) Establishing, operating and maintaining the state business portal~~  
10 ~~established pursuant to sections 2, 3 and 4 of this act, including, without~~  
11 ~~limitation, the payment of any fixed sum or any percentage of revenue that is~~  
12 ~~required to be paid under the terms of any contract or agreement entered into by~~  
13 ~~the Secretary of State and a private or public entity pursuant to section 3 of this~~  
14 ~~act; and~~

15       ~~(b) Administering the provisions of this chapter.~~

16       ~~3. Any money remaining in the Account at the end of a fiscal year in excess~~  
17 ~~of the amount authorized for expenditure during that fiscal year must be~~  
18 ~~transferred to the State General Fund.~~

19       Sec. 17. 1. Except as otherwise provided in this chapter and NRS  
20 239.0115, the records and files of the Secretary of State concerning the  
21 administration of this chapter are confidential and privileged. The Secretary of  
22 State, and any employee of the Secretary of State engaged in the administration  
23 of this chapter or charged with the custody of any such records or files, shall not  
24 disclose any information obtained from those records or files. Neither the  
25 Secretary of State nor any employee of the Secretary of State may be required to  
26 produce any of the records, files and information for the inspection of any person  
27 or for use in any action or proceeding.

28       2. The records and files of the Secretary of State concerning the  
29 administration of this chapter are not confidential and privileged in the following  
30 cases:

31       (a) Testimony by a member or employee of the Secretary of State and  
32 production of records, files and information on behalf of the Secretary of State or  
33 a person in any action or proceeding pursuant to the provisions of this chapter if  
34 that testimony or the records, files or information, or the facts shown thereby, are  
35 directly involved in the action or proceeding.

36       (b) Delivery to a person or his authorized representative of a copy of any  
37 document filed by the person pursuant to this chapter.

38       (c) Publication of statistics so classified as to prevent the identification of a  
39 particular business or document.

40       (d) Exchanges of information with the Internal Revenue Service in  
41 accordance with compacts made and provided for in such cases.

42       (e) Disclosure in confidence to any person authorized to audit the accounts  
43 of the Secretary of State in pursuance of an audit, or to the Attorney General or  
44 other legal representative of the State in connection with an action or proceeding  
45 pursuant to this chapter, or to any agency of this or any other state charged with  
46 the administration or enforcement of laws relating to workers' compensation,  
47 unemployment compensation, public assistance, taxation, labor or gaming.

48       (f) Exchanges of information pursuant to subsection 3.

49       (g) Disclosure of information concerning whether or not a person  
50 conducting a business in this State has a state business license.

51       3. The Secretary of State may agree with any county fair and recreation  
52 board or the governing body of any county, city or town for the continuing  
53 exchange of information concerning taxpayers.

1        *4. The Secretary of State shall periodically, as he deems appropriate, but*  
2 *not less often than annually, transmit to the Administrator of the Division of*  
3 *Industrial Relations of the Department of Business and Industry a list of the*  
4 *businesses of which he has a record. The list must include the mailing address of*  
5 *the business as reported to the Secretary of State.*

6        **Sec. 18.** *1. If a person who holds a state business license fails to comply*  
7 *with a provision of this chapter or a regulation of the Secretary of State adopted*  
8 *pursuant thereto, the Secretary of State may revoke or suspend the state business*  
9 *license of the person.*

10        *2. If the license is suspended or revoked, the Secretary of State shall provide*  
11 *written notice of the action to the person who holds the state business license.*

12        *3. The Secretary of State shall not issue a new license to the former holder*  
13 *of a revoked state business license unless the Secretary of State is satisfied that*  
14 *the person will comply with the provisions of this chapter and the regulations of*  
15 *the Secretary of State adopted pursuant thereto.*

16        **Sec. 19.** NRS 78.150 is hereby amended to read as follows:

17        78.150 1. A corporation organized pursuant to the laws of this State shall,  
18 on or before the last day of the first month after the filing of its articles of  
19 incorporation with the Secretary of State, file with the Secretary of State a list, on a  
20 form furnished by him, containing:

- 21        (a) The name of the corporation;  
22        (b) The file number of the corporation, if known;  
23        (c) The names and titles of the president, secretary and treasurer, or the  
24 equivalent thereof, and of all the directors of the corporation;  
25        (d) The address, either residence or business, of each officer and director listed,  
26 following the name of the officer or director;  
27        (e) The information required pursuant to NRS 77.310; and  
28        (f) The signature of an officer of the corporation certifying that the list is true,  
29 complete and accurate.

30        2. The corporation shall annually thereafter, on or before the last day of the  
31 month in which the anniversary date of incorporation occurs in each year, file with  
32 the Secretary of State, on a form furnished by him, an annual list containing all of  
33 the information required in subsection 1.

34        3. Each list required by subsection 1 or 2 must be accompanied by:

35        (a) A declaration under penalty of perjury that the corporation:

36        (1) Has complied with the provisions of ~~NRS 360.780~~ *sections 6 to 18,*  
37 *inclusive, of this act;* and

38        (2) Acknowledges that pursuant to NRS 239.330, it is a category C felony  
39 to knowingly offer any false or forged instrument for filing with the Office of the  
40 Secretary of State.

41        (b) A statement as to whether the corporation is a publicly traded company. If  
42 the corporation is a publicly traded company, the corporation must list its Central  
43 Index Key. The Secretary of State shall include on his Internet website the Central  
44 Index Key of a corporation provided pursuant to this paragraph and instructions  
45 describing the manner in which a member of the public may obtain information  
46 concerning the corporation from the Securities and Exchange Commission.

47        4. Upon filing the list required by:

48        (a) Subsection 1, the corporation shall pay to the Secretary of State a fee of  
49 \$125.

50        (b) Subsection 2, the corporation shall pay to the Secretary of State, if the  
51 amount represented by the total number of shares provided for in the articles is:



1	\$75,000 or less.....	\$125
2	Over \$75,000 and not over \$200,000 .....	175
3	Over \$200,000 and not over \$500,000 .....	275
4	Over \$500,000 and not over \$1,000,000 .....	375
5	Over \$1,000,000:	
6	For the first \$1,000,000.....	375
7	For each additional \$500,000 or fraction thereof .....	275
8	➔ The maximum fee which may be charged pursuant to paragraph (b) for filing the	
9	annual list is \$11,100.	

10  
11         5. If a director or officer of a corporation resigns and the resignation is not  
12 reflected on the annual or amended list of directors and officers, the corporation or  
13 the resigning director or officer shall pay to the Secretary of State a fee of \$75 to  
14 file the resignation.

15         6. The Secretary of State shall, 90 days before the last day for filing each  
16 annual list required by subsection 2, cause to be mailed to each corporation which  
17 is required to comply with the provisions of NRS 78.150 to 78.185, inclusive, and  
18 which has not become delinquent, a notice of the fee due pursuant to subsection 4  
19 and a reminder to file the annual list required by subsection 2. Failure of any  
20 corporation to receive a notice or form does not excuse it from the penalty imposed  
21 by law.

22         7. If the list to be filed pursuant to the provisions of subsection 1 or 2 is  
23 defective in any respect or the fee required by subsection 4 is not paid, the  
24 Secretary of State may return the list for correction or payment.

25         8. An annual list for a corporation not in default which is received by the  
26 Secretary of State more than 90 days before its due date shall be deemed an  
27 amended list for the previous year and must be accompanied by the appropriate fee  
28 as provided in subsection 4 for filing. A payment submitted pursuant to this  
29 subsection does not satisfy the requirements of subsection 2 for the year to which  
30 the due date is applicable.

31         **Sec. 20.** NRS 80.110 is hereby amended to read as follows:

32         80.110 1. Each foreign corporation doing business in this State shall, on or  
33 before the last day of the first month after the filing of its certificate of corporate  
34 existence with the Secretary of State, and annually thereafter on or before the last  
35 day of the month in which the anniversary date of its qualification to do business in  
36 this State occurs in each year, file with the Secretary of State a list, on a form  
37 furnished by him, that contains:

38             (a) The names and addresses, either residence or business, of its president,  
39 secretary and treasurer, or the equivalent thereof, and all of its directors;

40             (b) The information required pursuant to NRS 77.310; and

41             (c) The signature of an officer of the corporation.

42         2. Each list filed pursuant to subsection 1 must be accompanied by:

43             (a) A declaration under penalty of perjury that the foreign corporation has  
44 complied with the provisions of ~~NRS 360.780~~ *sections 6 to 18, inclusive, of this*  
45 *act* and which acknowledges that pursuant to NRS 239.330, it is a category C  
46 felony to knowingly offer any false or forged instrument for filing with the Office  
47 of the Secretary of State.

48             (b) A statement as to whether the foreign corporation is a publicly traded  
49 company. If the corporation is a publicly traded company, the corporation must list  
50 its Central Index Key. The Secretary of State shall include on his Internet website  
51 the Central Index Key of a corporation provided pursuant to this subsection and  
52 instructions describing the manner in which a member of the public may obtain

information concerning the corporation from the Securities and Exchange Commission.

3. Upon filing:

(a) The initial list required by subsection 1, the corporation shall pay to the Secretary of State a fee of \$125.

(b) Each annual list required by subsection 1, the corporation shall pay to the Secretary of State, if the amount represented by the total number of shares provided for in the articles is:

\$75,000 or less.....	\$125
Over \$75,000 and not over \$200,000 .....	175
Over \$200,000 and not over \$500,000 .....	275
Over \$500,000 and not over \$1,000,000 .....	375
Over \$1,000,000:	
For the first \$1,000,000 .....	375
For each additional \$500,000 or fraction thereof .....	275

➤ The maximum fee which may be charged pursuant to paragraph (b) for filing the annual list is \$11,100.

4. If a director or officer of a corporation resigns and the resignation is not reflected on the annual or amended list of directors and officers, the corporation or the resigning director or officer shall pay to the Secretary of State a fee of \$75 to file the resignation.

5. The Secretary of State shall, 90 days before the last day for filing each annual list required by subsection 1, cause to be mailed to each corporation which is required to comply with the provisions of NRS 80.110 to 80.175, inclusive, and which has not become delinquent, the blank forms to be completed and filed with him. Failure of any corporation to receive the forms does not excuse it from the penalty imposed by the provisions of NRS 80.110 to 80.175, inclusive.

6. An annual list for a corporation not in default which is received by the Secretary of State more than 90 days before its due date shall be deemed an amended list for the previous year and does not satisfy the requirements of subsection 1 for the year to which the due date is applicable.

**Sec. 21.** NRS 82.523 is hereby amended to read as follows:

82.523 1. Each foreign nonprofit corporation doing business in this State shall, on or before the last day of the first month after the filing of its application for registration as a foreign nonprofit corporation with the Secretary of State, and annually thereafter on or before the last day of the month in which the anniversary date of its qualification to do business in this State occurs in each year, file with the Secretary of State a list, on a form furnished by him, that contains:

- (a) The name of the foreign nonprofit corporation;
- (b) The file number of the foreign nonprofit corporation, if known;
- (c) The names and titles of the president, the secretary and the treasurer, or the equivalent thereof, and all the directors of the foreign nonprofit corporation;
- (d) The address, either residence or business, of the president, secretary and treasurer, or the equivalent thereof, and each director of the foreign nonprofit corporation;
- (e) The information required pursuant to NRS 77.310; and
- (f) The signature of an officer of the foreign nonprofit corporation certifying that the list is true, complete and accurate.

2. Each list filed pursuant to this section must be accompanied by a declaration under penalty of perjury that the foreign nonprofit corporation:

(a) Has complied with the provisions of ~~NRS 360.780;~~ *sections 6 to 18, inclusive, of this act;* and

(b) Acknowledges that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing with the Office of the Secretary of State.

3. Upon filing the initial list and each annual list pursuant to this section, the foreign nonprofit corporation must pay to the Secretary of State a fee of \$25.

4. The Secretary of State shall, 60 days before the last day for filing each annual list, cause to be mailed to each foreign nonprofit corporation which is required to comply with the provisions of NRS 82.523 to 82.5239, inclusive, and which has not become delinquent, the blank forms to be completed and filed with him. Failure of any foreign nonprofit corporation to receive the forms does not excuse it from the penalty imposed by the provisions of NRS 82.523 to 82.5239, inclusive.

5. If the list to be filed pursuant to the provisions of subsection 1 is defective or the fee required by subsection 3 is not paid, the Secretary of State may return the list for correction or payment.

6. An annual list for a foreign nonprofit corporation not in default that is received by the Secretary of State more than 90 days before its due date shall be deemed an amended list for the previous year and does not satisfy the requirements of subsection 1 for the year to which the due date is applicable.

**Sec. 22.** NRS 86.263 is hereby amended to read as follows:

86.263 1. A limited-liability company shall, on or before the last day of the first month after the filing of its articles of organization with the Secretary of State, file with the Secretary of State, on a form furnished by him, a list that contains:

(a) The name of the limited-liability company;

(b) The file number of the limited-liability company, if known;

(c) The names and titles of all of its managers or, if there is no manager, all of its managing members;

(d) The address, either residence or business, of each manager or managing member listed, following the name of the manager or managing member;

(e) The information required pursuant to NRS 77.310; and

(f) The signature of a manager or managing member of the limited-liability company certifying that the list is true, complete and accurate.

2. The limited-liability company shall thereafter, on or before the last day of the month in which the anniversary date of its organization occurs, file with the Secretary of State, on a form furnished by him, an annual list containing all of the information required in subsection 1.

3. Each list required by subsections 1 and 2 must be accompanied by a declaration under penalty of perjury that the limited-liability company:

(a) Has complied with the provisions of ~~NRS 360.780;~~ *sections 6 to 18, inclusive, of this act;* and

(b) Acknowledges that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

4. Upon filing:

(a) The initial list required by subsection 1, the limited-liability company shall pay to the Secretary of State a fee of \$125.

(b) Each annual list required by subsection 2, the limited-liability company shall pay to the Secretary of State a fee of \$125.

5. If a manager or managing member of a limited-liability company resigns and the resignation is not reflected on the annual or amended list of managers and managing members, the limited-liability company or the resigning manager or

managing member shall pay to the Secretary of State a fee of \$75 to file the resignation.

6. The Secretary of State shall, 90 days before the last day for filing each list required by subsection 2, cause to be mailed to each limited-liability company which is required to comply with the provisions of this section, and which has not become delinquent, a notice of the fee due under subsection 4 and a reminder to file a list required by subsection 2. Failure of any company to receive a notice or form does not excuse it from the penalty imposed by law.

7. If the list to be filed pursuant to the provisions of subsection 1 or 2 is defective or the fee required by subsection 4 is not paid, the Secretary of State may return the list for correction or payment.

8. An annual list for a limited-liability company not in default received by the Secretary of State more than 90 days before its due date shall be deemed an amended list for the previous year.

**Sec. 23.** NRS 86.5461 is hereby amended to read as follows:

86.5461 1. Each foreign limited-liability company doing business in this State shall, on or before the last day of the first month after the filing of its application for registration as a foreign limited-liability company with the Secretary of State, and annually thereafter on or before the last day of the month in which the anniversary date of its qualification to do business in this State occurs in each year, file with the Secretary of State a list on a form furnished by him that contains:

- (a) The name of the foreign limited-liability company;
- (b) The file number of the foreign limited-liability company, if known;
- (c) The names and titles of all its managers or, if there is no manager, all its managing members;
- (d) The address, either residence or business, of each manager or managing member listed pursuant to paragraph (c);
- (e) The information required pursuant to NRS 77.310; and
- (f) The signature of a manager or managing member of the foreign limited-liability company certifying that the list is true, complete and accurate.

2. Each list filed pursuant to this section must be accompanied by a declaration under penalty of perjury that the foreign limited-liability company:

(a) Has complied with the provisions of ~~NRS 360.780;~~ *sections 6 to 18, inclusive, of this act;* and

(b) Acknowledges that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing with the Office of the Secretary of State.

3. Upon filing:

(a) The initial list required by this section, the foreign limited-liability company shall pay to the Secretary of State a fee of \$125.

(b) Each annual list required by this section, the foreign limited-liability company shall pay to the Secretary of State a fee of \$125.

4. If a manager or managing member of a foreign limited-liability company resigns and the resignation is not reflected on the annual or amended list of managers and managing members, the foreign limited-liability company or the resigning manager or managing member shall pay to the Secretary of State a fee of \$75 to file the resignation.

5. The Secretary of State shall, 90 days before the last day for filing each annual list required by this section, cause to be mailed to each foreign limited-liability company which is required to comply with the provisions of NRS 86.5461 to 86.5468, inclusive, and which has not become delinquent, the blank forms to be completed and filed with him. Failure of any foreign limited-liability company to

1 receive the forms does not excuse it from the penalty imposed by the provisions of  
2 NRS 86.5461 to 86.5468, inclusive.

3 6. If the list to be filed pursuant to the provisions of subsection 1 is defective  
4 or the fee required by subsection 3 is not paid, the Secretary of State may return the  
5 list for correction or payment.

6 7. An annual list for a foreign limited-liability company not in default which  
7 is received by the Secretary of State more than 90 days before its due date shall be  
8 deemed an amended list for the previous year and does not satisfy the requirements  
9 of this section for the year to which the due date is applicable.

10 **Sec. 24.** NRS 87.510 is hereby amended to read as follows:

11 87.510 1. A registered limited-liability partnership shall, on or before the  
12 last day of the first month after the filing of its certificate of registration with the  
13 Secretary of State, and annually thereafter on or before the last day of the month in  
14 which the anniversary date of the filing of its certificate of registration with the  
15 Secretary of State occurs, file with the Secretary of State, on a form furnished by  
16 him, a list that contains:

- 17 (a) The name of the registered limited-liability partnership;  
18 (b) The file number of the registered limited-liability partnership, if known;  
19 (c) The names of all of its managing partners;  
20 (d) The address, either residence or business, of each managing partner;  
21 (e) The information required pursuant to NRS 77.310; and  
22 (f) The signature of a managing partner of the registered limited-liability  
23 partnership certifying that the list is true, complete and accurate.

24 ➤ Each list filed pursuant to this subsection must be accompanied by a declaration  
25 under penalty of perjury that the registered limited-liability partnership has  
26 complied with the provisions of ~~NRS 360.780, an acknowledgment~~ *sections 6 to*  
27 *18, inclusive, of this act and acknowledges* that pursuant to NRS 239.330, it is a  
28 category C felony to knowingly offer any false or forged instrument for filing in the  
29 Office of the Secretary of State.

30 2. Upon filing:

31 (a) The initial list required by subsection 1, the registered limited-liability  
32 partnership shall pay to the Secretary of State a fee of \$125.

33 (b) Each annual list required by subsection 1, the registered limited-liability  
34 partnership shall pay to the Secretary of State a fee of \$125.

35 3. If a managing partner of a registered limited-liability partnership resigns  
36 and the resignation is not reflected on the annual or amended list of managing  
37 partners, the registered limited-liability partnership or the resigning managing  
38 partner shall pay to the Secretary of State a fee of \$75 to file the resignation.

39 4. The Secretary of State shall, at least 90 days before the last day for filing  
40 each annual list required by subsection 1, cause to be mailed to the registered  
41 limited-liability partnership a notice of the fee due pursuant to subsection 2 and a  
42 reminder to file the annual list required by subsection 1. The failure of any  
43 registered limited-liability partnership to receive a notice or form does not excuse it  
44 from complying with the provisions of this section.

45 5. If the list to be filed pursuant to the provisions of subsection 1 is defective,  
46 or the fee required by subsection 2 is not paid, the Secretary of State may return the  
47 list for correction or payment.

48 6. An annual list that is filed by a registered limited-liability partnership  
49 which is not in default more than 90 days before it is due shall be deemed an  
50 amended list for the previous year and does not satisfy the requirements of  
51 subsection 1 for the year to which the due date is applicable.

1       **Sec. 25.** NRS 87.541 is hereby amended to read as follows:

2       87.541 1. Each foreign registered limited-liability partnership doing  
3 business in this State shall, on or before the last day of the first month after the  
4 filing of its application for registration as a foreign registered limited-liability  
5 partnership with the Secretary of State, and annually thereafter on or before the last  
6 day of the month in which the anniversary date of its qualification to do business in  
7 this State occurs in each year, file with the Secretary of State a list, on a form  
8 furnished by him, that contains:

9       (a) The name of the foreign registered limited-liability partnership;

10       (b) The file number of the foreign registered limited-liability partnership, if  
11 known;

12       (c) The names of all its managing partners;

13       (d) The address, either residence or business, of each managing partner;

14       (e) The information required pursuant to NRS 77.310; and

15       (f) The signature of a managing partner of the foreign registered limited-  
16 liability partnership certifying that the list is true, complete and accurate.

17       2. Each list filed pursuant to this section must be accompanied by a  
18 declaration under penalty of perjury that the foreign registered limited-liability  
19 partnership:

20       (a) Has complied with the provisions of ~~NRS 360.780;~~ *sections 6 to 18,*  
21 *inclusive, of this act;* and

22       (b) Acknowledges that pursuant to NRS 239.330, it is a category C felony to  
23 knowingly offer any false or forged instrument for filing in the Office of the  
24 Secretary of State.

25       3. Upon filing:

26       (a) The initial list required by this section, the foreign registered limited-  
27 liability partnership shall pay to the Secretary of State a fee of \$125.

28       (b) Each annual list required by this section, the foreign registered limited-  
29 liability partnership shall pay to the Secretary of State a fee of \$125.

30       4. If a managing partner of a foreign registered limited-liability partnership  
31 resigns and the resignation is not reflected on the annual or amended list of  
32 managing partners, the foreign registered limited-liability partnership or the  
33 managing partner shall pay to the Secretary of State a fee of \$75 to file the  
34 resignation.

35       5. The Secretary of State shall, 90 days before the last day for filing each  
36 annual list required by subsection 1, cause to be mailed to each foreign registered  
37 limited-liability partnership which is required to comply with the provisions of  
38 NRS 87.541 to 87.544, inclusive, and which has not become delinquent, the blank  
39 forms to be completed and filed with him. Failure of any foreign registered limited-  
40 liability partnership to receive the forms does not excuse it from the penalty  
41 imposed by the provisions of NRS 87.541 to 87.544, inclusive.

42       6. If the list to be filed pursuant to the provisions of subsection 1 is defective  
43 or the fee required by subsection 3 is not paid, the Secretary of State may return the  
44 list for correction or payment.

45       7. An annual list for a foreign registered limited-liability partnership not in  
46 default which is received by the Secretary of State more than 90 days before its due  
47 date shall be deemed an amended list for the previous year and does not satisfy the  
48 requirements of subsection 1 for the year to which the due date is applicable.

49       **Sec. 26.** NRS 87A.290 is hereby amended to read as follows:

50       87A.290 1. A limited partnership shall, on or before the last day of the first  
51 month after the filing of its certificate of limited partnership with the Secretary of  
52 State, and annually thereafter on or before the last day of the month in which the

anniversary date of the filing of its certificate of limited partnership occurs, file with the Secretary of State, on a form furnished by him, a list that contains:

- (a) The name of the limited partnership;
- (b) The file number of the limited partnership, if known;
- (c) The names of all of its general partners;
- (d) The address, either residence or business, of each general partner;
- (e) The information required pursuant to NRS 77.310; and
- (f) The signature of a general partner of the limited partnership certifying that the list is true, complete and accurate.

➤ Each list filed pursuant to this subsection must be accompanied by a declaration under penalty of perjury that the limited partnership has complied with the provisions of ~~NRS 360.780~~ *sections 6 to 18, inclusive, of this act* and which acknowledges that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

2. Except as otherwise provided in subsection 3, a limited partnership shall, upon filing:

(a) The initial list required by subsection 1, pay to the Secretary of State a fee of \$125.

(b) Each annual list required by subsection 1, pay to the Secretary of State a fee of \$125.

3. A registered limited-liability limited partnership shall, upon filing:

(a) The initial list required by subsection 1, pay to the Secretary of State a fee of \$125.

(b) Each annual list required by subsection 1, pay to the Secretary of State a fee of \$125.

4. If a general partner of a limited partnership resigns and the resignation is not reflected on the annual or amended list of general partners, the limited partnership or the resigning general partner shall pay to the Secretary of State a fee of \$75 to file the resignation.

5. The Secretary of State shall, 90 days before the last day for filing each annual list required by subsection 1, cause to be mailed to each limited partnership which is required to comply with the provisions of this section, and which has not become delinquent, a notice of the fee due pursuant to the provisions of subsection 2 or 3, as appropriate, and a reminder to file the annual list. Failure of any limited partnership to receive a notice or form does not excuse it from the penalty imposed by NRS 87A.300.

6. If the list to be filed pursuant to the provisions of subsection 1 is defective or the fee required by subsection 2 or 3 is not paid, the Secretary of State may return the list for correction or payment.

7. An annual list for a limited partnership not in default that is received by the Secretary of State more than 90 days before its due date shall be deemed an amended list for the previous year and does not satisfy the requirements of subsection 1 for the year to which the due date is applicable.

8. A filing made pursuant to this section does not satisfy the provisions of NRS 87A.240 and may not be substituted for filings submitted pursuant to NRS 87A.240.

**Sec. 27.** NRS 87A.560 is hereby amended to read as follows:

87A.560 1. Each foreign limited partnership doing business in this State shall, on or before the last day of the first month after the filing of its application for registration as a foreign limited partnership with the Secretary of State, and annually thereafter on or before the last day of the month in which the anniversary

1 date of its qualification to do business in this State occurs in each year, file with the  
2 Secretary of State a list, on a form furnished by him, that contains:

- 3 (a) The name of the foreign limited partnership;
- 4 (b) The file number of the foreign limited partnership, if known;
- 5 (c) The names of all its general partners;
- 6 (d) The address, either residence or business, of each general partner;
- 7 (e) The information required pursuant to NRS 77.310; and
- 8 (f) The signature of a general partner of the foreign limited partnership  
9 certifying that the list is true, complete and accurate.

10 2. Each list filed pursuant to this section must be accompanied by a  
11 declaration under penalty of perjury that the foreign limited partnership:

- 12 (a) Has complied with the provisions of ~~NRS 360.780;~~ *sections 6 to 18,*  
13 *inclusive, of this act;* and

14 (b) Acknowledges that pursuant to NRS 239.330, it is a category C felony to  
15 knowingly offer any false or forged instrument for filing in the Office of the  
16 Secretary of State.

17 3. Upon filing:

18 (a) The initial list required by this section, the foreign limited partnership shall  
19 pay to the Secretary of State a fee of \$125.

20 (b) Each annual list required by this section, the foreign limited partnership  
21 shall pay to the Secretary of State a fee of \$125.

22 4. If a general partner of a foreign limited partnership resigns and the  
23 resignation is not reflected on the annual or amended list of general partners,  
24 the foreign limited partnership or the resigning general partner shall pay to the  
25 Secretary of State a fee of \$75 to file the resignation of the general partner.

26 5. The Secretary of State shall, 90 days before the last day for filing each  
27 annual list required by subsection 1, cause to be mailed to each foreign limited  
28 partnership, which is required to comply with the provisions of NRS 87A.560 to  
29 87A.600, inclusive, and which has not become delinquent, the blank forms to be  
30 completed and filed with him. Failure of any foreign limited partnership to receive  
31 the forms does not excuse it from the penalty imposed by the provisions of NRS  
32 87A.560 to 87A.600, inclusive.

33 6. If the list to be filed pursuant to the provisions of subsection 1 is defective  
34 or the fee required by subsection 3 is not paid, the Secretary of State may return the  
35 list for correction or payment.

36 7. An annual list for a foreign limited partnership not in default which is  
37 received by the Secretary of State more than 90 days before its due date shall be  
38 deemed an amended list for the previous year and does not satisfy the requirements  
39 of subsection 1 for the year to which the due date is applicable.

40 **Sec. 28.** NRS 88.395 is hereby amended to read as follows:

41 88.395 1. A limited partnership shall, on or before the last day of the first  
42 month after the filing of its certificate of limited partnership with the Secretary of  
43 State, and annually thereafter on or before the last day of the month in which the  
44 anniversary date of the filing of its certificate of limited partnership occurs, file  
45 with the Secretary of State, on a form furnished by him, a list that contains:

- 46 (a) The name of the limited partnership;
- 47 (b) The file number of the limited partnership, if known;
- 48 (c) The names of all of its general partners;
- 49 (d) The address, either residence or business, of each general partner;
- 50 (e) The information required pursuant to NRS 77.310; and
- 51 (f) The signature of a general partner of the limited partnership certifying that  
52 the list is true, complete and accurate.



1    ➤ Each list filed pursuant to this subsection must be accompanied by a declaration  
2    under penalty of perjury that the limited partnership has complied with the  
3    provisions of ~~NRS 360.780~~ *sections 6 to 18, inclusive, of this act* and which  
4    acknowledges that pursuant to NRS 239.330, it is a category C felony to  
5    knowingly offer any false or forged instrument for filing in the Office of the  
6    Secretary of State.

7    2. Except as otherwise provided in subsection 3, a limited partnership shall,  
8    upon filing:

9    (a) The initial list required by subsection 1, pay to the Secretary of State a fee  
10   of \$125.

11   (b) Each annual list required by subsection 1, pay to the Secretary of State a fee  
12   of \$125.

13   3. A registered limited-liability limited partnership shall, upon filing:

14   (a) The initial list required by subsection 1, pay to the Secretary of State a fee  
15   of \$125.

16   (b) Each annual list required by subsection 1, pay to the Secretary of State a fee  
17   of \$175.

18   4. If a general partner of a limited partnership resigns and the resignation is  
19   not reflected on the annual or amended list of general partners, the limited  
20   partnership or the resigning general partner shall pay to the Secretary of State a fee  
21   of \$75 to file the resignation.

22   5. The Secretary of State shall, 90 days before the last day for filing each  
23   annual list required by subsection 1, cause to be mailed to each limited partnership  
24   which is required to comply with the provisions of this section, and which has not  
25   become delinquent, a notice of the fee due pursuant to the provisions of subsection  
26   2 or 3, as appropriate, and a reminder to file the annual list. Failure of any limited  
27   partnership to receive a notice or form does not excuse it from the penalty imposed  
28   by NRS 88.400.

29   6. If the list to be filed pursuant to the provisions of subsection 1 is defective  
30   or the fee required by subsection 2 or 3 is not paid, the Secretary of State may  
31   return the list for correction or payment.

32   7. An annual list for a limited partnership not in default that is received by the  
33   Secretary of State more than 90 days before its due date shall be deemed an  
34   amended list for the previous year and does not satisfy the requirements of  
35   subsection 1 for the year to which the due date is applicable.

36   8. A filing made pursuant to this section does not satisfy the provisions  
37   of NRS 88.355 and may not be substituted for filings submitted pursuant to  
38   NRS 88.355.

39   **Sec. 29.** NRS 88.591 is hereby amended to read as follows:

40   88.591 1. Each foreign limited partnership doing business in this State shall,  
41   on or before the last day of the first month after the filing of its application for  
42   registration as a foreign limited partnership with the Secretary of State, and  
43   annually thereafter on or before the last day of the month in which the anniversary  
44   date of its qualification to do business in this State occurs in each year, file with the  
45   Secretary of State a list, on a form furnished by him, that contains:

46   (a) The name of the foreign limited partnership;

47   (b) The file number of the foreign limited partnership, if known;

48   (c) The names of all its general partners;

49   (d) The address, either residence or business, of each general partner;

50   (e) The information required pursuant to NRS 77.310; and

51   (f) The signature of a general partner of the foreign limited partnership  
52   certifying that the list is true, complete and accurate.

2. Each list filed pursuant to this section must be accompanied by a declaration under penalty of perjury that the foreign limited partnership:

(a) Has complied with the provisions of ~~NRS 360.780;~~ *sections 6 to 18, inclusive, of this act;* and

(b) Acknowledges that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

3. Upon filing:

(a) The initial list required by this section, the foreign limited partnership shall pay to the Secretary of State a fee of \$125.

(b) Each annual list required by this section, the foreign limited partnership shall pay to the Secretary of State a fee of \$125.

4. If a general partner of a foreign limited partnership resigns and the resignation is not reflected on the annual or amended list of general partners, the foreign limited partnership or the resigning general partner shall pay to the Secretary of State a fee of \$75 to file the resignation of the general partner.

5. The Secretary of State shall, 90 days before the last day for filing each annual list required by subsection 1, cause to be mailed to each foreign limited partnership, which is required to comply with the provisions of NRS 88.591 to 88.5945, inclusive, and which has not become delinquent, the blank forms to be completed and filed with him. Failure of any foreign limited partnership to receive the forms does not excuse it from the penalty imposed by the provisions of NRS 88.591 to 88.5945, inclusive.

6. If the list to be filed pursuant to the provisions of subsection 1 is defective or the fee required by subsection 3 is not paid, the Secretary of State may return the list for correction or payment.

7. An annual list for a foreign limited partnership not in default which is received by the Secretary of State more than 90 days before its due date shall be deemed an amended list for the previous year and does not satisfy the requirements of subsection 1 for the year to which the due date is applicable.

**Sec. 30.** NRS 88A.600 is hereby amended to read as follows:

88A.600 1. A business trust formed pursuant to this chapter shall, on or before the last day of the first month after the filing of its certificate of trust with the Secretary of State, and annually thereafter on or before the last day of the month in which the anniversary date of the filing of its certificate of trust with the Secretary of State occurs, file with the Secretary of State, on a form furnished by him, a list signed by at least one trustee that contains the name and street address of at least one trustee and the information required pursuant to NRS 77.310. Each list filed pursuant to this subsection must be accompanied by a declaration under penalty of perjury that the business trust:

(a) Has complied with the provisions of ~~NRS 360.780;~~ *sections 6 to 18, inclusive, of this act;* and

(b) Acknowledges that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

2. Upon filing:

(a) The initial list required by subsection 1, the business trust shall pay to the Secretary of State a fee of \$125.

(b) Each annual list required by subsection 1, the business trust shall pay to the Secretary of State a fee of \$125.

3. If a trustee of a business trust resigns and the resignation is not reflected on the annual or amended list of trustees, the business trust or the resigning trustee shall pay to the Secretary of State a fee of \$75 to file the resignation.

4. The Secretary of State shall, 90 days before the last day for filing each annual list required by subsection 1, cause to be mailed to each business trust which is required to comply with the provisions of NRS 88A.600 to 88A.660, inclusive, and which has not become delinquent, the blank forms to be completed and filed with him. Failure of a business trust to receive the forms does not excuse it from the penalty imposed by law.

5. An annual list for a business trust not in default which is received by the Secretary of State more than 90 days before its due date shall be deemed an amended list for the previous year.

**Sec. 31.** NRS 88A.732 is hereby amended to read as follows:

88A.732 1. Each foreign business trust doing business in this State shall, on or before the last day of the first month after the filing of its application for registration as a foreign business trust with the Secretary of State, and annually thereafter on or before the last day of the month in which the anniversary date of its qualification to do business in this State occurs in each year, file with the Secretary of State a list, on a form furnished by him, that contains:

- (a) The name of the foreign business trust;
- (b) The file number of the foreign business trust, if known;
- (c) The name of at least one of its trustees;
- (d) The address, either residence or business, of the trustee listed pursuant to paragraph (c);
- (e) The information required pursuant to NRS 77.310; and
- (f) The signature of a trustee of the foreign business trust certifying that the list is true, complete and accurate.

2. Each list required to be filed pursuant to this section must be accompanied by a declaration under penalty of perjury that the foreign business trust:

- (a) Has complied with the provisions of ~~NRS 360.780~~ *sections 6 to 18, inclusive, of this act*; and
- (b) Acknowledges that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

3. Upon filing:

- (a) The initial list required by this section, the foreign business trust shall pay to the Secretary of State a fee of \$125.
- (b) Each annual list required by this section, the foreign business trust shall pay to the Secretary of State a fee of \$125.

4. If a trustee of a foreign business trust resigns and the resignation is not reflected on the annual or amended list of trustees, the foreign business trust or the resigning trustee shall pay to the Secretary of State a fee of \$75 to file the resignation.

5. The Secretary of State shall, 90 days before the last day for filing each annual list required by subsection 1, cause to be mailed to each foreign business trust which is required to comply with the provisions of NRS 88A.732 to 88A.738, inclusive, and which has not become delinquent, the blank forms to be completed and filed with him. Failure of any foreign business trust to receive the forms does not excuse it from the penalty imposed by the provisions of NRS 88A.732 to 88A.738, inclusive.

6. If the list to be filed pursuant to the provisions of subsection 1 is defective or the fee required by subsection 3 is not paid, the Secretary of State may return the list for correction or payment.

7. An annual list for a foreign business trust not in default which is received by the Secretary of State more than 90 days before its due date shall be deemed an

1 amended list for the previous year and does not satisfy the requirements of  
2 subsection 1 for the year to which the due date is applicable.

3 **Sec. 32.** NRS 89.250 is hereby amended to read as follows:

4 89.250 1. Except as otherwise provided in subsection 2, a professional  
5 association shall, on or before the last day of the first month after the filing of its  
6 articles of association with the Secretary of State, and annually thereafter on or  
7 before the last day of the month in which the anniversary date of its organization  
8 occurs in each year, file with the Secretary of State a list showing the names and  
9 addresses, either residence or business, of all members and employees in the  
10 professional association and certifying that all members and employees are licensed  
11 to render professional service in this State.

12 2. A professional association organized and practicing pursuant to the  
13 provisions of this chapter and NRS 623.349 shall, on or before the last day of the  
14 first month after the filing of its articles of association with the Secretary of State,  
15 and annually thereafter on or before the last day of the month in which the  
16 anniversary date of its organization occurs in each year, file with the Secretary of  
17 State a list:

18 (a) Showing the names and addresses, either residence or business, of all  
19 members and employees of the professional association who are licensed or  
20 otherwise authorized by law to render professional service in this State;

21 (b) Certifying that all members and employees who render professional service  
22 are licensed or otherwise authorized by law to render professional service in this  
23 State; and

24 (c) Certifying that all members who are not licensed to render professional  
25 service in this State do not render professional service on behalf of the professional  
26 association except as authorized by law.

27 3. Each list filed pursuant to this section must be:

28 (a) Made on a form furnished by the Secretary of State and must not contain  
29 any fiscal or other information except that expressly called for by this section.

30 (b) Signed by the chief executive officer of the professional association.

31 (c) Accompanied by a declaration under penalty of perjury that the  
32 professional association:

33 (1) Has complied with the provisions of ~~NRS 360.780;~~ *sections 6 to 18,*  
34 *inclusive, of this act;* and

35 (2) Acknowledges that pursuant to NRS 239.330, it is a category C felony  
36 to knowingly offer any false or forged instrument for filing in the Office of the  
37 Secretary of State.

38 4. Upon filing:

39 (a) The initial list required by this section, the professional association shall  
40 pay to the Secretary of State a fee of \$125.

41 (b) Each annual list required by this section, the professional association shall  
42 pay to the Secretary of State a fee of \$125.

43 **Sec. 33.** NRS 244.335 is hereby amended to read as follows:

44 244.335 1. Except as otherwise provided in subsections 2, 3 and 4, a board  
45 of county commissioners may:

46 (a) Except as otherwise provided in NRS 244.331 to 244.3345, inclusive,  
47 598D.150 and 640C.100, regulate all character of lawful trades, callings, industries,  
48 occupations, professions and business conducted in its county outside of the limits  
49 of incorporated cities and towns.

50 (b) Except as otherwise provided in NRS 244.3359 and 576.128, fix, impose  
51 and collect a license tax for revenue or for regulation, or for both revenue and  
52 regulation, on such trades, callings, industries, occupations, professions and  
53 business.

2. The county license boards have the exclusive power in their respective counties to regulate entertainers employed by an entertainment by referral service and the business of conducting a dancing hall, escort service, entertainment by referral service or gambling game or device permitted by law, outside of an incorporated city. The county license boards may fix, impose and collect license taxes for revenue or for regulation, or for both revenue and regulation, on such employment and businesses.

3. A board of county commissioners shall not require that a person who is licensed as a contractor pursuant to chapter 624 of NRS obtain more than one license to engage in the business of contracting or pay more than one license tax related to engaging in the business of contracting, regardless of the number of classifications or subclassifications of licensing for which the person is licensed pursuant to chapter 624 of NRS.

4. The board of county commissioners or county license board shall not require a person to obtain a license or pay a license tax on the sole basis that the person is a professional. No license to engage in any type of business may be granted unless the applicant for the license signs an affidavit affirming that the business has complied with the provisions of ~~NRS 360.780~~ *sections 6 to 18, inclusive, of this act*. The county license board shall provide upon request an application for a business license pursuant to ~~NRS 360.780~~ *sections 6 to 18, inclusive, of this act*. As used in this subsection, "professional" means a person who:

(a) Holds a license, certificate, registration, permit or similar type of authorization issued by a regulatory body as defined in NRS 622.060, or who is regulated pursuant to the Nevada Supreme Court Rules; and

(b) Practices his profession for any type of compensation as an employee.

5. No license to engage in business as a seller of tangible personal property may be granted unless the applicant for the license presents written evidence that:

(a) The Department of Taxation has issued or will issue a permit for this activity, and this evidence clearly identifies the business by name; or

(b) Another regulatory agency of the State has issued or will issue a license required for this activity.

6. Any license tax levied for the purposes of NRS 244.3358 or 244A.597 to 244A.655, inclusive, constitutes a lien upon the real and personal property of the business upon which the tax was levied until the tax is paid. The lien has the same priority as a lien for general taxes. The lien must be enforced:

(a) By recording in the office of the county recorder, within 6 months after the date on which the tax became delinquent or was otherwise determined to be due and owing, a notice of the tax lien containing the following:

(1) The amount of tax due and the appropriate year;

(2) The name of the record owner of the property;

(3) A description of the property sufficient for identification; and

(4) A verification by the oath of any member of the board of county commissioners or the county fair and recreation board; and

(b) By an action for foreclosure against the property in the same manner as an action for foreclosure of any other lien, commenced within 2 years after the date of recording of the notice of the tax lien, and accompanied by appropriate notice to other lienholders.

7. The board of county commissioners may delegate the authority to enforce liens from taxes levied for the purposes of NRS 244A.597 to 244A.655, inclusive, to the county fair and recreation board. If the authority is so delegated, the board of county commissioners shall revoke or suspend the license of a business upon certification by the county fair and recreation board that the license tax has become

delinquent, and shall not reinstate the license until the tax is paid. Except as otherwise provided in NRS 239.0115 and 244.3357, all information concerning license taxes levied by an ordinance authorized by this section or other information concerning the business affairs or operation of any licensee obtained as a result of the payment of such license taxes or as the result of any audit or examination of the books by any authorized employee of a county fair and recreation board of the county for any license tax levied for the purpose of NRS 244A.597 to 244A.655, inclusive, is confidential and must not be disclosed by any member, officer or employee of the county fair and recreation board or the county imposing the license tax unless the disclosure is authorized by the affirmative action of a majority of the members of the appropriate county fair and recreation board. Continuing disclosure may be so authorized under an agreement with the Department of Taxation or *Secretary of State* for the exchange of information concerning taxpayers.

**Sec. 34.** NRS 268.095 is hereby amended to read as follows:

268.095 1. Except as otherwise provided in subsection 4, the city council or other governing body of each incorporated city in this State, whether organized under general law or special charter, may:

(a) Except as otherwise provided in subsection 2 and NRS 268.0968 and 576.128, fix, impose and collect for revenues or for regulation, or both, a license tax on all character of lawful trades, callings, industries, occupations, professions and businesses conducted within its corporate limits.

(b) Assign the proceeds of any one or more of such license taxes to the county within which the city is situated for the purpose or purposes of making the proceeds available to the county:

(1) As a pledge as additional security for the payment of any general obligation bonds issued pursuant to NRS 244A.597 to 244A.655, inclusive;

(2) For redeeming any general obligation bonds issued pursuant to NRS 244A.597 to 244A.655, inclusive;

(3) For defraying the costs of collecting or otherwise administering any such license tax so assigned, of the county fair and recreation board and of officers, agents and employees hired thereby, and of incidentals incurred thereby;

(4) For operating and maintaining recreational facilities under the jurisdiction of the county fair and recreation board;

(5) For improving, extending and bettering recreational facilities authorized by NRS 244A.597 to 244A.655, inclusive; and

(6) For constructing, purchasing or otherwise acquiring such recreational facilities.

(c) Pledge the proceeds of any tax imposed on the revenues from the rental of transient lodging pursuant to this section for the payment of any general or special obligations issued by the city for a purpose authorized by the laws of this State.

(d) Use the proceeds of any tax imposed pursuant to this section on the revenues from the rental of transient lodging:

(1) To pay the principal, interest or any other indebtedness on any general or special obligations issued by the city pursuant to the laws of this State;

(2) For the expense of operating or maintaining, or both, any facilities of the city; and

(3) For any other purpose for which other money of the city may be used.

2. The city council or other governing body of an incorporated city shall not require that a person who is licensed as a contractor pursuant to chapter 624 of NRS obtain more than one license to engage in the business of contracting or pay more than one license tax related to engaging in the business of contracting, regardless of the number of classifications or subclassifications of licensing for which the person is licensed pursuant to chapter 624 of NRS.

3. The proceeds of any tax imposed pursuant to this section that are pledged for the repayment of general obligations may be treated as “pledged revenues” for the purposes of NRS 350.020.

4. The city council or other governing body of an incorporated city shall not require a person to obtain a license or pay a license tax on the sole basis that the person is a professional. No license to engage in any type of business may be granted unless the applicant for the license signs an affidavit affirming that the business has complied with the provisions of ~~NRS 360.780~~ *sections 6 to 18, inclusive, of this act*. The city licensing agency shall provide upon request an application for a business license pursuant to ~~NRS 360.780~~ *sections 6 to 18, inclusive, of this act*. As used in this subsection, “professional” means a person who:

(a) Holds a license, certificate, registration, permit or similar type of authorization issued by a regulatory body as defined in NRS 622.060, or who is regulated pursuant to the Nevada Supreme Court Rules; and

(b) Practices his profession for any type of compensation as an employee.

5. No license to engage in business as a seller of tangible personal property may be granted unless the applicant for the license presents written evidence that:

(a) The Department of Taxation has issued or will issue a permit for this activity, and this evidence clearly identifies the business by name; or

(b) Another regulatory agency of the State has issued or will issue a license required for this activity.

6. Any license tax levied under the provisions of this section constitutes a lien upon the real and personal property of the business upon which the tax was levied until the tax is paid. The lien has the same priority as a lien for general taxes. The lien must be enforced:

(a) By recording in the office of the county recorder, within 6 months following the date on which the tax became delinquent or was otherwise determined to be due and owing, a notice of the tax lien containing the following:

(1) The amount of tax due and the appropriate year;

(2) The name of the record owner of the property;

(3) A description of the property sufficient for identification; and

(4) A verification by the oath of any member of the board of county commissioners or the county fair and recreation board; and

(b) By an action for foreclosure against such property in the same manner as an action for foreclosure of any other lien, commenced within 2 years after the date of recording of the notice of the tax lien, and accompanied by appropriate notice to other lienholders.

7. The city council or other governing body of each incorporated city may delegate the power and authority to enforce such liens to the county fair and recreation board. If the authority is so delegated, the governing body shall revoke or suspend the license of a business upon certification by the board that the license tax has become delinquent, and shall not reinstate the license until the tax is paid. Except as otherwise provided in NRS 239.0115 and 268.0966, all information concerning license taxes levied by an ordinance authorized by this section or other information concerning the business affairs or operation of any licensee obtained as a result of the payment of those license taxes or as the result of any audit or examination of the books of the city by any authorized employee of a county fair and recreation board for any license tax levied for the purpose of NRS 244A.597 to 244A.655, inclusive, is confidential and must not be disclosed by any member, official or employee of the county fair and recreation board or the city imposing the license tax unless the disclosure is authorized by the affirmative action of a majority of the members of the appropriate county fair and recreation board.



Continuing disclosure may be so authorized under an agreement with the Department of Taxation *or the Secretary of State* for the exchange of information concerning taxpayers.

8. The powers conferred by this section are in addition and supplemental to, and not in substitution for, and the limitations imposed by this section do not affect the powers conferred by, any other law. No part of this section repeals or affects any other law or any part thereof, it being intended that this section provide a separate method of accomplishing its objectives, and not an exclusive one.

**Sec. 35.** NRS 360.760 is hereby amended to read as follows:

360.760 As used in NRS 360.760 to ~~{360.798,}~~ **360.796**, inclusive, unless the context otherwise requires, the words and terms defined in NRS ~~{360.765 to 360.775, inclusive,}~~ **360.767, 360.773 and 360.774** have the meanings ascribed to them in those sections.

**Sec. 36.** NRS 360.773 is hereby amended to read as follows:

360.773 "State business license" means the business license required pursuant to ~~{NRS 360.780,}~~ **sections 6 to 18, inclusive, of this act.**

**Sec. 37.** NRS 360.780 is hereby amended to read as follows:

360.780 ~~{1. Except as otherwise provided in subsection 7, a person shall not conduct a business in this State unless he has a state business license issued by the Department.~~

~~2. An application for a state business license must:~~

~~(a) Be made upon a form prescribed by the Department;~~

~~(b) Set forth the name under which the applicant transacts or intends to transact business and the location of his place or places of business;~~

~~(c) Be accompanied by a fee of \$100; and~~

~~(d) Include any other information that the Department deems necessary.~~

~~3. The application must be signed by:~~

~~(a) The owner, if the business is owned by a natural person;~~

~~(b) A member or partner, if the business is owned by an association or partnership; or~~

~~(c) An officer or some other person specifically authorized to sign the application, if the business is owned by a corporation.~~

~~4. If the application is signed pursuant to paragraph (c) of subsection 3, written evidence of the signer's authority must be attached to the application.~~

~~5. The state business license required to be obtained pursuant to this section is in addition to any license to conduct business that must be obtained from the local jurisdiction in which the business is being conducted.~~

~~6. For the purposes of NRS 360.760 to 360.798, inclusive, a person shall be deemed to conduct a business in this State if a business for which the person is responsible:~~

~~(a) Is organized pursuant to title 7 of NRS, other than a business organized pursuant to chapter 82 or 84 of NRS;~~

~~(b) Has an office or other base of operations in this State; or~~

~~(c) Pays wages or other remuneration to a natural person who performs in this State any of the duties for which he is paid.~~

~~7.} A person who takes part in an exhibition held in this State for a purpose related to the conduct of a business is not required to obtain a state business license specifically for that event if the operator of the facility where the exhibition is held pays the licensing fee on behalf of that person pursuant to NRS 360.787.~~

**Sec. 38.** NRS 360.790 is hereby amended to read as follows:

360.790 The Department shall deposit all money it receives pursuant to NRS 360.760 to ~~{360.798,}~~ **360.796**, inclusive, in the State Treasury for credit to the State General Fund.



**Sec. 39.** NRS 360.795 is hereby amended to read as follows:

360.795 1. Except as otherwise provided in this section and NRS 239.0115 and 360.250, the records and files of the Department concerning the administration of NRS 360.760 to ~~360.798,~~ **360.796**, inclusive, are confidential and privileged. The Department, and any employee of the Department engaged in the administration of NRS 360.760 to ~~360.798,~~ **360.796**, inclusive, or charged with the custody of any such records or files, shall not disclose any information obtained from those records or files. Neither the Department nor any employee of the Department may be required to produce any of the records, files and information for the inspection of any person or for use in any action or proceeding.

2. The records and files of the Department concerning the administration of NRS 360.760 to ~~360.798,~~ **360.796**, inclusive, are not confidential and privileged in the following cases:

(a) Testimony by a member or employee of the Department and production of records, files and information on behalf of the Department or a person in any action or proceeding pursuant to the provisions of this chapter if that testimony or the records, files or information, or the facts shown thereby, are directly involved in the action or proceeding.

(b) Delivery to a person or his authorized representative of a copy of any document filed by the person pursuant to NRS 360.760 to ~~360.798,~~ **360.796**, inclusive.

(c) Publication of statistics so classified as to prevent the identification of a particular business or document.

(d) Exchanges of information with the Internal Revenue Service in accordance with compacts made and provided for in such cases.

(e) Disclosure in confidence to the Governor or his agent in the exercise of the Governor's general supervisory powers, or to any person authorized to audit the accounts of the Department in pursuance of an audit, or to the Attorney General or other legal representative of the State in connection with an action or proceeding pursuant to this chapter, or to any agency of this or any other state charged with the administration or enforcement of laws relating to workers' compensation, unemployment compensation, public assistance, taxation, labor or gaming.

(f) Exchanges of information pursuant to subsection 3.

(g) Disclosure of information concerning whether or not a person conducting a business in this State has a state business license.

3. The Nevada Tax Commission may agree with any county fair and recreation board or the governing body of any county, city or town for the continuing exchange of information concerning taxpayers.

4. The Executive Director shall periodically, as he deems appropriate, but not less often than annually, transmit to the Administrator of the Division of Industrial Relations of the Department of Business and Industry a list of the businesses of which he has a record. The list must include the mailing address of the business as reported to the Department.

**Sec. 40.** NRS 372.220 is hereby amended to read as follows:

372.220 1. Every retailer who sells tangible personal property for storage, use or other consumption in this State shall register with the Department and give:

(a) The name and address of all agents operating in this State.

(b) The location of all distribution or sales houses or offices or other places of business in this State.

(c) Such other information as the Department may require.

2. Every business that purchases tangible personal property for storage, use or other consumption in this State shall, at the time the business obtains a business license pursuant to ~~NRS 360.780,~~ **sections 6 to 18, inclusive, of this act**, register

with the Department on a form prescribed by the Department. As used in this section, "business" has the meaning ascribed to it in ~~NRS 360.765~~ *section 7 of this act*.

**Sec. 41.** NRS 459.3824 is hereby amended to read as follows:

459.3824 1. The owner or operator of a facility shall pay to the Division an annual fee based on the fiscal year. The annual fee for each facility is the sum of a base fee set by the State Environmental Commission and any additional fee imposed by the Commission pursuant to subsection 2. The annual fee must be prorated and may not be refunded.

2. The State Environmental Commission may impose an additional fee upon the owner or operator of a facility in an amount determined by the Commission to be necessary to enable the Division to carry out its duties pursuant to NRS 459.380 to 459.3874, inclusive, and any regulations adopted pursuant thereto. The additional fee must be based on a graduated schedule adopted by the Commission which takes into consideration the quantity of hazardous substances located at each facility.

3. After the payment of the initial annual fee, the Division shall send the owner or operator of a facility a bill in July for the annual fee for the fiscal year then beginning which is based on the applicable reports for the preceding year.

4. The State Environmental Commission may modify the amount of the annual fee required pursuant to this section and the timing for payment of the annual fee:

(a) To include consideration of any fee paid to the Division for a permit to construct a new process or commence operation of a new process pursuant to NRS 459.3829; and

(b) If any regulations adopted pursuant to NRS 459.380 to 459.3874, inclusive, require such a modification.

5. The owner or operator of a facility shall submit, with any payment required by this section, the business license number assigned by the ~~Department of Taxation~~ *Secretary of State* upon compliance by the owner with ~~NRS 360.780~~ *the provisions of sections 6 to 18, inclusive, of this act*.

6. All fees fines, penalties and other money collected pursuant to NRS 459.380 to 459.3874, inclusive, and any regulations adopted pursuant thereto, other than a fine collected pursuant to subsection 3 of NRS 459.3834, must be deposited with the State Treasurer for credit to the Fund for Precaution Against Chemical Accidents, which is hereby created as a special revenue fund. All interest earned on the money in the Fund must be credited to the Fund.

**Sec. 42.** NRS 616B.679 is hereby amended to read as follows:

616B.679 1. Each application must include:

(a) The applicant's name and title of his position with the employee leasing company.

(b) The applicant's age, place of birth and social security number.

(c) The applicant's address.

(d) The business address of the employee leasing company.

(e) The business address of the registered agent of the employee leasing company, if the applicant is not the registered agent.

(f) If the applicant is a:

(1) Partnership, the name of the partnership and the name, address, age, social security number and title of each partner.

(2) Corporation, the name of the corporation and the name, address, age, social security number and title of each officer of the corporation.

(g) Proof of:

(1) Compliance with the provisions of ~~NRS 360.780~~ *sections 6 to 18, inclusive, of this act*.

(2) The payment of any premiums for industrial insurance required by chapters 616A to 617, inclusive, of NRS.

(3) The payment of contributions or payments in lieu of contributions required by chapter 612 of NRS.

(4) Insurance coverage for any benefit plan from an insurer authorized pursuant to title 57 of NRS that is offered by the employee leasing company to its employees.

(h) Any other information the Administrator requires.

2. Each application must be notarized and signed under penalty of perjury:

(a) If the applicant is a sole proprietorship, by the sole proprietor.

(b) If the applicant is a partnership, by each partner.

(c) If the applicant is a corporation, by each officer of the corporation.

3. An applicant shall submit to the Administrator any change in the information required by this section within 30 days after the change occurs. The Administrator may revoke the certificate of registration of an employee leasing company which fails to comply with the provisions of NRS 616B.670 to 616B.697, inclusive.

4. If an insurer cancels an employee leasing company's policy, the insurer shall immediately notify the Administrator in writing. The notice must comply with the provisions of NRS 687B.310 to 687B.355, inclusive, and must be served personally on or sent by first-class mail or electronic transmission to the Administrator.

**Sec. 43.** Chapter 719 of NRS is hereby amended by adding thereto a new section to read as follows:

*The Secretary of State may require a governmental agency of this State or a governmental agency of a political subdivision of this State, as a condition of participation in the state business portal established pursuant to sections 2, 3 and 4 of this act, to send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use and rely upon electronic records and electronic signatures.*

**Sec. 44.** NRS 719.350 is hereby amended to read as follows:

719.350 1. Except as otherwise provided in subsection 6 of NRS 719.290 ~~and~~ *and section 43 of this act*, each governmental agency of this state shall determine whether, and the extent to which, it will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use and rely upon electronic records and electronic signatures.

2. ~~Except as otherwise provided in section 43 of this act, to~~ the extent that a governmental agency uses electronic records and electronic signatures under subsection 1, the governmental agency, giving due consideration to security, may specify:

(a) The manner and format in which the electronic records must be created, generated, sent, communicated, received and stored and the systems established for those purposes;

(b) If electronic records must be signed by electronic means, the type of electronic signature required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met by, any third party used by a person filing a document to facilitate the process;

(c) Processes and procedures as appropriate to ensure adequate preservation, disposition, integrity, security, confidentiality and auditability of electronic records; and

(d) Any other required attributes for electronic records which are specified for corresponding nonelectronic records or reasonably necessary under the circumstances.

3. Except as otherwise provided in subsection 6 of NRS 719.290 ~~and section 43 of this act~~, the provisions of this chapter do not require a governmental agency of this state to use or permit the use of electronic records or electronic signatures.

**Sec. 45.** NRS 360.765, 360.775, 360.782, 360.784 and 360.798 are hereby repealed.

**Sec. 45.5.** 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of \$6,520,349 for allocation to the Secretary of State to design and implement the state business portal established pursuant to sections 2, 3 and 4 of this act. Money appropriated pursuant to this section may only be allocated by the Interim Finance Committee upon submittal of a detailed plan and budget developed by the Secretary of State.

2. Any remaining balance of the appropriation made by subsection 1 to the Interim Finance Committee must not be committed for expenditure after June 30, 2011, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 16, 2011, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 16, 2011.

**Sec. 46.** 1. Except as otherwise provided in subsection 2, a person who holds a state business license which was issued pursuant to NRS 360.760 to 360.798, inclusive, before ~~January 1, 2010,~~ **October 1, 2009**, and which is not expired or revoked is not required to obtain a state business license pursuant to sections 6 to 18, inclusive, of this act until the expiration of his state business license issued pursuant to NRS 360.760 to 360.798, inclusive.

2. If a person who holds a state business license which was issued pursuant to NRS 360.760 to 360.798, inclusive, before ~~January 1, 2010,~~ **October 1, 2009**, and which is not expired or revoked is an entity that is required to file an annual list with the Secretary of State pursuant to title 7 of NRS, the person is not required to obtain a state business license pursuant to sections 6 to 18, inclusive, of this act until the expiration of the state business license issued pursuant to NRS 360.760 to 360.798, inclusive, unless the entity is required to file the annual list pursuant to title 7 of NRS before the expiration of the state business license issued pursuant to NRS 360.760 to 360.798, inclusive, in which case the person is required to obtain a state business license pursuant to sections 6 to 18, inclusive, of this act at the time of filing the annual list. The amount of the fee for obtaining the state business license pursuant to sections 6 to 18, inclusive, of this act must be prorated to reflect credit for the period remaining before expiration of the state business license issued pursuant to NRS 360.760 to 360.798, inclusive.

1        Sec. 46.5. Notwithstanding the provisions of this act, no penalty, late fee  
2 or interest charge may be imposed against any person for any failure to  
3 comply with the provisions of this act which occurs before January 1, 2010.

4        Sec. 47. 1. This section and section 45.5 of this act ~~becomes~~ become  
5 effective upon passage and approval.

6        2. Sections 1 to 45, inclusive, 46 and 46.5 of this act become effective:

7        ~~1.1~~ (a) Upon passage and approval for the purposes of adopting regulations  
8 and performing any other preparatory actions that are necessary to carry out the  
9 provisions of this act; and

10        ~~1.2~~ (b) On ~~January 1, 2010,~~ October 1, 2009, for all other purposes.

---

---

#### LEADLINES OF REPEALED SECTIONS

---

---

360.765 “Business” defined.

360.775 “Wages” defined.

360.782 Limitation on number of licenses natural person is required to  
obtain.

360.784 Annual fee for license: Amount; submission; penalty for late  
payment.

360.798 Enforcement of provisions: Revocation or suspension of license;  
denial of new license.