

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON JUDICIARY**

**Seventy-Seventh Session  
February 15, 2013**

The Committee on Judiciary was called to order by Chairman Jason Frierson at 8:08 a.m. on Friday, February 15, 2013, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [nelis.leg.state.nv.us/77th2013](http://nelis.leg.state.nv.us/77th2013). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Jason Frierson, Chairman  
Assemblyman James Ohrenschall, Vice Chairman  
Assemblyman Richard Carrillo  
Assemblywoman Lesley E. Cohen  
Assemblywoman Olivia Diaz  
Assemblywoman Marilyn Dondero Loop  
Assemblyman Wesley Duncan  
Assemblywoman Michele Fiore  
Assemblyman Ira Hansen  
Assemblyman Andrew Martin  
Assemblywoman Ellen B. Spiegel  
Assemblyman Jim Wheeler

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Lucy Flores, Clark County Assembly District No. 28



**STAFF MEMBERS PRESENT:**

Ciria Sosa, Research Analyst, Constituent Services  
Dave Ziegler, Committee Policy Analyst  
Brad Wilkinson, Committee Counsel  
Dianne Harvey, Committee Secretary  
Gariety Pruitt, Committee Assistant

**OTHERS PRESENT:**

Edgar Flores, Private Citizen, Las Vegas, Nevada  
Ross Miller, Secretary of State  
Nicole J. Lambole, Chief Deputy, Office of the Secretary of State  
Carla Castedo, representing Mi Familia Vota, Reno, Nevada  
Mario dela Rosa, representing Progressive Leadership Alliance of Nevada  
Paul Moradkhan, Director, Government Affairs, Las Vegas Metro Chamber  
of Commerce  
Karen Duddleston, Business Licensing Manager, City of Las Vegas  
Leo Murrieto, Nevada State Director, Mi Familia Vota, Las Vegas, Nevada  
Susan Myers, Consumer Rights Project, Legal Aid Center of Southern  
Nevada  
Maria Espinosa, Private Citizen, Las Vegas, Nevada  
Jorge Espinosa, Private Citizen, Las Vegas, Nevada  
Tonja Brown, representing Nevada Cure; Private Citizen, Reno, Nevada  
Scott Scherer, representing the Nevada Registered Agent Association,  
Carson City, Nevada  
Brian Hickman, Senior Attorney, Government Relations, CT Corporation,  
Seattle, Washington  
Margaret Flint, representing Arch of Reno Chapel, Chapel of the Bells, and  
Siler Bells Wedding Chapel  
Julie Butler, Records Bureau Chief, Records and Technology Division,  
Department of Public Safety  
Sherry Powell, Representative, Ladies of Liberty, Reno, Nevada  
Fernando Romero, representing Hispanics in Politics and National Council  
of La Raza, Las Vegas, Nevada

**Chairman Frierson:**

[Roll was called. Committee protocol and rules were explained.] We have one bill on the agenda for today. I welcome Assemblywoman Flores to introduce Assembly Bill 74 and then I will open a hearing on A.B. 74.

**Assembly Bill 74: Establishes provisions governing document preparation services. (BDR 19-84)**

**Assemblywoman Lucy Flores, Clark County Assembly District No. 28:**

I am here to present Assembly Bill 74. First I will tell you how I became aware of the issue. I also have a study to be presented by Mr. Edgar Flores in Las Vegas that supports what I will be telling you, and after that I will go through the mechanics of the bill. In addition, Secretary of State Ross Miller will be in Las Vegas as well to testify.

**Chairman Frierson:**

I do not know if I have Edgar Flores signed in from Las Vegas yet. If he is there and could approach I would appreciate it. Are you prepared to proceed until he arrives?

**Assemblywoman Flores:**

I am, Mr. Chairman. I will begin relating how I became aware of this issue. I was very fortunate to be able to keep a full-time staffer throughout the interim after this last legislative session. I started to notice that a bulk of the calls coming into my office from constituents were complaints either about service received from attorneys or from legal document preparers. The document preparers were oftentimes notaries (in Spanish they are referred to as "notarios"), multi-servicios, and paralegals.

I could send the people who had issues with attorneys elsewhere for help. I actually assisted three people in preparing complaints to submit to the Nevada State Bar and they took it from there. There is a fund that exists within the State Bar that is able to compensate people if they find that there is a fee dispute. These people could get assistance.

Then there were the remaining people, the majority of whom, unfortunately, used services from document preparer businesses. These services advertise in all kinds of different ways and for all kinds of different services including divorces, immigration, bankruptcy; you name it. They are registered agents who are creating limited-liability companies (LLCs) and doing business transactions for people. Other than the Attorney General's Office, there is nowhere I could send people who were having issues with document preparers. I actually just referred a case two days ago of a gentleman who used such services and paid over \$60,000 over the course of two years to an organization that did absolutely nothing for him. That case was eventually referred to the Las Vegas Metropolitan Police Department. Unfortunately in Nevada, unless it is fraud based, or it is deceptive trade, or something that is held to a much higher standard to prove and, of course, investigate, there is really no recourse for any of these people. It became frustrating for me, and heartbreaking, to have to tell people the only thing they could do would be to file a police report. I did refer a couple of cases to the Attorney General's Office and they did

accept them. I do not know the disposition of the cases; I have not heard anything positive, so I am assuming that nothing could be done with them either.

That is what prompted me to think about this bill and to think about what we could put in place to add protections for the consumers so they are aware of the services they are getting, and that they actually receive the services for which they are paying. It is important that they are protected in case the document preparer does something wrong.

**Chairman Frierson:**

I will check to see if Edgar Flores has arrived in Las Vegas. In the meantime, Mr. Ohrenschall has a question.

**Assemblyman Ohrenschall:**

What kind of role have you seen the Nevada State Bar play in terms of trying to pursue the unauthorized practice of law? Have they been responsive when you had constituents who have gone to the notaries who have crossed the line in terms of the unauthorized practice of law?

**Assemblywoman Flores:**

I have actually worked very closely with the State Bar in the last two years. Again, it is a situation of authorities not having the jurisdiction or the ability to pursue these people. There is an existing statute which prohibits practice of law without a license. The State Bar can get involved in those cases by pursuing an injunction. They have done that in real estate related transactions where people were paying for loan modifications and then not receiving anything, or they were just being completely defrauded. In those situations there were a couple of cases where the State Bar was able to receive an injunction from the Supreme Court. All that does is prevent that business from providing more services. If there is a way to recover any money from that business, they will do that as well. I am aware that in one case they could not even locate the person anymore because they had to go through the process to issue that injunction. So it is incredibly difficult to deal with the problem as it is happening, and it is certainly difficult to deal with it with respect to the preventative measure; that is when people are armed with information, the appropriate disclosures, and everything that is necessary for one to know exactly what he is getting for payment.

**Chairman Frierson:**

I invite Mr. Flores to approach. Please introduce him, Ms. Flores.

**Assemblywoman Flores:**

We have all sorts of anecdotal stories about document preparers and about why people use them instead of attorneys. Mr. Flores actually completed a research study while he attended Boyd School of Law and was able to quantify with data why people were actually using these services and what the results of that study were. He did focus on the Latino and Asian communities, I believe, but it is pretty safe that we can extrapolate from his data why this is occurring. With that I will have Mr. Flores talk about his research which you should have on the Nevada Electronic Legislative Information System (NELIS) ([Exhibit C](#) and [Exhibit D](#)).

**Chairman Frierson:**

Thank you, and welcome Mr. Flores.

**Edgar Flores, Private Citizen, Las Vegas, Nevada:**

I had the opportunity to work on some research this past December with countless volunteers. It will be published this coming March by *The Texas Hispanic Journal of Law and Policy* ([Exhibit C](#)). Anybody interested in reading the entire research may look it up through LexisNexis, the database, or Westlaw and you will have access to the entire document. It should be there by the end of March. You may look it up under the title of *Legal Service Awareness of the Latino Population in Southern Nevada 2012* ([Exhibit D](#)).

The function of the research was to find out whether or not the Hispanic community, and I will be using Hispanic and Latino interchangeably, knew or was aware of free or inexpensive legal services. In order to achieve that answer and to get an understanding of that, we did a random sampling of the Latino community of individuals who are over the age of 17, self-identified Latinos, and those who lived in North Las Vegas, Las Vegas, and Henderson. We broke them up into geographical regions and went to high traffic areas and did a random sampling.

As it pertains to today's dialogue, secondary questions were answered. We asked a direct question of "Are Hispanics aware of free or inexpensive legal services?" The research to a statistical certainty proved that Hispanics are, in fact, not aware of free or inexpensive legal services. From everybody who statistically participated in the study, only 18.1 percent of individuals had ever heard of free or inexpensive legal services. Free or inexpensive legal services was a broad category which included Catholic Charities, Legal Aid of Southern Nevada, et cetera. Why is that significant? Of those participating, 21 percent had used a non-lawyer for legal services. So 21 percent had used a non-lawyer while 18.1 percent had heard of free or inexpensive legal services.

When we asked the individuals who participated why they used non-lawyers for legal services, they gave answers such as it is easier to talk to notarios publicos for translation, they are more accessible, they speak Spanish, and small issues are more easily addressed to them. When we asked them why they did not go to a lawyer, they said that lawyers were too expensive, the time of day they were not accessible, and they did not speak Spanish. What was most interesting about that was when we asked them if they were basing this off of personal experience, that is, were they going to lawyers and then finding these things out, and saying that they prefer to go to a notary public or someone else, that was not the case. A lot of these individuals were basing this off of things they heard in the community. They have an impression that attorneys are not accessible even though a lot of them have never gone to them.

Another thing to mention concerning the confusion of notaries public within the Latino community or minorities in general, is that in a lot of countries to be a notary public entails passing a lot of tests, specifically for a lawyer. Beyond that you are held to a much higher standard than a lawyer because you have to go through a certain amount of training and you cannot have anything on your record. When people are migrating to the United States, they are coming with the impression that a notary public is still the same thing.

This confusion affects the community. Since the Latino community is saying that they are not going to go to lawyers and do not know of inexpensive legal services as proven by the data, it needs something to compensate for the void. That void is being filled by notaries public and obvious different organizations who are out there filling out forms, et cetera. One of the very telling things when we were conducting the survey was that a lot of the community members completely walked away from the words "notary public" and said, "I went to a notarios publicos." They said, "I went to multi-services for my legal advice; I went to Hispanic services for my legal advice."

When we were collecting the study and we came to the conclusive numbers, I thought it would be important to go to the Secretary of State's website and research how many companies are actually using the words "Hispanic, Latino services, or multiservices," or a combination of those terms. In the past four years, four companies that were registered under the title that included either the word Hispanic or multiservices had their license revoked. Three more that had a combination of Latino services, or services in Espanol, or services in Spanish, something along those lines, had their licenses revoked. While I am not suggesting that everyone with those titles, or everyone who is out there doing this type of work, is unethical or doing it with the intention of taking advantage of the community, the data reveals that it is a concern and it is something that should be taken into account and precautions should be taken.

There are already rules set in place for notaries public. Those rules are set out in *Nevada Revised Statutes* (NRS) 240.085; however, they are not covering the wide spectrum of the issue. If you go to the Business Registry on the Secretary of State's website, there is not a single company, corporation, or organization registered as a notary public that has in its title "notario publico" which is where there is concern about the community members being deceived. Nobody is using that in their title. What is being used is multiservices, Latino services, prep forms, et cetera. What Assemblywoman Flores has proposed is something wider and will cover those issues. I am free now to take any questions that anybody should have, or I can go over more data.

**Assemblyman Duncan:**

I enjoyed reading your research. One of your conclusions in your research was education, income, and cultural barriers in a specific community were a problem as to why these people were using these services. You stated even if the supply equaled the demand, those resources, namely the lower cost legal services, would still go unused. Would you talk about this more to the Committee?

**Edgar Flores:**

Absolutely. Presently there is not a sufficient amount of services to cover everybody's needs. But even if there were a sufficient number of groups who would address the legal need of every single member in southern Nevada, the evidence, not only from what I have from my research, but also from other research that was done prior to mine, indicates that a lot of members from minority communities, even if they know of services, do not always go to them. It is a consequence to a whole array of issues. Some of them are cultural barriers; some communities are taught to keep problems at home. If we have domestic issues, we do not bring it to the public's attention because of fear of ridicule even though that is false. Another issue is that people, even when they know of services, do not go because they do not speak the language. They are afraid of going there because they cannot communicate. So the fear of embarrassment with communication is another issue. I think within the community there is a hesitation asking for service because people often feel they do not qualify, they cannot use them, or they are not for the specific members of their community. All of those factors come into play.

**Assemblyman Duncan:**

Mr. Flores, taking into consideration all of those things that you just discussed, how do you believe that this bill will specifically target those?

**Chairman Frierson:**

For the record, Ms. Flores.

**Assemblywoman Flores:**

Actually there is a very direct link, and what Mr. Flores' research shows is regardless of demand, because of all of the barriers that exist, you are still going to have some people that just feel more comfortable using these types of services. That being said, where this bill really focuses is on the accountability measure and the protection measure. It also ensures that if you go to one of these businesses to have them prepare papers, at the very least, if they make a mistake with the date or if they do not submit paperwork as required, or any number of things that can happen in the process where it creates legal and financial detrimental implications for you, there is a remedy. This bill requires that the business hold at least a \$50,000 bond and it gives the Secretary of State the ability to investigate if someone submits a complaint and they find there is enough evidence to pursue the investigation. I think that is where the emphasis is and where that directly connects with this data and research. We need something out there to protect our consumers because we know they are still going to use these businesses. If this is occurring, then at least it needs to be a safe and accountable environment.

**Assemblyman Duncan:**

Mr. Flores spoke about the different terms of art used in the Latino community. Does this bill address specifically adding those terms into NRS 240.085? Are we lumping those things together? Secondly, Ms. Flores, do you think having these filing fees will reduce the number of notarios that are servicing this community? I would also like for you to address limiting the amount of services to people.

**Assemblywoman Flores:**

The "terms of art," as you refer to it, are addressed in the bill itself. If you look at section 4 and look at the amendment that was provided on NELIS ([Exhibit E](#)), I actually did make a number of changes to that section so that it was not ambiguous. The point of this bill is so people understand to whom it applies, what the document preparer's obligation is to the client, and the client understands what they are entitled to as far as statutory rights. I did prepare a couple of amendments to try to tighten up that language. In section 4 you will see that in "Document preparation service means a person who: (a) For compensation and at the direction of the client provides..." I did remove advice because providing legal advice without a license is illegal. We do not tolerate people setting up shop to help people with their injections and the dispensing of their medications, and in the same way we should not tolerate another person who sets up shop and starts doling out legal services to people. I really wanted to emphasize that so I took out advice and said "provides assistance to the client in a legal matter, including, without limitation" followed by all of the various ways you can prepare a document.

**Chairman Frierson:**

For the Committee's edification and anybody following on NELIS, Ms. Flores, you have a mock-up loaded on NELIS with some changes that you have submitted. There is also a proposed amendment by the Secretary of State ([Exhibit F](#)) that is separate from your mock-up. Am I correct?

**Assemblywoman Flores:**

For the record, yes. The Secretary of State's amendment is addressing a mechanical issue within the bill. I am sure his office will explain it further. Basically, we said that they had to submit a business license with the application to the Secretary of State. The local governments will not issue a business license until they have the certificate from the Secretary of State.

**Chairman Frierson:**

I did not want to put you on the spot about them. I want to make sure that the Committee knows to follow the NELIS mock-up ([Exhibit E](#)) as the presenters go on through the bill so that we see the bill with the sponsor's proposed changes. Then we can go through any amendments that come after that.

**Assemblywoman Flores:**

If you go to section 4, subsection 2, where it says, "The term does not include:", this is basically the list of exemptions. I did add new language to subsection 2, paragraph (b) which says "who is paid directly by the attorney or law firm with whom the attorney is associated and who is acting in the course and scope of that employment." What I wanted to target basically with this amendment again is to emphasize that lawyers, and people under the direct supervision of lawyers, can assist with practicing law because the lawyer is ultimately responsible for anything that their employee does. If my paralegal, or my legal assistant, were to make a mistake such as a wrong date and the client is barred from bringing suit because the statute of limitations ran out, I will be sued. My malpractice insurance is going to pay for that. I am responsible because I did not supervise my employee. A document preparation service will often have one lawyer that is associated with the business. They then tell everyone that we have a lawyer and they will all shelter under that attorney. I want to prevent that from happening. If you are preparing documents and you do not directly work for the lawyer, supervising you, then you should not be practicing law. Again, this is the list of exemptions. [Mrs. Flores read one list of exemptions directly from ([Exhibit E](#)).]

**Chairman Frierson:**

I would like for you to summarize each section so we may get through the bill and then incorporate some of the changes that you are proposing. I think then we might have some answers to some questions.

**Assemblywoman Flores:**

One other important amendment that I should mention is in paragraph (h), "Except as otherwise provided in paragraphs (i) and (j)," where I did specifically list those people who are able to do immigration law, but are not lawyers. That is because they are certified by the immigration courts; that is perfectly acceptable. The other situation pertains to people that are described as bankruptcy preparers through federal law. Those two groups can assist with those issues, and because they are governed by those other bodies, I did not feel it necessary to include them in this bill.

Section 5 again defines the meaning of a legal matter. It talks about the different things that document preparers do in the course of their business.

Section 7 again expands on that. It talks about what the Secretary of State should do in the registration process. It also tells who is not eligible to be a document preparer in Nevada. I did remove the term "felony," after getting some response from the public and I thought that it had some merit in terms of "felony" being extremely broad. You could very well be convicted of a felony when you were 18 years old; that has absolutely nothing to do with this type of practice. I do think it was important to leave in "convicted of a crime involving theft, fraud or dishonesty." I believe that directly relates to this type of business.

Section 8, talks about the registration itself. It does say there would be an initial \$300 registration fee along with an application process that includes fingerprinting and a background check. Every year thereafter it would be a \$100 renewal fee. Again, there would be a requirement for a \$50,000 bond to be maintained every year. All of that would be submitted to the Secretary of State along with an application designed by that office.

Section 9 discusses the same thing. I do want to point out that in the mock-up in section 9, subsection 1, paragraph (a), subparagraph (4), we added "An act or omission of the registrant in violation of any other federal or state law for which the return of fees, an award of damages or the imposition of sanctions have been awarded by a court of competent jurisdiction in this State." This was put in because it has been difficult for Legal Aid to go back through the whole bankruptcy process and obtain funds to compensate the people who had their bankruptcy petitions improperly completed.

I have gone over what I believe to be the highlights. Section 10 and the rest lays out the process the person has to go through to register with the State, what it is that they have to provide to the client in terms of disclosure, the disclosures they must make to the public, and that they are not authorized to

practice law or give legal advice. The Secretary of State can also address this issue through his office.

Is this going to reduce services? To a certain extent I think that the answer is yes. What I am trying to achieve with this bill is to make sure that the people who are actually providing services in the way they are supposed to, those that are actually assisting in preparing the documents and are providing a relatively decent service to the community, are still able to do so. This bill does not limit them from what they are currently doing in any way. I think that it will limit, however, those people who unfortunately are taking advantage of a lot of people, who are hurting a lot of people, and who are making a lot of money in the process. I do not want those people preparing any documents for anyone. Oftentimes they take the money and do not even do anything. It is indescribable when a person's hope is gone because someone told them that they would save their home, or that they would prepare their immigration papers, and that they would be reunited with their family. Then they come to the realization that not only were they robbed of \$10,000, but were robbed of all hope that any of that was going to happen. If they had gone to a competent attorney in the very beginning, they would have been told that they were not eligible for any of these things. So yes, I am hoping to reduce that.

**Assemblyman Carrillo:**

We make bills here every two years. What will be the advantage for the people who use these services to let them know that there are reputable businesses whether it be through the Secretary of State or through advertising that lists highly recommended people? We need to talk about the education perspective. We can make laws all day, but if we are not educating the people, it does not matter. Please elaborate.

**Assemblywoman Flores:**

As a legislator, much of my job is in the realm of consumer awareness. You are right, I think that this relates back to that research. There will always be some sort of cultural barrier that we are constantly fighting. This bill adds an enforcement component. It requires that an 800 number be established by the Secretary of State and that number be disclosed on advertisements, on the contract, and on everything that is given to the client. That way the client knows there is someone out there who can help them if they have a complaint or if something goes wrong. In addition, if that is not being done, then the Secretary of State, who currently does not have authority, can investigate. At present, there are no laws that would open the doors to investigations. A part of the awareness is being sure people have the appropriate information.

**Assemblyman Carrillo:**

The other question I have is in regards to the \$50,000 surety bond. Are attorneys required to carry this bond as well?

**Assemblywoman Flores:**

We do not carry a bond; we carry malpractice insurance. It is full-on insurance and costs a lot more than \$50,000.

**Assemblyman Carrillo:**

In regards to paralegals, how does this affect part-time people who do this after their regular work hours?

**Assemblywoman Flores:**

If they are a sole proprietor, have their own business, and do it on their own time after hours, they would have to register with the state. As long as you are acting on your own and you are not being supervised by an attorney, you would need to register. It is about the protection. If you are a paralegal and you are working for an attorney preparing documents, then the attorney is responsible and you are covered under the attorney's insurance. However, if a paralegal prepares a document after leaving the attorney's office, the services are with the paralegal, not the attorney, so the paralegal would have to register. Theoretically, the paralegal should have a business license also.

**Assemblyman Duncan:**

In your experience are these brick-and-mortar places that are taking advantage of people, or are they fly-by-night, or the neighbor down the street? What type of people are taking advantage of people?

**Assemblywoman Flores:**

It is all kinds of people. It is definitely brick and mortar, but it is very interesting when you start looking at physical addresses. When you look at a physical address and you see how often the name has changed, but always a variation of the same name, they are creating this business, they are registering it, and they will operate under that. They will have complaints come through and they will get investigated. When you see businesses whose licenses are revoked, oftentimes they did not renew their license, but instead created a whole new entity at the very same address with a variation of the name. These operations are going on. There are also the fly-by-nights that set up shop anywhere, take money, complaints come in, and then they are gone. There is no way to find them. I do not know if I have come across a complaint of anyone who is doing this from their home, but I do not doubt that it happens. I want to emphasize that we are trying to get at the bad actors, those who are preparing documents who at the very least will have protection should they make a mistake. This is

not for the purpose of limiting service in any way; it is for the purpose of providing accountability and protection for our consumers.

**Assemblyman Wheeler:**

How much would it cost a small business to get a \$50,000 bond and then add the \$300 license fee on top of that? I understand you can represent yourself in pro per, and you can get assistance from other people. Some documents, such as wills, are prepared documents and I am wondering if this bill would stop people from getting them from very low-cost outlets, and instead, follow that money up to the attorneys?

**Assemblywoman Flores:**

I did investigate the cost of the bond. In California they are called a Legal Document Assistance Bond and they are generally between 1 and 2 percent of the amount of the bond. So, one percent of \$50,000 would be \$500. If you have a \$100 renewal fee then you would be paying \$600 to do business.

People are paying a lot of money for these services. The gentleman that I just referred to Las Vegas Metro Police Department paid over \$60,000. They advertise a \$69 divorce, but when you go in, there all of a sudden that \$69 turns into \$800, and then another payment of \$250 is due by a certain date. It becomes a series of if you do not continue paying, you do not receive the services. At that point, people feel trapped. In my experience, and what I have personally witnessed, it is not low cost at all. In fact, in comparison it would have been cheaper with an attorney.

I am actually glad that you brought up the pro per because another big issue with this is that there have been situations where a person goes to a document preparer and they are not entirely sure whether or not that person is an attorney. Sometimes they think the person is an attorney and they are paying for actual attorney services when they are not. There was one situation, for example, where a gentleman came in and thought he had an attorney. The document preparer was filing all kinds of inaccurate and misplaced information on the client's behalf, just to say that they did something. The client ended up spending close to \$5,000 and in all of the paperwork he was going forward as pro per. This entire time he thought he had an attorney, when in reality all of his legal documents said that he was actually representing himself. So yes, people can represent themselves and this in no way affects that ability whatsoever. As a matter of fact, the amendment specifically states in the exemptions it does not affect anyone who is representing themselves in the legal process.

**Assemblyman Wheeler:**

Have you done any type of study on all of the document preparers out there regarding how many of them have had complaints filed versus how many have never had a problem?

**Assemblywoman Flores:**

We do not know as there is no way to tell. There is nowhere for these people to call. That is exactly why I had Mr. Flores appear because it is the first time someone had actually tried to look at this issue. Granted, it was within a very small community, the Latino community, but there is just no way to tell. Last session and the session before that, we completely eliminated our Consumer Affairs Department, so there are not a whole lot of resources for people who feel that they have not received the services for which they paid. Again, you have to remember that not only are there financial implications to this, but there are also legal implications as well.

The gentlemen of whom I spoke was out an entire appeals process. He would have had to go to the Supreme Court because he had exhausted all of his appeals. He did not even know it was happening. It is awful when people are affected in that way and there is nowhere for them to call.

**Assemblyman Martin:**

I am enjoying your presentation because being a certified public accountant (CPA), it is very near and dear to my heart. This is a very lengthy, comprehensive bill. Where do tax services fall into this? As a primer to this discussion, essentially if you have a pencil, you can be a preparer. I understand that and I would ultimately like to see that changed. Have you received any complaints about these notarios charging any contingency fees with regards to tax refunds? This charge is expressly prohibited for a CPA or an enrolled agent. I was wondering if there had been any complaints. Also, I have driven by some of these buildings and they hold themselves out as public accountants versus certified public accountants. Trust me, there is a great deal of difference. It is a truth in labeling issue. What I feel is that they will start preparing documents, to use your terms, where they are stating that they do financial statements, audited financial statements. That is such a regulated industry. I sold my auditing practice about two years ago; I cannot even do it and I am a certified public accountant. Yet these people are going to pretend that they are auditing and I am wondering if your bill is encompassing this kind of regulation and restrictions.

**Assemblywoman Flores:**

I actually have not received any complaints regarding tax preparation services. It is very much in line with what we are talking about today and quite often

these places that advertise those types of services are advertising bookkeeping, tax returns, divorces, immigration, and everything under the sun. That is why they began calling themselves multiservicios because it means multiservices. I cannot recall that I have received anything specifically; however, I do know that goes hand in hand with the problem that we are trying to address here. It is not specifically located in this bill because financial services are not really considered a legal matter. I certainly understand what you are saying.

**Assemblyman Martin:**

The only thing that I would add is we need to address this rapid refund situation that some are offering. I am not sure whether their rates are in line with others such as H&R Block. That is also something that is very confusing to people because it sounds very appealing, but when you start doing the math and calculations, a lot of these people do not have that ability. When you talk in terms of registration and requirements, it seems that up to this point they have gotten away with performing services for which others are highly regulated. It seems that there should be a simple disclosure that you are paying 183 percent a year for rapid refund. The sad thing is, if you do electronic filing, that money will come back to you in two weeks. Some people are really paying dearly for this service. I think it is freedom of choice, but I feel that it really should be disclosed.

**Assemblywoman Flores:**

I agree. Quite often people do not realize that they have been taken advantage of because they have not had those appropriate disclosures and, if they are paying contingencies, it is hard for them to obtain that information. They do not know who to call or where to go. Because I did have a full-time staffer, people began to realize that they could call my office and that is when the calls really started to come in. It got around that there was concern about revolving legal services. Since people chose to call me about that, I do not think that they even thought they might have also been taken advantage of in other areas.

**Assemblyman Hansen:**

I assume that there are many reputable notaries public that are providing legitimate services. How many prosecutions have there been, who enforces these, and how many enforcements have there been? I have never had a single complaint in my area on this level. I am wondering how big of a problem this really is to have a bill to address that which may be an insignificant problem.

**Assemblywoman Flores:**

I think that the person who lost their \$60,000 does not think that this problem is insignificant. I will say that in terms of how many people have been prosecuted, how often this is prosecuted, how many people have actually

experienced this, or the number of incidents that have not been reported, we do not have the figures because we have nothing in place that allows investigation of this. Unless it rises to the level of fraud, which is a criminal statute, there has to be proof there was an intent to defraud and it is incredibly difficult to prove under the laws that exist right now in Nevada. We need the ability to go in when we have a complaint. Since these document preparation businesses are not attorneys, there is no privilege. People need to be aware of these things. We need to have the Secretary of State investigate, see what happened, and do something on behalf of the people.

My district consists mostly of low-income Latino, and this disproportionately affects low-income communities. Oftentimes it is a matter of people not knowing where to go, but they know that people have taken advantage of them. Sometimes people just take it as a loss and go about their business. I do not think that is right. And yes, I do believe that there are document preparation businesses out there who are not breaking the law. In my experience, and what is going on in my community, it is a very big problem.

**Assemblyman Hansen:**

It seems unlikely to me that they are going to see a substantial reduction in cost if they have to go to a law firm to complete some of these legal documents. The idea of costs being reduced seems sketchy even. Secondly, I have been aware of a lot of cases where people have been defrauded by perfectly legitimate lawyers that are licensed. They were enforced and that is how I became aware of them. I do not think that just licensing is magically going to solve the criminal element. My concern is the bill's main function is to reduce competition for law firms by allowing these people to have the low-cost notaries to which they can turn. I see where a lot of legitimate ones are going to be forced to do some hoop jumping here—getting a \$50,000 bond and another \$300 license fee, things like that. This, of course, substantially increases the cost to their clients. I have concerns about this. Thank you for answering my question.

**Assemblywoman Flores:**

This bill is not designed to reduce the amount of services out there; what it is designed to do is to ensure that there is a level of protection for people who are using those services. Even if someone is not intending to hurt someone, even if someone is doing all the right things, mistakes happen. If you remove that entire criminal element, you still have a situation where you have people who are preparing legal documents that could make mistakes. If you happen to be one of those people who is hurt because of it, there is currently nothing that you can do about it. It covers a much broader arena than that. If you still want to use these services as opposed to going to an attorney, they will still be there.

To do business, it will be \$300 the first year and \$100 on renewal, plus the cost of the bond which would be as low as \$500.

**Chairman Frierson:**

I have some questions that I believe might resolve some global thoughts that have been touched upon.

**Assemblywoman Flores:**

The Secretary of State is in Las Vegas and he does have other appointments. Would you like for me to address your questions now and then move on to the Secretary of State?

**Chairman Frierson:**

Out of courtesy to the Secretary of State, if you are able to stay, I will certainly defer to the Secretary of State. We do not want to set a precedent for getting out of order, but the Secretary of State has spoken to the sponsor of this bill and prepared an amendment that is embraced by the sponsor. Mr. Secretary, please proceed now so you can have time to get to your other business.

**Ross Miller, Secretary of State:**

Good morning Mr. Chairman and Members of the Committee. For the record, I am Secretary of State Ross Miller. [Provided written testimony ([Exhibit G](#)).] I am here in enthusiastic support behind the policy goals of A.B. 74. While I have not had an opportunity to see the amendments offered today, or listen to concerns about the proposed language, the fact remains that this bill is badly needed in Nevada. For far too long, we have endured a reputation as being the safe haven for criminal activity, be it sophisticated money laundering schemes all the way down to small con-artists hanging a shingle and ripping off the low-level consumers with little to no consequence. To be certain, we pride ourselves as a pro-business jurisdiction, free from the bureaucratic regulations that drown legitimate businesses. But, being pro-business requires that you weed out the criminal element and protect consumers so that the public has faith in the free market economy within our borders. As we move toward our broader economic development goals in diversifying our economy, I believe there is nothing more important than ensuring Nevada does not have the reputation as the home of con-artists, snake oil salesmen, and crooks. That is why this bill is badly needed.

From a political or administrative perspective, this bill has little to do with me. This is my last legislative session as Secretary of State; I am soon term-limited out, and by the time these provisions are implemented, I will not be able to oversee them. But I speak today as somebody who has spent six years trying unsuccessfully to repair Nevada's badly damaged business reputation brought

on by these con-artists, swindlers, and thieves. Sadly, this is a reputation that we have earned and we need to reverse course by implementing the same type of consumer protections seen in other states.

With regards specifically to individuals involved in entity formation, more specifically registered agents, if you do not think we are known as a problematic jurisdiction, just Google it. Every week my office fields numerous press inquiries from out-of-state media outlets seeking entity filing documents about a Nevada-based entity facing criminal scrutiny. Following are a few examples:

Nevada has been in the cross hairs since well before the 2006 United States Senate Permanent Subcommittee hearings that identified Nevada for the use of shell companies, bearer shares, and nominee officers for anonymous practices that have been advertised by registered agents.

A comprehensive Reuters special report entitled *Nevada's Big Bet on Secrecy* in September 2011 identified convicted felons serving as registered agents and that had built thriving businesses that helped people set up shell companies.

Last year's CNBC report, *Filthy Rich*, identified Robert Harris as a registered agent in a Fernley home, a residential address I might add, with some 2,400 Nevada corporations operating out of there, many of whom were involved in shady enterprises. In response to that interview Harris stated, "I do not do any investigative work on the people. If they want to spend the money, I take their business."

Just last week, a study out of Brigham Young University, the University of Texas at Austin, and Griffith University, focused on registered agents' practices and the ease by which a shell company may be created using a registered agent without any "know your customer" safeguards in place, even when requests may have indicated that the business might be unlawful. Nevada was ranked as the easiest place to form such a shell company. Delaware and Wyoming were right there with us.

At the national level, the Financial Crimes Enforcement Network (FinCEN) and Financial Action Task Force (FATF) have identified Nevada, along with Wyoming and Delaware again, as secrecy havens and have expressed concerns about registered agents being able to shield unlawful practices.

The Financial Action Task Force (FATF) and Groupe d'Action Financiere (GAFI) had a report, *The Misuse of Corporate Vehicles, Including Trust and Company Service Providers* which states that "shell corporations and nominees are widely

used mechanisms to launder the proceeds from crime" and cited Nevada as a jurisdiction of concern.

In August 2011, I issued a warning to Nevada businesses about deceptive solicitations from companies that purported to be from registered agents but, in fact, were sending out notices looking as though they were official notifications from our offices endorsed by the Secretary of State's Office, asking them to designate them as the registered agent and pay excessive fees. Registered agents have been asked repeatedly to remove from their websites the Great Seal of the State of Nevada, Secretary of State Web page headers, and other information that gives the appearance that the registered agent is approved or endorsed by the State of Nevada or the Secretary of State.

In 2011 we had an unfortunate action against a company called Power Point Management, a Nevada registered agent who had over 500 entities, many of whom were located in China. That company failed to maintain any location for proper service of process. Its office in Las Vegas was not even manned and the doors were blocked by huge piles of unopened mail.

Again in 2011, another registered agent was fined \$5,000 and had to pay associated fees and penalties for collecting the state business license fees from customers, then filing a claim of exemption and keeping the fees.

I often hear Nevada compared to Delaware and Wyoming as premier filing jurisdictions. The difference between Nevada and those two states? They actually have some meaningful provisions governing the conduct of registered agents. In Delaware, any registered agent who, at any time, serves as registered agent for more than 50 entities is deemed a commercial registered agent and must comply with significant qualifications. Then they are subject to oversight to provide the Secretary of State, upon request, with any such information identifying and enabling communication with such commercial registered agent as the Secretary of State shall require. So there is broad authority there to investigate illegal practices.

In Wyoming they have wide-ranging oversight, including a prohibition that a commercial registered agent shall not have been convicted of any felony. Additionally, all records maintained there are subject to periodic review by the Secretary of State who also oversees special or other examinations. They have substantial fines and the ability to impose civil penalties not to exceed \$500 for each violation. If you look on their website, you will see enforcement actions when they have been able to go after people for upwards of \$300,000 in penalties.

In Nevada, by contrast, designation as a commercial registered agent is as easy as filling out a simple form and paying a one-time \$75 fee. The only requirement of significance is that you forward mail and service of process. My Labrador Jack, if he were a natural person, could be a commercial registered agent if he had \$75 because he has a Nevada address and is capable of fetching the paper. That is not saying anything disparaging about the industry as a whole because, as was mentioned in some of the questions, the bulk of them are good, hardworking, honest people, but designation as a commercial registered agent is not a form of oversight. That means very little. I have seen the proposed registered agent amendment seeking exemption for commercial registered agents—do not buy into that. It simply means they pay \$75. If we are going to spend the resources to finally clean up Nevada's reputation, then do not let those causing the most damage off the hook.

Similarly, I have seen instances of abuse come into our Notary Division. Notably, we have pursued criminal prosecutions against notaries falsely advertising themselves as notarios which is prohibited under existing law. This designation delivers the false connotation to Spanish speakers that the individual is a licensed attorney. Ironically, most of those individuals that advertise themselves as notarios are, in fact, notaries which requires much more oversight than we devote to people preparing those sensitive documents. That does not make much sense if you look at a document and someone who has assisted in preparation and helped the client fill it out is subject to absolutely no requirements. A notary who simply affirms that the signature is, in fact, correct and affixes the stamp, has to file a bond, cannot be a felon, has to undergo extensive training, and is subject to all kinds of regulations including civil and criminal penalties. We do that in order to protect the public. If we are going to ask that of the notaries, which there is a compelling need to do as we have 40,000 notaries in Nevada, there is no reason that we should not ask the same of the document preparers.

Make no mistake. The simple truth is that these activities are in serious need of oversight and enforcement. The broad policy goals of this bill address that need. We are talking about problems that have been publicized in the business community in media around the world. Failing to act by addressing a problem in our state will continue to hurt Nevada's consumers and the small mom and pop businesses trying to compete with the crooks. And, in the broader sense, if we fail to act, we will continue to fail to attract America's brightest companies because they will remain uninterested in a jurisdiction where con-artists, swindlers, and snake oil salesmen not only roam free, but are tactically encouraged to do so with a wink of an eye. Thank you for the opportunity to testify.

**Assemblyman Carrillo:**

In regards to the enforcement, is the Secretary of State's jurisdiction not able to enforce this as we speak? By putting A.B. 74 through, are you going to be able to do any more to make this happen? What is going to make the difference with this bill?

**Ross Miller:**

This bill would make a world of difference. We do not have oversight over document preparers whatsoever. We have very limited oversight over registered agents as I said. To be designated, of course, there is a registration fee of \$75. The only opportunities that we have for enforcement is, if they engage in outright fraud, we can take them to court to enjoin them from serving as a registered agent. That is probably not any different than any private right of action you would have to enjoin any member of the public from fraud. Also there is a provision that allows us to go after anybody criminally if they file a false document. This bill sets up a regulatory oversight process that would be very similar in my estimation to the divisions that we already have in my office relating to notaries and potentially the Securities Division wherein you have registration up-front and you have the opportunity to investigate individuals and their credentials. There would be limitations as to who could serve as a document preparer. As I mentioned, in the Notary Division you cannot be a notary if you have been a convicted felon. You have to undergo training. We would be able to prevent some of the bad actors from even getting into the system in the first place. There are enforcement provisions here, so to the extent that we saw significant violations taking place, we could go after them aggressively which I think would hopefully deter that type of activity in the future.

**Assemblyman Hansen:**

Are you currently prosecuting people that knowingly file false legal documents or that knowingly file false facts on legal documents?

**Ross Miller:**

We attempt to bring prosecutions to the extent that we have knowledge that somebody is filing a false document with our office, although there are very limited provisions for doing that. We have done it in the context of election laws and through the Commercial Recordings Division; we require very little information to be filed in the first place. Proving that somebody has filed false information on a document is very onerous and prevents us from handling a lot of the activity that has been identified in national and international reports.

**Assemblyman Hansen:**

So you are doing that under election laws currently, and with this bill you will expand it to document preparers you cannot now enforce with your current authorities?

**Ross Miller:**

We have an existing statute that makes it a felony to file any false document with our office. This bill would not relate specifically to that criminal provision; it would give us initial oversight to make sure those individuals involved in document preparation could be investigated. We could be sure we were weeding out the bad actors before they engaged in criminal activity. It sets up a process whereby the public could complain if an illegal activity was taking place and we could initiate an investigation at that point. Under existing statute, we have very little authority to investigate the type of activity that has been identified in national and international reports as being a serious issue of concern among law enforcement.

**Chairman Frierson:**

Thank you, Mr. Secretary. While you and Ms. Flores are still here, there was an analogy earlier about attorneys. I want to clarify my understanding in reading the bill that this is not only about filing false documents, it is about oversight of an industry. For example, with lawyers you have the State Bar where you can report not just false documents and fraud, but ineffectiveness. There is no place to go to report any type of ineffectiveness that is not clearly fraud, but they are still not conducting the service that was advertised. Am I correct?

**Ross Miller:**

Yes, that is a perfect analogy and I think adding to that, as I pointed out earlier, notaries already have substantial provisions to which they must comply. They have to post a bond, they cannot be felons, and they have to undergo training. There is a whole series of civil and criminal statutes they have to adhere to and that is just because there is a need for public protection for the individuals who simply affirm the signatures that are on file. We ask 40,000 notaries to comply with those provisions which is the same in every state. This is a cottage industry that has developed where individuals are assisting in document preparation for which there is absolutely no scrutiny, no oversight, no means to complain if violations are occurring and very little redress if fraud is occurring on a widespread basis.

**Assemblywoman Diaz:**

What other types of entities have to currently register with the Secretary of State?

**Ross Miller:**

There is no registration with the Secretary of State for any of the industries that I believe are being discussed under this bill. Nonprofits and the like have to file their articles of incorporation and obtain their business license. That is purely a ministerial process. They pay the fees, we file it, and they have a license to do business in the state. That is not a significant step from the designation of a commercial resident agent when they pay an additional \$75 fee and designate themselves voluntarily as a commercial registration.

**Assemblywoman Fiore:**

Assemblywoman Flores, let us go back to the part about creating small businesses and the bonds. In order to get a bond in Nevada, you also have to have a very high credit rating. This particular portion of the bill hinders small businesses. Can you explain the \$50,000 bond because I am thinking it can affect services to the poor?

**Assemblywoman Flores:**

In terms of the bond, California has been requiring this. It is a way in which there can be some protection in place should someone be hurt financially if their services were not rendered or if they were hurt in some other fiduciary capacity. I am not familiar with the process of applying for the bond. I did call a bonding agency in California and they said that you go through the application process the same way as an insurance policy. The cost generally is from 1 percent to 2 percent of the amount of the bond. Again, 1 percent of \$50,000 would be \$500. It is really the protection provision of this bill; the protection would not be there without the bond.

**Assemblywoman Fiore:**

This particular bill would definitely hinder the ability of someone to get a bond in Nevada because we do not do business the way California does. In Nevada, obtaining a bond is a very stringent process. As a small businesswoman who has bonds and insurance like yourself, bonds are very difficult to obtain in Nevada. They might be easy in California, but businesses in Nevada undergo a difficult process to get the bonds.

**Assemblywoman Flores:**

Again, this bond would only be applicable to people who would be considered registered document preparers. It would not affect any other business in Nevada.

**Chairman Frierson:**

I believe there are still a couple of other questions. The examples provided deal with the Spanish speaking community and some of their concerns. This bill is

not limited to that area of document preparation. Could you give examples of other areas for which this bill would give protection?

**Assemblywoman Flores:**

Thank you, Mr. Chairman. If you are helping to prepare a legal document you would be considered to be a legal document preparer. That is in section 4 of the bill. There is a list that tells what a document preparation service means. Generally speaking, the most popular that I have come across are people that are preparing divorces, filing divorces, preparing immigration paperwork, bankruptcy paperwork, the resident agent paperwork, and also ticket preparers. It covers all spectrums of the legal process.

**Chairman Frierson:**

My point was that this is not a Latino community bill; this is a document preparation bill.

**Assemblywoman Flores:**

Yes, Mr. Chairman, that is a very good point. This is not limited to any one specific community. The communities definitely have specific cultural barriers that are associated with them. The Asian and Filipino communities suffer from the exact same thing, especially immigration. You have businesses who are filing their LLC paperwork and then you have those folks who are just trying to get a divorce.

**Assemblyman Hansen:**

I thought that we were talking about document preparation services. Where does resident agent come into play?

**Assemblywoman Flores:**

It is someone who prepares legal documents. A registered agent service would fall under that category because they are preparing legal documents. If you want to set up a business here in Nevada, then you would go to an attorney and ask for help filling out an LLC. Those are legal documents that are being prepared on your behalf. If the Secretary of State wishes to elaborate on that, it is not that we are broadening the scope of the bill, it has always been included.

**Assemblyman Hansen:**

Will this have any impact on people who want to register their business in Nevada? This has been a substantial revenue strength with the State over the years.

**Chairman Frierson:**

I would also like to address the likelihood that this would capture people who are not paying taxes on those services now. In addition to whether or not this impacts existing businesses, and whether or not the list of exemptions would exempt those that are already registering with the Secretary of State, would this also capture other under the table companies that are doing business without being held accountable?

**Assemblywoman Flores:**

I would like to have the Secretary of State address that.

**Ross Miller:**

As presently contemplated, the bill refers to document preparation services; meaning a person who, for compensation, helps to prepare those documents. So, if you are simply serving as a registered agent and agreeing to receive mail, you are not assisting in the preparation of the documents pertaining to the LLC. This is a cottage industry that is associated with that industry where they charge fees to fill out the paperwork that gets filed with my office. Those provisions would be triggered if that is the service that you are offering. Wyoming and Delaware are also the targets of these national and international reports identifying shady business practices. They are our two biggest competitors with Delaware being number one and Wyoming being number three. As I mentioned, they have much more stringent standards of regulating registered agents than we do. With regards to the Chairman's question as to whether or not this would help capture additional entities, I believe that it would. Just Google any of these entities I have mentioned and you will see it advertised that Nevada is a safe haven where you can shield yourself from any kind of taxes. The IRS took action against one individual this last year who is now serving federal prison time. We simply do not have enough resources to go after all of the bad actors who are advertising falsely that Nevada is a safe haven from tax implications.

**Assemblyman Hansen:**

If you do not have the resources, how is this bill going to help you enforce the laws?

**Ross Miller:**

This will set up the outset; the ability to review people's applications if they are involved in entity formation. If somebody is a multiple time felon convicted of fraud, and the questions come in asking how we allowed someone to become a commercial registered agent, we can answer them. Presently the answer would be that all it takes is \$75 and I do not have any authority to preclude them from being a registered agent. We already know that individual is very likely to

engage in fraud. This would set up a system where I could investigate that individual and potentially deny him the ability to serve as a registered agent or assist in the document preparation service. Then after the fact, this bill also contemplates adding additional investigative resources within my office which would certainly be of assistance in working with these federal agencies as they try to combat fraud.

**Assemblyman Hansen:**

Does this have a fiscal tax to it? Are we getting more money for the Secretary of State's Office?

**Chairman Frierson:**

The basic question is appropriate although we are not a financial committee.

**Assemblywoman Flores:**

There is a fiscal note attached. Currently it is about \$150,000 just to set up, and thereafter, it would be a much smaller fiscal note; however, that is also based on a very low number of initial registrations. It is probably underestimated and we expect that it will very likely pay for itself in terms of registration fees and renewal fees that are paid.

**Assemblywoman Diaz:**

Secretary Miller, often bad actors come from other states. Let us say that someone came from California. If they have a bad record in California, what will happen when they want to register in our state?

**Ross Miller:**

I will have to review the bill, but I believe there is a general provision that allows a Secretary of State to look at any information necessary prior to registering an individual. Certainly there are background checks that are performed and presumably it may show up during that. On page 6 of the bill, under section 8, subsection 2, paragraph (a) it says that "the Secretary of State may: conduct any investigation of a registrant that the Secretary of State deems appropriate." It would be our hope that when we set this up, our investigation would include a survey of other jurisdictions that may have provisions similar to this to check their background.

**Assemblywoman Diaz:**

In the community that I serve, Assembly District No. 11, I have heard of a lot of instances where there are individuals who come from out of state and have defrauded in that state and then come and perpetuate that cycle in Nevada. I want to make sure that with this in place it would be a way by which we could deter this from being a further issue in our communities.

**Assemblyman Ohrenschall:**

My question is for the Secretary. Relating to section 9, does the state earn the interest on the bonds that are posted? Where does that interest money go?

**Ross Miller:**

I am embarrassed that I do not know the answer to that. Perhaps the State Treasurer or Legislative Counsel could answer this.

**Chairman Frierson:**

Do I have any other questions for the Secretary of State? I see there are none. You are welcome to stay and contribute further or to answer questions that may come to mind. If you do have to leave, I want to give you the courtesy of addressing the Committee while we have you there.

Do we have further questions for Ms. Flores?

**Assemblywoman Cohen:**

With reference to sections 4 and 5, what is the purpose of the language about referrals to attorneys?

**Assemblywoman Flores:**

Are you referring to section 4, subsection 2, paragraph (f) where it says "a legal aid office or lawyer referral service operated, sponsored..."?

**Assemblywoman Cohen:**

Section 4 has a definition of "document preparation service" which lists different things a preparer does. In subsection (5) it includes "Referring the client to an attorney for representation in the legal matter. . . ." I was just confused as to what the basis was for that language.

**Assemblywoman Flores:**

That was not something for which I specifically asked and it came from the Legislative Counsel Bureau. I would assume that it is meant to be all encompassing in case there is ever a situation where service was utilized; where they helped prepare some documents and then sent them off to another referral service. I will certainly look into it and get some clarification.

**Assemblywoman Cohen:**

There has been a lot of discussion about bonds. I would like to get more information from you about other positions where bonds are required so we can get a full picture of how much bonding is happening in the state to protect the public.

**Assemblywoman Flores:**

Notaries public are required to keep a bond; I do not know the amount. Nicole Lamboley from the Secretary of State's Office can answer that.

**Nicole J. Lamboley, Chief Deputy, Office of the Secretary of State:**

In the Notary Division, notary applicants are required to post a surety bond in the amount of \$10,000.

**Assemblywoman Cohen:**

Do we have some other examples? I believe that there are a lot of other industries that have bonding. This is not unique to these types of fields. I would like to get a better understanding of bonding and insurance.

**Assemblywoman Flores:**

Yes, you are correct, this is extremely common. Bail bondsmen are required to hold bonds not only for the sureties that they post on behalf of their client, but also with the State I believe. Yes, there are a lot of industries out there that are required to be bonded. I will definitely get you some more examples of those that currently require bonds in Nevada.

**Assemblyman Duncan:**

This question comes from my colleague, Mr. Carrillo, and from the presentation from Mr. Flores at the beginning of the meeting. Again, it seems to me that we are dealing with an education gap with these people seeking services who might not be educated about who is providing the services. Do you, as a fully licensed attorney, have any ideas about how to educate the public? I think we can all agree, that if information goes out to any of these communities, awareness will be better than any law that we can pass. Would you please address that specific concern I have? I am always hesitant as we often do not know the unintended consequences of the laws that we pass. I would like for you to talk about that and the education gap and what we might be able to do even if this bill does not pass.

**Assemblywoman Flores:**

I do not know that there is one answer to that. So much of it revolves around consumer awareness and the resources that are needed to educate the community. Public awareness requires resources as we recently witnessed with the campaign through the Attorney General's Office against the unlicensed practice of medicine. Other examples would be the promotion of our agricultural and dairy industries. If we are not dedicating the resources to educate the community and letting them know they need to be aware of all these deceptive trade practices and that they have rights, I do not know how else to do it. I do not know that I can specifically answer that question, but

I do know this bill addresses a very important issue in ensuring the consumer has as much information as possible when they contract with someone for these types of services. They will know that there is an 800 number they can call, that there is a place overseeing this particular industry, and that this person should have a license. They know these things because it is visibly posted in their contracts and in their place of business the same way we require their licenses be displayed. That gets around via the community and by word of mouth. It is a very large issue; it is a very large problem. I do not know if this bill will absolutely take care of it or that an awareness campaign will take care of it, but I do know that we have to start chipping away at it somehow. I do think this is a positive step because it does require that information be provided to the consumer. Hopefully, when this passes and is in place, there will be discourse and dialogue going on in the community. That is the most I can hope for without literally creating an entire consumer awareness program.

**Chairman Frierson:**

Are there any other questions for Ms. Flores? I see there are none. Thank you, Ms. Flores. Obviously this is a thorough attempt to address an industry that has not been addressed in statute. We certainly appreciate you bringing this to the Committee's attention. We understand if you have to go to your committee, and I have suggested that members who have additional questions should direct them to you personally so they may address them before a potential work session.

**Assemblywoman Flores:**

I will stay around for just a few minutes in the event that any questions do arise. I do want to thank the Committee for their time and certainly all of their probing questions. I certainly am available for follow-up. I want to emphasize that this is just about protecting the consumer, and ensuring that not only do they receive the services they were told they were going to get, but if something does happen, they have some recourse available to them. Currently, there is nothing that is going to assist these people. Hopefully, we can move forward with this.

**Chairman Frierson:**

At this time in Carson City, I invite anyone who is in support of A.B. 74 to please come forward.

**Carla Castedo, representing Mi Familia Vota, Reno, Nevada:**

My name is Carla Castedo. I am with Mi Familia Vota, a community organization. We do a lot of community work and through our work we find that Ms. Flores is right. There are many people who look for services and, as she stated, humans can make mistakes, but when they do there is no follow-up

with the mistakes that are made. A lot of these people who use the preparers mainly go for immigration paperwork; bankruptcy was also mentioned. They go in thinking and hoping that they can get help preparing paperwork and in the end do not receive that. They have spent money and have nothing to show for it. There is no place that they can go. For example, if a lawyer does that, we have the State Bar where they can be reported. It does affect mostly people with low incomes or few resources. They spend their resources and have nothing to show for it. I am here to support the bill. Do you have questions about any specific cases?

**Assemblyman Ohrenschall:**

Do you have any knowledge when the State Bar has taken action against these notarios? Have there been any success stories from the State Bar's action with the Supreme Court's help in terms of trying to recompense the people who have gone to the notarios?

**Carla Castedo:**

The only success that you can get is if you prevent it from happening to someone else. Once your paperwork is completed and filled out incorrectly, you are out of luck. There is not a lot you can do to help your own case, but at least you prevent someone else from having to go through that.

**Assemblyman Ohrenschall:**

Have the immigration hearing masters or judges provided any clemency to people who are trying to fight removal if they went to a notario instead of going to a licensed immigration attorney?

**Carla Castedo:**

It really depends on the judge. There are some notarios who are evil and are fully accredited so they can represent people in front of the judge.

**Assemblyman Ohrenschall:**

Are you talking about an immigration judge or any judge?

**Carla Castedo:**

I am speaking about an immigration judge.

**Assemblyman Ohrenschall:**

So some notarios are allowed to practice in immigration court?

**Carla Castedo:**

Some, if they are fully accredited. Again, it depends on the judge and their beliefs.

**Assemblyman Hansen:**

Typically these are pro per people who are trying to get some minor legal documentation done. Do you know the typical dollar amount?

**Carla Castedo:**

It definitely varies. As Assemblywoman Flores mentioned, you could go in thinking it will be \$69 and you leave with a bill of \$800 depending on the services you are requesting.

**Assemblyman Hansen:**

The reason I bring this up is that there is a mechanism in Nevada law called small claims court. You do not have to get a lawyer. You go to court where you have a judge, you can sue a person that did not give you the correct documentation, and you get your money back. I am wondering how people who are already poor are going to afford it if they are going to be forced to hire somebody who is assigned to a law firm which will raise the cost and, if there is, in fact, a problem are going to have to hire an attorney who will file a claim with the State Bar. We are not thinking about really helping out the poor people. You have a mechanism; being out of luck just is not true. You are allowed to go up to \$7,500 now in small claims court and you do not have to hire a lawyer. I am wondering why we have this assumption that in the absence of going to a lawyer and the State Bar Association, you have no recourse because you actually do have a very substantial one that is utilized constantly in this state.

**Carla Castedo:**

If I may, we are not necessarily advocating reducing the competition between lawyers and nonlawyers, it is just that with a lawyer you have someone and somewhere to report if the paperwork was done poorly. On the other hand, this is not the case with a notario. Here you would be able to go ahead and have the nonlawyer tell you, "these are your rights, and if I do not do a good job then you can call this number, et cetera. You do not have to necessarily stick with me if I do not do a good job." That is pretty clear.

**Assemblyman Hansen:**

You mentioned fully accredited notarios. I thought we did not have any and that was the reason for the bill. What is a fully accredited notario?

**Carla Castedo:**

It is one that can represent you in court for immigration purposes.

**Assemblyman Hansen:**

So there is a level or regulation beyond getting a regular business license?

**Carla Castedo:**

I am not an expert on the case.

**Assemblyman Hansen:**

If somebody is, I would like to get an answer. I am getting more confused as to who is doing this legally and who is shady.

**Nicole Lamboley:**

*Nevada Revised Statutes* (NRS) Chapter 240 which governs notaries public in Nevada has an exclusion. You cannot advertise the services or use the term notario or notary in any other language unless you are a member of the Nevada State Bar. This means, in other languages notario assumes that you are a licensed attorney and can practice law. We have instances where a notary public person who has been appointed by our office uses the term notario. That leads people to believe they are conducting legal services and are eligible to prepare legal documents. Some of them are selling their services as legal document preparers using that term. That is illegal in Nevada unless you are a licensed attorney under the State Bar. In that case, if you are a licensed notario, a licensed lawyer in Nevada, and you use the term notario and there is a problem, you are eligible to file a claim with the State Bar for them to take the appropriate action, or disciplinary action, or remedies that they have. If we get a complaint about a notario who is not a licensed attorney, we have some very limited remedies. We can tell them to remove the signage, they have to state that they cannot use that term, and there is a civil and criminal penalty. That is what Secretary Miller referred to.

**Assemblyman Hansen:**

Has that been done?

**Nicole Lamboley:**

Yes, we have done it, but we do not have enough staff to do this and we rely on people to file complaints. When they do, we go out and investigate.

**Chairman Frierson:**

This is one reason why I asked for some other examples. I would like to point out that I do not think you can go to small claims court and regain custody of your child if somebody filed a family court matter improperly and they lost custody. It is not just a matter of fiscal consequence, at the very least, that the bill is trying to address. Thank you Miss Castedo. Are there any other questions for Miss Castedo? [There were none.]

**Mario dela Rosa, representing Progressive Leadership Alliance of Nevada:**

My name is Mario dela Rosa. I do represent the Progressive Leadership Alliance of Nevada. We are strongly supporting this bill. We think this will fix many problems that the immigrant Latino community is having right now with the notarios. As you just heard from the experts, I know of a few cases where people have been deported because they went with the notarios to get their immigration documents prepared.

**Chairman Frierson:**

Thank you, sir. Are there any questions? [There were none.] Is there anyone else in Carson City wishing to testify in support of Assembly Bill 74?

**Nicole Lamboley:**

As you know, the Secretary supports the bill. From the policy perspective, I also prepared an amendment that was referenced ([Exhibit F](#)). As the sponsor indicated, these are amendments just to identify process as far as what is required in the application. It is just related to what happens and when a state business license is required as well as a local license. We communicated with the local governments' business licensing units to craft this language to make sure that it satisfied their concerns. I would be happy to answer any questions.

**Chairman Frierson:**

Are there any questions? I see none. Obviously your memo was vetted significantly earlier. I appreciate you coming back to make it clear.

**Paul Moradkhan, Director, Government Affairs, Las Vegas Metro Chamber of Commerce:**

The Las Vegas Metro Chamber of Commerce would like to offer its support to the amendment regarding the business licensing component as proposed by the Secretary of State's Office. The Chamber believes this amendment will help streamline the licensing process with the alignment with both the Secretary of State's Office through the business portal and local government entities in their effort to simplify, streamline, and reduce the processing time for business licensing. For general licensing purposes, in our conversations with local governments and with the Secretary of State's Office, the approach of having the State issue their approval contingent upon requirements established by local governments business licensing is a procedural process for those seeking a business license. The Chamber would ask the Committee to support this amendment on the procedural component of the bill and thanks the Secretary of State's Office for bringing this matter forward and the bill's sponsor, Assemblywoman Flores, for her consideration. I am happy to answer any questions. Thank you.

**Chairman Frierson:**

Thank you. Are there any questions? I see none. I see no one else in Carson City prepared to testify in support. Is there anyone else in Las Vegas in support of A.B. 74? We have been here for quite a while so if it has been addressed, feel free to just indicate "ditto" and we will get your name on the record that you are in support. If you have anything additional to contribute, now will be the time.

**Karen Duddlesten, Business Licensing Manager, City of Las Vegas:**

I have been asked to testify on behalf of the cities of Las Vegas, North Las Vegas, Henderson, and the Clark County Business License Directors. I provided a statement to you ([Exhibit H](#)) offering our support concerning the procedural amendments that the Secretary of State's Office has proposed and thanking the Secretary and the sponsor of the bill for helping us serve our customers better in the licensing process and not bouncing them back and forth between the local and the state departments. We appreciate your time. Thank you.

**Assemblyman Hansen:**

Who handles the licensing for fully accredited notarios?

**Karen Duddlesten:**

The local licensing deals with a variety of businesses. At the local level, that would be considered business support services. We do much more general licensing so the local government is worried about where brick and mortar hits the pavement and what that license does. Where the State has chosen to regulate a certain occupation, the State takes care of the regulation of that occupation. The local government deals with a business that is opening doors so we are looking at proper placement of that business. If there are local rules and regulations that have been entrusted to the cities or the county to make regulation on, we address those. There are no local regulations on notarios. If they are a lawyer, they are considered a professional business that consists of lawyers, dentists—a whole variety that the state has designated as professionals. They get one type of business license. If they are preparing any type of documents or doing general bookkeeping, or any of those types of things, at the local level, our business licenses are very broad and they are considered business support services.

**Chairman Frierson:**

I think this question has been asked several times now, so I would ask that any further questions on that particular issue be addressed directly to Ms. Flores, or to the Secretary, or to any appropriate party. I think Ms. Flores has something more to contribute and then I would like to move on.

**Assemblywoman Flores:**

Thank you, Mr. Chairman. I would like to clarify "fully accredited." That is not an accepted term. She was referring to someone who can practice before the immigration courts. Those people are specifically exempted from this bill. They do not have to register because there is already a protection in place because they are registered with the federal courts. In Las Vegas there are only two entities which are nonlawyers who can practice before immigration courts. It is an organization called Hermandad Mexicana and another organization called Catholic Charities. Those two are the only two that I know. There are fully accredited people who are registered with the immigration courts and they are not licensed attorneys, but can practice and appear before the immigration courts. Again they are exempt from this bill; they do not have to register.

**Assemblyman Hansen:**

Is the term notario a legal term or is it a slang term that we are using?

**Assemblywoman Flores:**

It is a legal term but it is also a slang term, and that is the problem and why we have tried to address it in other ways. Those terms mean different things depending on what country you are from. A notary in Nevada can attest to a signature. That is it. That is the only thing that a notary is licensed to do. They must keep a \$10,000 bond in order to do that. They have to go through a process with the Secretary of State, they complete their application, they renew annually; they go through all of that to be able to put a stamp on your paper. We want to ensure the person who is signing a document is in front of them. Unfortunately, in Mexico and other Latin American countries, notario is the literal translation for notary in Spanish. Those people are basically lawyers in Latin American countries. When people immigrate here and they start using legal services, they see notario and they think they are seeing a lawyer. They think they are getting legal representation where in reality they are not. That is why we have put things in place where we say, if you are advertising as a notario you have to disclose that you are not a lawyer. We do not have the resources to go into every one of these places and ensure that the sign is even up.

**Assemblyman Hansen:**

It is an enforcement issue?

**Assemblywoman Flores:**

It is definitely an enforcement issue.

**Chairman Frierson:**

We can go back and forth all day long on this but I do not think we are being fair to the people who are in opposition by giving them less time to address their concerns as well. I do think that Ms. Cohen had something to contribute. I will allow her to do that and then I will move on to those in Las Vegas.

**Assemblywoman Cohen:**

I want to clarify that this is not just an issue in the Hispanic community and there are issues of people who are non-Hispanic going to document preparation businesses thinking they are seeing a lawyer. This is an issue for everyone even when the confusion between notario and notaries in Nevada is not an issue.

**Assemblywoman Flores:**

Absolutely, it is just like the example that the Chairman gave earlier in terms of the divorce paperwork and not being able to address losing paternity rights in small claims court. This absolutely affects every single person in Nevada, every single community, and anyone who goes to a legal document preparation service would be protected and is affected in this way. Yes, it is across all spectrums of the law.

**Chairman Frierson:**

Are there others in Las Vegas wishing to testify in support? Again, I would welcome a "ditto" if your points have already been made.

**Leo Murrieto, Nevada State Director, Mi Familia Vota, Las Vegas, Nevada:**

I am Leo Murrieto with Mi Familia Vota. One of our colleagues spoke in northern Nevada. I want to thank the Committee for giving public comment. Although this is not a specific Latino issue, Mi Familia Vota works with Latino and other immigrant communities as well. Twenty-seven percent of our community here in Clark County is Hispanic and of that 27 percent, 83 percent are first and second generation immigrants in this country. The term notario, as Assemblywoman Flores spoke, is a trusted term to individuals from Latin American countries. Speaking in support of this bill, the incidences in which our community may be taken advantage of definitely warrant passing this regulation to protect families and individuals in our communities. There are also instances in which contingency fees have been requested from the document preparers in order to expedite the process. These are issues that affect real families; they affect real people. If you support this bill, you would be acting to protect them. Thank you.

**Susan Myers, Consumer Rights Project, Legal Aid Center of Southern Nevada:**

My name is Susan Myers and I am an attorney with the Legal Aid Center of Southern Nevada. I am here to testify in favor of A.B. 74. It is our understanding that bankruptcy preparers would be included within this bill. It is also my understanding that the carve out was for people who are actually licensed by the immigration court to appear. I want to ask for that clarification because we would ask for an amendment and we will work with Ms. Flores on that. [Read from ([Exhibit I](#)).]

Prior to joining the Legal Aid Center in 2011, I was in practice with Lionel, Sawyer, and Collins representing corporations. When I went to Legal Aid it was shocking to me the number of people that we were assisting who had first gone to document preparation services. We assist people with divorce, immigration, and bankruptcy which are the three areas where we see this the most. We hear stories such as the person who paid \$600 for a divorce which was never filed. These are not minor legal documents. They are things that affect people's lives. Custody was also mentioned. If your divorce does not go through and you remarry, you could be guilty of bigamy. These are important things for people. I personally see the people who have been damaged by bankruptcy petition preparers. This is not a minor legal document either. People are filing these to save their homes.

I am aware of the argument that lower income people benefit from low-cost document preparation services. If done correctly, that can be true. The people that are going to do their jobs correctly are not the ones who are going to be overly affected. There may be some additional fees but, in the long run, it protects them as well because it weeds out those that are the problem. People may think that they are saving money by using these services, but it often costs them in the long run. I have seen fees charged higher than attorneys would charge. I have seen services take the fees, file the initial petition, and never file the follow-up paperwork that is needed; cases get dismissed, houses are foreclosed. The client is out the preparer's fee, the court filing fee, they did not receive the proper court protection, and they are in a worse position because they are out their money. In one particularly egregious case, a bankruptcy petition preparer charged somebody over \$2,000 to save their house and did not file the proper documents. The case was about to be dismissed. Luckily this gentleman found his way to our office where we found he was eligible for a loan modification. He had been advised by someone who was not supposed to be giving legal advice, that he did not need to fill out the modification paperwork. Luckily he got to us several days before the deadline. We were able to assist him and he is now still in his house.

Another issue is the public does not always understand that document preparers cannot give legal advice, and they rely on them for it. There are a lot of free and low-cost services out there obviously through the Legal Aid Center. We operate the Self-Help Center through the Regional Justice Center where people can go for the documents. We are also expanding our outreach by offering a number of classes in Spanish including divorce, small claims, and bankruptcy. A common comment that I hear after these classes is attendees say they did not know that paralegals could not give us legal advice. We thought they had special training and are licensed. There is a big misconception out there and we are doing our best to try to clear that up.

In regards to the bond provisions, I am very much in favor of having to post a bond. The recourse now in an appropriate case, if you get a small claims judgment, is that you will not collect it as these people often disappear. We have recently had three of the document preparers file their own bankruptcies. Going after them presents a whole other level of issues.

I was first concerned that this would somehow legitimize the unauthorized practice of law, but after reading the bill, I am sure that it does not. Like I said, I support A.B. 74 with the clarification that it would include people who prepare bankruptcy petitions with all the other documents. I would be glad to answer any questions.

**Assemblywoman Cohen:**

Ms. Myers, can you please give us the definition of "providing legal advice."

**Susan Myers:**

That is always a tricky area. Which chapter to file, whether or not you should claim certain exemptions, meaning protecting property from creditors, are two examples that I can think of in the bankruptcy realm. There are obviously others. For example, what is the statute of limitations? That could be giving legal advice in other context.

**Chairman Frierson:**

Do I have any other questions for Ms. Myers? I see none. Is there anyone else in Las Vegas to testify in support of A.B. 74? I would encourage people who are there to make their way forward so we can get to the other witnesses.

**Ciria Sosa, Research Analyst, Constituent Services Unit, Legislative Counsel Bureau:**

Good morning Mr. Chairman. My name is Ciria Sosa with the Legislative Counsel Bureau and I am here to provide interpretation on behalf of testimony at the request of Assemblywoman Flores.

**Maria Espinosa, Private Citizen, Las Vegas, Nevada:**

My name is Maria Espinosa and I am in favor of A.B. 74. I am speaking on my own behalf as we were defrauded by one of those multiprovider services because we went to someone who claimed to be a notary. In our country, for someone to become a notary they have to be a licensed attorney and then become a notary. As a result, we are undergoing deportation proceedings because of the lack of professional services provided. I am pleading that you pass this bill as some people like myself, having lived in this country for over 23 years, trying to do my best, are victims as the result of this. I also work in the community as a volunteer and I have sent several women to you whose husbands have been deported as the result of deficiency in the services provided. As Assemblywoman Flores has noted, we do not have someone to go to and complain or file a complaint with because there is no enforcement, and we do not have someone who can resolve the situation before it becomes a problem. As you may have heard, there is pending immigration reform being discussed in Congress. There are already some people out there claiming that they can provide the service when there is no implementation. They are still trying to catch people that way. To some people it might just be an amount of money, or it might just be incorrectly filled out paper work, but to us, they break our families apart. In our specific case, even if immigration reform was passed by Congress, we may not have the chance to fall into that immigration reform because of the way our problem happened. This is only due to the mistakes and the ambition by some people out there.

**Chairman Frierson:**

Thank you Mrs. Espinosa. I believe that Mr. Espinosa is there as well. I ask that, if you are reiterating the same support points, you indicate that so we can move on to some of the other witnesses within the time allotted.

**Jorge Espinosa, Private Citizen, Las Vegas, Nevada:**

Yes, I am in support of A.B. 74. I am Jorge Espinosa and I just want to express my case. I went to one of those multiservice places that advertised tax preparation and immigration paperwork. Someone that does not have the know-how filled out my immigration documents. I entered this country legally with my family 23 years ago. I have been a taxpaying and law-abiding person. I am now undergoing deportation proceedings only because of someone who made mistakes filling out my paperwork. My mistake, I spent 26 years here, not 23 and Mrs. Espinosa made the mistake of saying 23. There are people who fill out the paperwork incorrectly to our detriment. I want to point out that there is a commercial going on that comes out every half hour stating that they can get immigration paperwork done; they are still doing business that way. Thank you for your time.

**Chairman Frierson:**

Thank you, Mr. Espinosa. Is there anyone else in Las Vegas to testify in support of Assembly Bill 74? I see no one. We will move back to Carson City and invite those here to testify in opposition to come forward at this time.

**Tonja Brown, representing Nevada Cure, Private Citizen, Reno, Nevada:**

I am Tonja Brown. I am here on behalf of Nevada Cure, and then I will speak on behalf of myself and then inmates and innocence. The paperwork regarding Nevada Cure did not get to you in time. They are opposed to this. They had sent an attachment that said, "Please find the information pertaining to A.B. 341 (1993), pertaining to the licensing of paralegals. This bill is similar to your proposed A.B. 74 bill. A.B. 341 did not pass. I sincerely hope that you will consider withdrawing your proposed bill. It will put Hope for Freedom, my research and writing business, and my employee out of business in Nevada. As I am an ex-felon, I do not have sufficient funds with which to pay registration and bonding fees without raising the costs of my services to those without sufficient funds to retain counsel." [Read from letter from John Witherow.]

You might recognize that name. John Witherow is an ex-felon out on parole. When you are dealing with the open meeting clause by judicial and the rulings and the laws, it is Witherow's case. He was very successful. He was the one we look to for the open meeting law and Stockmeier quasi-judicial case.

As for myself, I oppose this bill for several reasons. Some have been touched on, and some have not yet. One of the issues that I have is, as Assemblyman Hansen and I have known a lot of people who have gone through small claims court, when you fill out the documentation, whether or not you are doing it as pro per, you cannot, as a litigant, serve and subpoena someone. You have to hire someone or go through the sheriff's department. People, especially in hard times, have trouble even putting together a filing fee, let alone paying the additional cost to pay for the sheriff's department to go out to try and serve the papers. They tend to ask a favor of a friend. I do not have the cost. They are filling out paperwork for people who do not know how to do small claims so they are preparing the documents. It could be a family friend; anyone. These are issues. This affects everybody; small claims in district court, the process server. People cannot afford to hire a process server; they do it themselves or they have their friends do it. This is going to affect everyone who wants to take somebody to small claims court because, by these guidelines, they are acting as court preparation because they have done some paperwork. They have filed it. What if you file a legal document, a will? You are a family member, but you are not the executor.

**Chairman Frierson:**

Thank you, Ms. Brown. I would remind you to speak to the bill.

**Tonja Brown:**

Correct, and that is in those sections 4 and 5.

**Chairman Frierson:**

Just so I can help redirect you for the purpose of time, I think that bill specifically talks about people doing anything in exchange for money and a fee for services, so a family member would not be covered anyway. I am just trying to be sure that we focus on the bill.

**Tonja Brown:**

Yes, and compensation came up. Compensation is money, or exchange for "I will give you five dollars for gas." Therefore, the person has been compensated.

Would it be possible for the Secretary of State to require the business to place an advertisement in the phone book and on the Internet with a disclaimer both in English and in Spanish that says that document preparers are not notarios or attorneys. They are not licensed to practice law in the State of Nevada? Then, where they have their phone number, such as John Smith, it would say see advertisement because no one has ever touched on where they are getting this information. I would assume that people look in the phone book and say, ok, they can do court documents. So why not just have the Secretary of State require that if they are preparing documents that they have to place an ad with these disclaimers?

[Vice Chairman Ohrenschall assumed the chair.]

That way the person can see them in Spanish and see that they are not licensed attorneys and then they can move on to someone who is a licensed attorney. It is just a thought. Thank you.

**Scott Scherer, representing the Nevada Registered Agent Association, Carson City, Nevada:**

Good morning Mr. Chairman, and members of the Committee. I am Scott Scherer of the firm of Holland & Hart, LLP, appearing on behalf of the Nevada Registered Agent Association ([Exhibit J](#)). We support the primary aim of this bill, but to clarify, we are opposed to the bill because, as you pointed out, Mr. Chairman at the beginning, we have an amendment ([Exhibit K](#)) that we are suggesting and it is not an amendment that has been approved by the

sponsors. With our amendment we would support the bill; without it, unfortunately, we are opposed to the bill.

[Mr. Scherer continued to read from prepared text ([Exhibit J](#))]

We have frequently talked about wanting to be the Delaware of the West and wanting to bring more companies and more corporations here. I think that Assemblyman Hansen pointed out earlier the revenue this brings into the State of Nevada.

The Secretary of State's Office, in its Quarterly Economic and Business Activity Report as of September 2012, touted some 280,573 businesses in good standing registered in Nevada—whose annual filing fees generate over \$90 million in state revenue. Eighty percent to 85 percent of those filing are represented by commercial registered agents. Not all commercial registered agents are members of the Association. [Mr. Scherer continued to read from prepared text ([Exhibit J](#))].

We do not believe that we serve the same clientele that have been identified with the concerns that have been brought up with this particular bill. Our clients are business owners. We appear before you today, as I have said before, with an amendment to the bill ([Exhibit K](#)).

In discussions earlier with Ms. Lamboley from the Secretary of State's Office, she pointed out that our amendment says "registered." It probably should read "commercial registered agents listed with the Nevada Secretary of State under NRS 77.320" because that is the language of NRS 77.320.

Commercial registered agents are listed with the Secretary of State under Chapter 77 of NRS, the Model Registered Agents Act, which is a national act passed, or a model act approved by the National Conference of Commissioners on Uniform State Laws. Nevada adopted that act in 2007, I believe. [Mr. Scherer continued to read from prepared text ([Exhibit J](#)).]

The Secretary of State has, in fact, adopted regulations to enforce these provisions and we have provided the Committee those regulations that were effective May 30, 2012 ([Exhibit L](#)). It is still not in the Nevada Administrative Code, but these are adopted and effective regulations.

**Vice Chairman Ohrenschall:**

Pardon me for interrupting, Mr. Scherer. It is good to have you here as a former member of this body and a former member of this Committee. I believe you are still active with the Uniform Law Commission. My question relates to that

statement. Are you saying that the statute with the Secretary's amendment would bring us out of uniformity with other states that have adopted the Uniform Act, or am I misunderstanding?

**Scott Scherer:**

Yes, we believe that it would, in fact, bring us out of uniformity, but my point is that this has been considered nationally by a number of different states. Some states have adopted this as the model act. It is not a uniform act, so it is not necessary that the uniformity be absolutely enforced, but it is a model act and many states have followed this with regard to how they regulate their registered agents.

**Vice Chairman Ohrenschall:**

If the act was to be adopted into law with the Secretary's amendment, what are the concerns you have, and will there be problems with agents working state to state? I am not sure that I understand. Would you explain that to the Committee.

**Scott Scherer:**

I have not had an opportunity to see the Secretary's amendment. There are a number of concerns with the bill itself. The bonding is one of the concerns. A bigger concern may be the three-day right of rescission. Frequently clients want to create a corporation or a limited liability company quickly.

[Chairman Frierson reassumed the chair.]

That is one of the advantages of Nevada that the Secretary of State's Office has advertised over the years. It has offered expedited services and has touted the fact that you can get a company formed quickly here in Nevada when you need to do that to facilitate a transaction. The concern is a three-day right of rescission would make it difficult for us to continue to provide those expedited services to our clients.

**Assemblyman Ohrenschall:**

Have you had the opportunity to speak to the sponsor or to the Secretary about your clients' concerns?

**Scott Scherer:**

We have had discussions, but I personally did not talk with a sponsor or with the Secretary of State's Office. I know that there was a brief discussion this morning with Ms. Lamboley with regard to the bill and with regard to our concerns.

I want to talk about some of the specific things that are regulated. We heard from the Secretary of State earlier about a number of concerns and things he believes have gone on with registered agents. The Secretary of State has adopted regulations now that became effective on May 30, 2012. [Mr. Scherer continued to read from prepared text ([Exhibit J](#)).]

All of those things have now been put into regulation by the Secretary of State and the association has supported regulation of the industry by the Secretary of State. We believe that regulation is now in place. We do not want bad actors in the industry. In any industry or profession there are bad actors, but we also want to make sure that the good actors are not unduly burdened and that the ability to continue to have Nevada be one of the leading states for incorporation in the country is not unduly burdened.

Upon an application of the Secretary of State, if it is thought there has been a violation of the law, they can apply to the district court and the district court may enjoin the person from acting as a commercial registered agent. If they believe there is a problem, they can stop that person from acting as a registered agent. This can be done if the registered agent either fails to comply with any provision of the law governing the conduct of registered agents, after reasonable notice and an opportunity to correct the failure or, if the registered agent engaged in conduct in his or her capacity as registered agent that was intended to deceive or defraud the public or to promote illegal activities. A lot of the problems the Secretary of State mentioned earlier are addressed either in the statute, and they have the ability to go after registered agents, or they have been addressed by the regulations themselves, and the Secretary of State does have the authority to conduct investigations of registered agents if they believe there has been a violation of the law.

If a person has been enjoined from serving as a registered agent, the regulations prescribe the notices that the person must send. If I get enjoined for acting as a registered agent, I have to send a notice to every company that I represent saying that I can no longer serve as their registered agent and give them the forms to change their registered agent. They then have 30 days to change their registered agent, but they have to change away from me. I can no longer represent them if I have been enjoined from doing that.

These provisions show that commercial registered agents are, in fact, regulated by the Secretary of State and NRS Chapter 77 is the Model Registered Agents Act. If there are additional regulations or statutory provisions that the Secretary believes are necessary, we believe the appropriate place to put those would be in NRS Chapter 77 which addresses commercial registered agents or in the regulations themselves. We are not necessarily adverse to working with the

Secretary and talking about possible approaches to addressing any other issues that he sees that have not already been addressed by these regulations. We believe that this bill is the wrong vehicle for doing it. With that I would be happy to answer any questions.

**Assemblywoman Diaz:**

In simple terms, what are the negative outcomes if the bill passes? Please clearly tell us of the concerns. What is the direct impact? What will happen if A.B. 74 were to pass?

**Scott Scherer:**

Our concern is that it would prohibit us from being able to provide expedited service. This is the biggest issue. That would drive away some of the business from Nevada. We would pay a one-time \$75 fee to be listed, but then we can be regulated, and we are regulated by the Secretary after that. We think that there are a number of concerns. We have to raise our costs and so we are concerned about the ability to keep Nevada competitive with Delaware and Wyoming as a great place to incorporate a business and to do business. I think that Mr. Hickman from CT Corporation may be able to address that in more detail. He actually works daily with a major national registry agent.

**Assemblyman Duncan:**

Are we talking about the registered agents that are specifically for these document preparation services or are you saying that the unintended consequences of A.B. 74 are that it is going to cover more people than is anticipated in the intent of this bill?

**Scott Scherer:**

Yes, I believe that the bill is broader than what is the primary purpose. You heard the sponsor and Secretary say that they do want to get at registered agents, that they do prepare legal documents, and they assist clients with articles of incorporation. That is a form that is on the Secretary of State's website that anyone can fill out. They are not giving legal advice or they could be subject to unauthorized practice of law charges. The concern is that it is getting at registered agents, not the primary focus of the bill that we heard so much about earlier. Registered agents are already regulated so there is no need to include them in this bill.

**Assemblywoman Diaz:**

Thank you. So they can get an injunction to pull a license? What about the people that were hurt? What is their recourse?

**Scott Scherer:**

The recourse is the same as in most cases. You can certainly file a lawsuit against someone or you can go to small claims. Usually we are talking about a relatively small amount of money in terms of the fees that are charged. We are not doing divorces, child custody, or immigration. So we are not dealing with those kinds of situations where someone might be deported because we made a mistake or someone may not get custody of their child or visitation rights because we made a mistake. We are dealing with business owners and business transactions and they may certainly sue us in the courts for mistakes we make that cost them money. If they have the ability to do that, most of our members do carry insurance to protect them against those kinds of lawsuits.

**Chairman Frierson:**

Thank you. Are there any other questions for Mr. Scherer? I see none.

**Brian Hickman, Senior Attorney, Government Relations, CT Corporation, Seattle, Washington**

Mr. Chairman, members of the Assembly Committee on Judiciary, I am Brian Hickman with CT Corporation. We do business in Nevada as the Corporation Trust Company of Nevada ([Exhibit M](#)). I am appearing here today to propose an amendment to A.B. 74 ([Exhibit N](#)). I have not had a chance to meet with the bill's sponsor. We would oppose the bill without the amendment, but would support it with it.

Corporation Trust Corporation (CT Corporation) is the parent company of the Corporation Trust Company of Nevada. We were the first company in the country to create registered agents services. We were created so that people could find corporations that may be doing business in a state, but did not have a physical presence. We provide the place where service of process can be completed and the courts of that state obtain jurisdiction. That is our core function.

Most registered agents also provide ancillary services in helping to file documents. I should distinguish quickly, that the documents we are talking about form a corporation in the State of Nevada and are not similar to divorce or immigration documents. You need a name of the entity which is unique on the records of the Secretary of State, principal place of business, and a registered agent for the corporation which is the incorporator. It is very form driven. These are the type of documents that we are primarily talking about; to change your address or to change the address of your registered agent.

Our primary concern with this bill is that it brings us, particularly on this written requirement, into a contract with our clients. I will use the example of a large

law firm. If Hawn and Harp called us up and said we need a Nevada LLC we would form it. We would probably front the funds to form it, and send the bill at the end of the month. It would be a very fast process. The general trend across the country is to move towards easier and swifter formation of entities; to move from fewer documents into more data. In a number of states, most of these filings are moving to pure data; our computers talk to the Secretaries of State's computers. If we have to do these written contracts, Nevada will be unique and it will require more time and another interaction with our client, which slows down our process of forming businesses. That would be unique; that would go against the trend in the nation. That is our primary concern.

The issue of the bonding was raised. I had not thought as much about the bonding, but from the legislation, it is on the individual who does the work. I begin to wonder about our continuity of operations plan. When Hurricane Sandy hit the East Coast, our workers could not get to work. We then had the document assembly work done as far away as Seattle where I am home-based because, of course, the hurricane had not hit there. We do it all virtually within our enterprise systems. So who do I have to have bonded? It would be anyone who might ever receive a form to type.

**Chairman Frierson:**

Just so I can clarify, I think that bill pretty clearly addresses defining a person as it is by a corporation, or someone who works for that corporation. I do not want to get far off from where we are trying to go with this bill.

**Brian Hickman:**

Thank you, Chairman. If it does mean one bond for the corporation, that would be a different concern. That was an area of some confusion.

So today, I say the process of which citizens interact either directly or indirectly with their government or via an agent is shifting from paper to web based and, from our portion, from either physical delivery of the documents to often electronic delivery to the Secretary of State's Office. It is a process of moving things faster, making less friction to form an entity and start a business. The contract provision goes in the opposite direction. Therefore, we are proposing to exempt commercial registered agents and those who file the documents with the Secretary of State for entity formation such as staying in good standing, and to file documents such as liens per the Uniform Commercial Code. Right now, if a large bank wants to file the Uniform Commercial Code Article 9 lien documents, we would just take care of the filing. We do not prepare the documents exactly, but we make sure they are delivered. Thank you, Mr. Chairman.

**Assemblywoman Diaz:**

Your comment was that we are going to steer away from what is the norm of the nation. We just heard from the Secretary of State that we are one of the states on the bottom of the list for oversight in this area. First of all, what you are saying does not hold true with what the Secretary of State just told us. You are saying that we need to prioritize certain business stock processing procedures over people in our community who get hurt by establishment. To be quite honest, I see this bill as a way to protect a business, and to weed out bad actors from good actors. If you follow everything that the Secretary of State is telling you to do, you comply, and are doing business as you should, there is not going to be anything that is going to come to you. But if you are on the other end, then that is where there is going to be something to remedy people's situations so they do not have to go to court. A lot of people in my community cannot afford, and do not know that path. I just want to be sure that you understood the intent of the bill.

**Brian Hickman:**

Being regulated or supervised by the Secretary of State is not a problem for us. In two other states, as was mentioned by the Secretary of State, there are fairly recent laws giving the Secretary of State authority to investigate fraudulent, deceptive practices within our industry. A member of our industry that engages in those can be investigated and can be enjoined. He mentioned Delaware and Wyoming where there is legislation in that area. If the Secretary wishes similar legislation, we would be happy to work with him to assist him in that process.

**Assemblywoman Spiegel:**

Do you operate businesses across the country or just in certain regions across the country?

**Brian Hickman:**

We are in all 50 states.

**Assemblywoman Spiegel:**

How do your fees vary currently for California where they have legislation such as this versus Nevada?

**Brian Hickman:**

Unfortunately I do not know that, and I would have to get back to you to provide an answer to that.

**Chairman Frierson:**

Do I have any other questions? I see none. Thank you both for offering your testimony for the amendments. I would, of course, encourage you to continue

to communicate with the sponsor and the Secretary of State about ways to address common ground.

Is there anyone else here in Carson City prepared to testify in opposition? I see none. I see no one in Las Vegas. We will come back to Carson City to those wishing to testify in a neutral position on the bill.

**Margaret Flint, representing Arch of Reno Chapel, Chapel of the Bells, and Silver Bells Wedding Chapel:**

First of all, I would like to thank Ms. Flores for bringing this bill forward. I understand the concept of the bill and what she wants to accomplish and I am sensitive to her issues because, in our business in the wedding industry, we do deal with these kinds of issues on a regular basis.

There is a possibility that we may be exempt from this if we go over to the exemptions page, but the language to me was rather ambiguous. If someone could confirm that the wedding chapels are exempt, that would be great. Otherwise we need to talk about section 4, subsection 1, paragraph (a), subparagraph (1) that read, "Preparing or completing any pleading, conveyance, application or other documents for the client." We often prepare and complete these documents because when a marriage license comes into our hands, it is not a complete document. It is initially prepared by the office of the County Clerk, but we have to fill in the blanks. We have to fill in the name of the officiant, the names of the witnesses, the location of the wedding, and the date. That is something that we need to discuss.

I am also concerned about subparagraph 3, which reads "Securing any supporting document, such as a birth certificate, required in connection with the legal matter." We oftentimes have people that need certified copies of their marriage certificate immediately. We receive phone calls daily from people who were married yesterday, three weeks ago, or three years ago, that need to obtain certified copies of their marriage licenses. Rather than them going through the office of the County Recorder, we do offer a service where we will obtain the certificate and send it to them. We do that on a regular basis. Yes, we do charge a fee. Oftentimes the fee will depend on whether it is something that we have to obtain immediately, or it is something that can wait until Monday when we do our actual filing. Of course, we would not charge as much of a fee to do that. If it is something that they want right away and they need it overnight, then absolutely we are going to charge a little bit more to do that.

I am also concerned about referring a client to an attorney for representation in a legal matter. We are often asked how to go about getting a divorce. I get

these phone calls all the time. I have to tell people that they need to contact an attorney. So in a sense, I am referring people to an attorney. As far as giving legal advice, people often ask us as soon as they are married what the next step is? How do I change my name? I have to advise them that the next step is to obtain a certified copy of the marriage certificate and take it from there to the Social Security Administration and then to the Department of Motor Vehicles. In a sense, I am providing legal advice. I do have some concerns about this and how it will affect us as far as having to procure another bond to secure my employees. It is just another hurdle or hoop through which we may have to jump. Times are tough during this economy and this is something that I would like to see some thought given to and addressed. If you should have any questions, I am happy to address those.

**Chairman Frierson:**

Thank you, Ms. Flint. I would encourage you also to speak with Ms. Flores. I would assume that your concerns are moot if the exemptions were not intended to include your industry. I see no questions. Is there anyone else here prepared to testify in a neutral position with respect to A.B. 74?

**Julie Butler, Records Bureau Chief, Records and Technology Division, Department of Public Safety:**

The Records Bureau is taking no position on A.B. 74. Our concern is with section 7 of the bill which requires document preparation service providers to have a criminal history records check through the repository.

The purpose of my testimony today is to inform you that A.B. 74 may increase the number of civil applicant background checks conducted by the repository. Legislation enacted in the 2009 and 2011 sessions requiring criminal history background checks for new occupational groups has had a cumulative impact on the repository. We have seen our civil applicants admission volume increase by nearly 14 percent from fiscal year (FY) 2011 to FY 2012. However, we have not had a staffing increase since FY 2008. If there is no increase in fingerprint submission volume as a result of the legislation from the 2013 session, then the existing staff is sufficient for the 2014-2015 biennium. However, if volume increases even slightly, additional staff is going to be needed.

If enacted, the FBI will have to review A.B. 74 to see if it complies with the provisions of Public Law 92-544 as a condition of releasing its criminal history records for the licensing of document preparation services. I will forward A.B. 74 to the FBI for their review and approval and we will keep Assemblywoman Flores and the Judiciary Committee informed as to the FBI's response. I will be happy to answer any questions.

**Chairman Frierson:**

Thank you, Ms. Butler. I do see that you submitted what we call an unsolicited fiscal note ([Exhibit O](#)) reflecting your testimony today as well. Are there any other questions?

**Assemblywoman Fiore:**

How do you do a criminal background check on an undocumented Nevadan?

**Julie Butler:**

I am sorry, but I do not understand your question.

**Chairman Frierson:**

I think what Ms. Fiore is asking, if someone who is not documented is attempting to register with the Secretary of State, how would you be able to conduct a background check consistent with the procedures set forth in the bill?

**Julie Butler:**

All of our criminal history record checks are predicated on the submission of fingerprints. We do not check the immigration status of the subject, we just process the prints to determine if they have a Nevada criminal history record or an FBI record so immigration status is not anything that we routinely check, or check at all.

**Chairman Frierson:**

Thank you, Ms. Butler. Ms. Fiore, I think that question is more appropriately addressed to the sponsor and the Secretary of State with regard to what they accept. There are measures in the bill that describe what people have to provide to the Secretary of State when they attempt to register, so I would suggest that you direct your question to them.

Are there any other questions? I see none. I would ask that everybody testifying neutral come forward. I see no one in Las Vegas. We will proceed now with what appears to be our last witness on A.B. 74.

**Sherry Powell, Representative, Ladies of Liberty, Reno, Nevada:**

I am neutral because I am not real familiar with this bill. It was just brought to my attention four days ago. I represent victims of violent crime and am an activist for the rights of victims. This bothers me because it might fall over to paralegals who assist domestic violence shelters and those that assist in family courts. They do paperwork for distraught women, as well as men. I think that this might impair them. In my particular case, there are a lot of clients whose names I cannot release to the Secretary of State, or to anybody else, because there are laws in Nevada protecting them from being exposed; those are

domestic violence laws. Not only that, I know of a couple of paralegals who have been sued in relation to immigration. I myself do not do immigration as I am not familiar with it. The paralegals did tens of thousands of cases very successfully and then one bad case came about. I am not disputing that we need to get rid of fraudulent actors, I just think that this may put an undue burden on actors who are very good and perhaps do not have the resources to procure the bonds. I know that in construction you have to carry 20 percent so 1 percent was interesting to me. I am concerned that this bill will blanket paralegals and impede them from doing good works.

**Assemblyman Hansen:**

Are you licensed? If so, is this just a general business license?

**Sherry Powell:**

There are no licenses. I am a certified paralegal. I am also a legal representative which is under the NRS in reference to employment in mining. You have to be specific because there are specific legal representatives defined by the NRS. It is a fact that I am not giving legal advice.

**Assemblyman Hansen:**

Who certifies you?

**Sherry Powell:**

The Bar Association, Mine Safety and Health Administration. I think that immigration does people who do immigration; mining does mining.

**Assemblyman Hansen:**

Are you regulated?

**Sherry Powell:**

Yes. We can be sued, too. If you contract with somebody for pay to do, let us say, immigration documents, and if you do not prepare the document, that is fraud. I do know, also, that in the legal field there are certain types of motions you can make for typos or indiscretionary errors and there are legal definitions for that. I do not want to contradict what has been said. I know that there are remedies that are available to the citizens for that which maybe was not disclosed to them. I do not know.

**Chairman Frierson:**

Thank you. Are there any other questions? I see none.

I thank you all. I see no others here to testify on A.B. 74. I would invite public comment that at this time. I see someone in Las Vegas.

**Fernando Romero, representing Hispanics in Politics and National Council of La Raza, Las Vegas:**

My name is Fernando Romero. I am here representing Hispanics in Politics and the National Council of La Raza. I am in full support of A.B. 74.

**Chairman Frierson:**

Sir, I apologize for interrupting you, but we have gone over our scheduled allotted time. We are beyond the time set aside for those testifying in support.

**Fernando Romero:**

I am sorry, please at least enter it into the record our support of A.B. 74. That would suffice.

**Chairman Frierson:**

Thank you, sir. I would also invite you to submit written testimony to the Committee for dissemination to the members.

**Fernando Romero:**

Thank you, I will.

**Chairman Frierson:**

Thank you. I see no one else in Las Vegas prepared to offer testimony in a neutral position so I am going to come back to Carson City. I have invited public comment. I see none.

I do not believe that we have any BDRs to introduce today. The hearing on A.B. 74 will close and the Assembly Judiciary will be adjourned [at 11:45 a.m.].

RESPECTFULLY SUBMITTED:

---

Dianne Harvey  
Committee Secretary

APPROVED BY:

---

Assemblyman Jason Frierson, Chairman

DATE: \_\_\_\_\_

**EXHIBITS**

**Committee Name:** Committee on Judiciary

**Date:** February 15, 2013

**Time of Meeting:** 8:08 a.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
A.B. 74	C	Edgar Flores	Legal Service Awareness of the Latino Population in Southern Nevada 2012
A.B. 74	D	Edgar Flores	Edgar Flores Notes
A.B. 74	E	Assemblywoman Lucy Flores	Mock-up Proposed Amendment
A.B. 74	F	Secretary of State Ross Miller	Proposed Amendments
A.B. 74	G	Secretary of State Ross Miller	Written testimony
A.B. 74	H	Karen Duddleston, Business Licensing Manager, City of Las Vegas	Amendments, City of Las Vegas
A.B. 74	I	Susan Myers, Consumer Rights Project, Legal Aid Center of Southern Nevada, Las Vegas	Written Testimony
A.B. 74	J	Scott Scherer, Holland & Holland, LLP, Representing the Nevada Registered Agent Association	Testimony
A.B. 74	K	Scott Scherer, Holland & Holland, LLP, Representing the Nevada Registered Agent Association	Proposed Amendment
A.B. 74	L	Scott Scherer, Holland & Holland, LLP, Representing the Nevada Registered Agent Association	Adopted Regulation of the Secretary of State
A.B. 74	M	Brian Hickman, Senior Attorney, Government Relations, CT Corporation, Seattle, Washington	Written Testimony
A.B. 74	N	Brian Hickman, Senior Attorney, Government Relations, CT	Proposed Amendment

A.B. 74	O	Julie Butler, Records Bureau Chief, Records and Technology Division, Department of Public Safety	Unsolicited Fiscal Note
------------	---	--	-------------------------