

Amendment No. 385

Assembly Amendment to Assembly Bill No. 317 (BDR 52-1019)

Proposed by: Assembly Committee on Government Affairs

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

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

VG/NCA



Date: 4/19/2017

A.B. No. 317—Revises provisions governing limitations on conducting business using certain fictitious names. (BDR 52-1019)



ASSEMBLY BILL NO. 317—ASSEMBLYWOMAN SPIEGEL

MARCH 17, 2017

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing limitations on conducting business using certain fictitious names. (BDR 52-1019)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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

AN ACT relating to business practices; prohibiting a person from adopting certain fictitious names; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires each person doing business in this State under an assumed or fictitious name that is in any way different from the legal name of each person who owns an interest in the business to file a certificate with the county clerk stating the assumed or fictitious name under which the business is being conducted or is intended to be conducted. (NRS 602.010, 602.020) Existing law also provides limitations on the adoption of, and prohibits a county clerk from accepting the filing of a certificate for, certain fictitious names. (NRS 602.017) This bill prohibits a person from adopting a fictitious name which imitates or causes another person to reasonably believe the fictitious name is the name of ~~the~~, or a name associated with, a government, governmental agency, political subdivision of a government, federally recognized Indian tribe or nation or any other governmental entity ~~that~~ found within this State, another state or the United States.

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

Section 1. NRS 602.017 is hereby amended to read as follows:

602.017 1. No person may adopt any fictitious name which includes "Corporation," "Corp.," "Incorporated" or "Inc." in its title, unless that person is a corporation organized or qualified to do business pursuant to the laws of this State.

2. No person may adopt any fictitious name which includes "Limited-Liability Company," "Limited Liability Company," "Limited Company" or the abbreviation "L.L.C.," "L.C.," "LLC" or "LC" in its title, unless that person is a limited-liability company organized or registered to do business pursuant to the laws of this State.

3. No person may adopt any fictitious name which includes "Business Trust" or the abbreviation "B.T." or "BT" in its title, unless that person is a business trust organized or registered to do business pursuant to the laws of this State.

4. No person may adopt any fictitious name which includes "Professional Corporation" or the abbreviation "Prof. Corp.," "P.C." or "PC" or the word "Chartered" or the abbreviation "Chtd." in its title, unless that person is a professional corporation organized to do business pursuant to the laws of this State.

5. No person may adopt any fictitious name which includes "Professional Association," "Professional Organization" or the abbreviation "Prof. Ass'n" or "Prof. Org." in its title, unless that person is a professional association organized to do business pursuant to the laws of this State.

6. No person may adopt any fictitious name which includes "Limited" or the abbreviation "Ltd." in its title, unless that person is a corporation, limited-liability company, registered limited-liability partnership, limited partnership or professional corporation organized, qualified or registered to do business pursuant to the laws of this State.

7. *No person may adopt any fictitious name which imitates or reasonably causes another person to believe the fictitious name is the name of, or a name associated with, a government, governmental agency, ~~for entity of~~ political subdivision of a government, federally recognized Indian tribe or nation or any other governmental entity found within this State, another state or the United States.*

8. No natural person may adopt any fictitious name which appears to be the name of a natural person unless the name includes an additional word or words which indicate that the fictitious name is not the name of a natural person.

~~8.9.~~ 9. No county clerk may accept for filing a certificate which violates any provision of this chapter.

Sec. 1.5. The amendatory provisions of this act:

1. Apply to any person who files a certificate pursuant to NRS 602.010 on or after July 1, 2017.

2. Apply to any person who has previously filed a certificate pursuant to NRS 602.010 and is required to renew such a certificate on or after July 1, 2017.

Sec. 2. This act becomes effective on July 1, 2017.