

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:

1 Existing law requires each person doing business in this State under an
2 assumed or fictitious name that is in any way different from the legal name of each
3 person who owns an interest in the business to file a certificate with the county
4 clerk stating the assumed or fictitious name under which the business is being
5 conducted or is intended to be conducted. (NRS 602.010, 602.020) Existing law
6 also provides limitations on the adoption of, and prohibits a county clerk from
7 accepting the filing of a certificate for, certain fictitious names. (NRS 602.017) This
8 bill prohibits a person from adopting a fictitious name which imitates the name of a
9 governmental agency or entity of this State, another state or the United States.

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

1 Section 1. NRS 602.017 is hereby amended to read as follows:
2 602.017 1. No person may adopt any fictitious name which
3 includes “Corporation,” “Corp.,” “Incorporated” or “Inc.” in its title,
4 unless that person is a corporation organized or qualified to do
5 business pursuant to the laws of this State.
6 2. No person may adopt any fictitious name which includes
7 “Limited-Liability Company,” “Limited Liability Company,”
8 “Limited Company” or the abbreviation “L.L.C.,” “L.C.,” “LLC” or
9 “LC” in its title, unless that person is a limited-liability company



1 organized or registered to do business pursuant to the laws of this
2 State.

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

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

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

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

23 7. *No person may adopt any fictitious name which imitates*
24 *the name of a governmental agency or entity of this State, another*
25 *state or the United States.*

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

30 ~~18.1~~ 9. No county clerk may accept for filing a certificate
31 which violates any provision of this chapter.

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

