
ASSEMBLY BILL NO. 368—ASSEMBLYMEN WHEELER,
HARDY; HICKEY AND LIVERMORE

MARCH 18, 2013

Referred to Committee on Judiciary

SUMMARY—Provides an exemption from the requirement for a state business license and certain filing fees for certain small businesses. (BDR 7-598)

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

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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 associations; exempting certain businesses whose annual gross earnings are less than a certain amount from the requirement of obtaining a state business license; exempting businesses whose annual gross earnings are less than a certain amount from paying certain fees; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, certain businesses are exempt from the requirement to
2 obtain a state business license, including, without limitation, a person who operates
3 a business from his or her home and whose net annual earnings from that business
4 are not more than 66 2/3 percent of the average annual wage. (NRS 76.020)
5 **Section 1** of this bill changes the requirement for such an exemption to provide that
6 a person who operates a business from his or her home and whose gross earnings
7 from that business are \$100,000 or less is exempt from the requirement to obtain a
8 state business license. **Section 1** also extends the exemption to any other business
9 whose annual gross earnings are \$200,000 or less.

10 Existing law requires business associations to file with the Secretary of State
11 certain information and to pay certain filing fees before conducting business in this
12 State and annually after the incorporation, organization or registration of the
13 business. (NRS 78.150, 78.760, 80.110, 82.523, 82.531, 84.015, 86.263, 86.5461,
14 86.561, 87.440, 87.510, 87.541, 87A.290, 87A.315, 87A.560, 88.395, 88.415,
15 88.591, 88A.600, 88A.732, 88A.900, 89.210, 89.250) **Sections 2-24** of this bill
16 provide that any business whose annual gross earnings are \$200,000 or less is
17 exempt from the requirement to pay these filing fees.



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

- 1 **Section 1.** NRS 76.020 is hereby amended to read as follows:
2 76.020 1. Except as otherwise provided in subsection 2,
3 “business” means:
4 (a) Any person, except a natural person, that performs a service
5 or engages in a trade for profit;
6 (b) Any natural person who performs a service or engages in a
7 trade for profit if the person is required to file with the Internal
8 Revenue Service a Schedule C (Form 1040), Profit or Loss From
9 Business Form, or its equivalent or successor form, a Schedule E
10 (Form 1040), Supplemental Income and Loss Form, or its
11 equivalent or successor form, or a Schedule F (Form 1040), Profit or
12 Loss From Farming Form, or its equivalent or successor form, for
13 that activity; or
14 (c) Any entity organized pursuant to this title, including, without
15 limitation, those entities required to file with the Secretary of State,
16 whether or not the entity performs a service or engages in a business
17 for profit.
18 2. The term does not include:
19 (a) A governmental entity.
20 (b) A nonprofit religious, charitable, fraternal or other
21 organization that qualifies as a tax-exempt organization pursuant to
22 26 U.S.C. § 501(c).
23 (c) A person who operates a business from his or her home and
24 whose ~~net~~ **annual gross** earnings from that business are ~~not more~~
25 ~~than 66 2/3 percent of the average annual wage, as computed for the~~
26 ~~preceding calendar year pursuant to chapter 612 of NRS and~~
27 ~~rounded to the nearest hundred dollars.~~ **\$100,000 or less.**
28 (d) A natural person whose sole business is the rental of four or
29 fewer dwelling units to others.
30 (e) A business whose primary purpose is to create or produce
31 motion pictures. As used in this paragraph, “motion pictures” has
32 the meaning ascribed to it in NRS 231.020.
33 (f) A business organized pursuant to chapter 82 or 84 of NRS.
34 **(g) A business, other than a business described in paragraphs**
35 **(c) to (f), inclusive, whose annual gross earnings are \$200,000 or**
36 **less.**
37 **Sec. 2.** NRS 78.150 is hereby amended to read as follows:
38 78.150 1. A corporation organized pursuant to the laws of
39 this State shall, on or before the last day of the first month after the
40 filing of its articles of incorporation with the Secretary of State, file
41 with the Secretary of State a list, on a form furnished by the
42 Secretary of State, containing:



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

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

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

17 (a) A declaration under penalty of perjury that the corporation:
 18 (1) Has complied with the provisions of chapter 76 of NRS;
 19 and

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

23 (b) A statement as to whether the corporation is a publicly
 24 traded company. If the corporation is a publicly traded company, the
 25 corporation must list its Central Index Key. The Secretary of State
 26 shall include on the Secretary of State's Internet website the Central
 27 Index Key of a corporation provided pursuant to this paragraph and
 28 instructions describing the manner in which a member of the public
 29 may obtain information concerning the corporation from the
 30 Securities and Exchange Commission.

31 4. ~~Upon~~ **Except as otherwise provided in subsection 5, upon**
 32 filing the list required by:

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

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

38

39	\$75,000 or less.....	\$125
40	Over \$75,000 and not over \$200,000	175
41	Over \$200,000 and not over \$500,000	275
42	Over \$500,000 and not over \$1,000,000	375
43	Over \$1,000,000:	
44	For the first \$1,000,000.....	375
45	For each additional \$500,000 or fraction thereof.....	275



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

3
4 5. *A corporation is exempt from paying the fees set forth in*
5 *subsection 4 if the annual gross earnings of the corporation are*
6 *\$200,000 or less.*

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

11 ~~6.7~~ 7. The Secretary of State shall, 90 days before the last day
12 for filing each annual list required by subsection 2, provide to each
13 corporation which is required to comply with the provisions of NRS
14 78.150 to 78.185, inclusive, and which has not become delinquent, a
15 notice of the fee due pursuant to subsection 4 and a reminder to file
16 the annual list required by subsection 2. Failure of any corporation
17 to receive a notice does not excuse it from the penalty imposed by
18 law.

19 ~~7.8~~ 8. If the list to be filed pursuant to the provisions of
20 subsection 1 or 2 is defective in any respect or the fee required by
21 subsection 4 is not paid, the Secretary of State may return the list for
22 correction or payment.

23 ~~8.9~~ 9. An annual list for a corporation not in default which is
24 received by the Secretary of State more than 90 days before its due
25 date shall be deemed an amended list for the previous year and must
26 be accompanied by the appropriate fee as provided in subsection 4
27 for filing. A payment submitted pursuant to this subsection does not
28 satisfy the requirements of subsection 2 for the year to which the
29 due date is applicable.

30 **Sec. 3.** NRS 78.760 is hereby amended to read as follows:

31 78.760 1. ~~The~~ *Except as otherwise provided in subsection*
32 *5, the* fee for filing articles of incorporation is prescribed in the
33 following schedule:

34

35 If the amount represented by the total number of

36 shares provided for in the articles is:

37 \$75,000 or less.....	375
38 Over \$75,000 and not over \$200,000	175
39 Over \$200,000 and not over \$500,000	275
40 Over \$500,000 and not over \$1,000,000	375
41 Over \$1,000,000:	
42 For the first \$1,000,000.....	375
43 For each additional \$500,000 or fraction thereof.....	275



1 2. The maximum fee which may be charged pursuant to this
2 section:

3 (a) Is \$35,000 for the original filing of the articles of
4 incorporation.

5 (b) Is \$34,925 for a subsequent filing of any instrument which
6 authorizes an increase in stock.

7 3. For the purposes of computing the filing fees according to
8 the schedule in subsection 1, the amount represented by the total
9 number of shares provided for in the articles of incorporation is:

10 (a) The aggregate par value of the shares, if only shares with a
11 par value are therein provided for;

12 (b) The product of the number of shares multiplied by \$1,
13 regardless of any lesser amount prescribed as the value or
14 consideration for which shares may be issued and disposed of, if
15 only shares without par value are therein provided for; or

16 (c) The aggregate par value of the shares with a par value plus
17 the product of the number of shares without par value multiplied by
18 \$1, regardless of any lesser amount prescribed as the value or
19 consideration for which the shares without par value may be issued
20 and disposed of, if shares with and without par value are therein
21 provided for.

22 ➔ For the purposes of this subsection, shares with no prescribed par
23 value shall be deemed shares without par value.

24 4. The Secretary of State shall calculate filing fees pursuant to
25 this section with respect to shares with a par value of less than one-
26 tenth of a cent as if the par value were one-tenth of a cent.

27 ***5. A corporation is exempt from paying the fee for the***
28 ***original filing of the articles of incorporation pursuant to this***
29 ***section if the annual gross earnings of the corporation are***
30 ***\$200,000 or less.***

31 **Sec. 4.** NRS 80.110 is hereby amended to read as follows:

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

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

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

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

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



1 (a) A declaration under penalty of perjury that the foreign
2 corporation has complied with the provisions of chapter 76 of NRS
3 and which acknowledges that pursuant to NRS 239.330, it is a
4 category C felony to knowingly offer any false or forged instrument
5 for filing with the Office of the Secretary of State.

6 (b) A statement as to whether the foreign corporation is a
7 publicly traded company. If the corporation is a publicly traded
8 company, the corporation must list its Central Index Key. The
9 Secretary of State shall include on the Secretary of State's Internet
10 website the Central Index Key of a corporation provided pursuant to
11 this subsection and instructions describing the manner in which a
12 member of the public may obtain information concerning the
13 corporation from the Securities and Exchange Commission.

14 3. ~~Upon~~ *Except as otherwise provided in subsection 4, upon*
15 filing:

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

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

21		
22	\$75,000 or less.....	\$125
23	Over \$75,000 and not over \$200,000	175
24	Over \$200,000 and not over \$500,000	275
25	Over \$500,000 and not over \$1,000,000	375
26	Over \$1,000,000:	
27	For the first \$1,000,000.....	375
28	For each additional \$500,000 or fraction thereof.....	275

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

31
32 4. *A foreign corporation is exempt from paying the fees set*
33 *forth in subsection 3 if the annual gross earnings of the*
34 *corporation are \$200,000 or less.*

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

39 ~~5.1~~ 6. The Secretary of State shall, 90 days before the last day
40 for filing each annual list required by subsection 1, provide to each
41 corporation which is required to comply with the provisions of NRS
42 80.110 to 80.175, inclusive, and which has not become delinquent, a
43 notice of the fee due pursuant to subsection 3 and a reminder to file
44 the list pursuant to subsection 1. Failure of any corporation to



1 receive a notice does not excuse it from the penalty imposed by the
2 provisions of NRS 80.110 to 80.175, inclusive.

3 ~~6.1~~ 7. An annual list for a corporation not in default which is
4 received by the Secretary of State more than 90 days before its due
5 date shall be deemed an amended list for the previous year and does
6 not satisfy the requirements of subsection 1 for the year to which the
7 due date is applicable.

8 **Sec. 5.** NRS 82.523 is hereby amended to read as follows:

9 82.523 1. Each foreign nonprofit corporation doing business
10 in this State shall, on or before the last day of the first month after
11 the filing of its application for registration as a foreign nonprofit
12 corporation with the Secretary of State, and annually thereafter on or
13 before the last day of the month in which the anniversary date of its
14 qualification to do business in this State occurs in each year, file
15 with the Secretary of State a list, on a form furnished by the
16 Secretary of State, that contains:

17 (a) The name of the foreign nonprofit corporation;

18 (b) The file number of the foreign nonprofit corporation, if
19 known;

20 (c) The names and titles of the president, the secretary and the
21 treasurer, or the equivalent thereof, and all the directors of the
22 foreign nonprofit corporation;

23 (d) The address, either residence or business, of the president,
24 secretary and treasurer, or the equivalent thereof, and each director
25 of the foreign nonprofit corporation;

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

27 (f) The signature of an officer of the foreign nonprofit
28 corporation certifying that the list is true, complete and accurate.

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

32 (a) Has complied with the provisions of chapter 76 of NRS; and

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

36 3. ~~Upon~~ *Except as otherwise provided in subsection 4, upon*
37 filing the initial list and each annual list pursuant to this section, the
38 foreign nonprofit corporation must pay to the Secretary of State a
39 fee of \$25.

40 4. *A foreign nonprofit corporation whose annual gross*
41 *earnings are \$200,000 or less is exempt from paying the fee set*
42 *forth in subsection 3.*

43 5. The Secretary of State shall, 60 days before the last day for
44 filing each annual list, provide to each foreign nonprofit corporation
45 which is required to comply with the provisions of NRS 82.523 to



1 82.5239, inclusive, and which has not become delinquent, a notice
2 of the fee due pursuant to subsection 3 and a reminder to file the list
3 required pursuant to subsection 1. Failure of any foreign nonprofit
4 corporation to receive a notice does not excuse it from the penalty
5 imposed by the provisions of NRS 82.523 to 82.5239, inclusive.

6 ~~15.1~~ 6. If the list to be filed pursuant to the provisions of
7 subsection 1 is defective or the fee required by subsection 3 is not
8 paid, the Secretary of State may return the list for correction or
9 payment.

10 ~~16.1~~ 7. An annual list for a foreign nonprofit corporation not in
11 default that is received by the Secretary of State more than 90 days
12 before its due date shall be deemed an amended list for the previous
13 year and does not satisfy the requirements of subsection 1 for the
14 year to which the due date is applicable.

15 **Sec. 6.** NRS 82.531 is hereby amended to read as follows:

16 82.531 1. ~~The~~ *Except as otherwise provided in subsection*
17 *2, the* fee for filing articles of incorporation, amendments to or
18 restatements of articles of incorporation, certificates pursuant to
19 NRS 82.061 and 82.063 and records for dissolution is \$50 for each
20 record.

21 2. *A nonprofit corporation whose annual gross earnings are*
22 *\$200,000 or less is exempt from paying the fee for filing articles of*
23 *incorporation set forth in subsection 1.*

24 3. Except as otherwise provided in NRS 82.193 and subsection
25 1, the fees for filing records are those set forth in NRS 78.765 to
26 78.785, inclusive.

27 **Sec. 7.** NRS 84.015 is hereby amended to read as follows:

28 84.015 1. ~~The~~ *Except as otherwise provided in subsection*
29 *2, the* fee for filing articles of incorporation, amendments to or
30 restatements of articles of incorporation and records for dissolution
31 is \$50 for each record.

32 2. *A corporation sole whose annual gross earnings are*
33 *\$200,000 or less is exempt from paying the fee for filing articles of*
34 *incorporation.*

35 3. Except as otherwise provided in this chapter, the fees set
36 forth in NRS 78.785 apply to this chapter.

37 **Sec. 8.** NRS 86.263 is hereby amended to read as follows:

38 86.263 1. A limited-liability company shall, on or before the
39 last day of the first month after the filing of its articles of
40 organization with the Secretary of State, file with the Secretary of
41 State, on a form furnished by the Secretary of State, a list that
42 contains:

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

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



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

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

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

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

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

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

18 (a) Has complied with the provisions of chapter 76 of NRS; and

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

22 4. ~~Upon~~ *Except as otherwise provided in subsection 5, upon*
23 filing:

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

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

28 5. *A limited-liability company is exempt from paying the fees*
29 *set forth in subsection 4 if the annual gross earnings of the*
30 *limited-liability company are \$200,000 or less.*

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

36 ~~6.~~ 7. The Secretary of State shall, 90 days before the last day
37 for filing each list required by subsection 2, provide to each limited-
38 liability company which is required to comply with the provisions of
39 this section, and which has not become delinquent, a notice of the
40 fee due under subsection 4 and a reminder to file the list required by
41 subsection 2. Failure of any company to receive a notice does not
42 excuse it from the penalty imposed by law.

43 ~~7.~~ 8. If the list to be filed pursuant to the provisions of
44 subsection 1 or 2 is defective or the fee required by subsection 4 is



1 not paid, the Secretary of State may return the list for correction or
2 payment.

3 ~~§ 9.~~ **9.** An annual list for a limited-liability company not in
4 default received by the Secretary of State more than 90 days before
5 its due date shall be deemed an amended list for the previous year.

6 **Sec. 9.** NRS 86.5461 is hereby amended to read as follows:

7 86.5461 1. Each foreign limited-liability company doing
8 business in this State shall, on or before the last day of the first
9 month after the filing of its application for registration as a foreign
10 limited-liability company with the Secretary of State, and annually
11 thereafter on or before the last day of the month in which the
12 anniversary date of its qualification to do business in this State
13 occurs in each year, file with the Secretary of State a list on a form
14 furnished by the Secretary of State that contains:

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

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

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

20 (d) The address, either residence or business, of each manager or
21 managing member listed pursuant to paragraph (c);

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

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

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

29 (a) Has complied with the provisions of chapter 76 of NRS; and

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

33 3. ~~Upon~~ **Except as otherwise provided in subsection 4, upon**
34 **filing:**

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

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

39 4. ***A foreign limited-liability company is exempt from paying***
40 ***the fees set forth in subsection 3 if the annual gross earnings of***
41 ***the foreign limited-liability company are \$200,000 or less.***

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



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

3 ~~15.1~~ 6. The Secretary of State shall, 90 days before the last day
4 for filing each annual list required by this section, provide to each
5 foreign limited-liability company which is required to comply with
6 the provisions of NRS 86.5461 to 86.5468, inclusive, and which has
7 not become delinquent, a notice of the fee due pursuant to
8 subsection 3 and a reminder to file the list required pursuant
9 to subsection 1. Failure of any foreign limited-liability company to
10 receive a notice does not excuse it from the penalty imposed by the
11 provisions of NRS 86.5461 to 86.5468, inclusive.

12 ~~16.1~~ 7. If the list to be filed pursuant to the provisions of
13 subsection 1 is defective or the fee required by subsection 3 is not
14 paid, the Secretary of State may return the list for correction or
15 payment.

16 ~~17.1~~ 8. An annual list for a foreign limited-liability company
17 not in default which is received by the Secretary of State more than
18 90 days before its due date shall be deemed an amended list for the
19 previous year and does not satisfy the requirements of this section
20 for the year to which the due date is applicable.

21 **Sec. 10.** NRS 86.561 is hereby amended to read as follows:

22 86.561 1. ~~1.1~~ *Except as otherwise provided in subsection*
23 *4, the* Secretary of State shall charge and collect for:

24 (a) Filing the original articles of organization, or for registration
25 of a foreign company, \$75;

26 (b) Amending or restating the articles of organization, amending
27 the registration of a foreign company or filing a certificate of
28 correction, \$175;

29 (c) Filing the articles of dissolution of a domestic or foreign
30 company, \$100;

31 (d) Certifying a copy of articles of organization or an
32 amendment to the articles, \$30;

33 (e) Certifying an authorized printed copy of this chapter, \$30;

34 (f) Reserving a name for a limited-liability company, \$25;

35 (g) Filing a certificate of cancellation, \$100;

36 (h) Signing, filing or certifying any other record, \$50; and

37 (i) Copies provided by the Office of the Secretary of State, \$2
38 per page.

39 2. The Secretary of State shall charge and collect, at the time of
40 any service of process on the Secretary of State as agent for service
41 of process of a limited-liability company, \$100 which may be
42 recovered as taxable costs by the party to the action causing the
43 service to be made if the party prevails in the action.

44 3. Except as otherwise provided in this section, the fees set
45 forth in NRS 78.785 apply to this chapter.



1 ***4. A limited-liability company or foreign limited-liability***
2 ***company whose annual gross earnings are \$200,000 or less is***
3 ***exempt from the filing fees required by paragraph (a) of***
4 ***subsection 1.***

5 **Sec. 11.** NRS 87.440 is hereby amended to read as follows:

6 87.440 1. To become a registered limited-liability
7 partnership, a partnership shall file with the Secretary of State a
8 certificate of registration stating each of the following:

9 (a) The name of the partnership.

10 (b) The street address of its principal office.

11 (c) The information required pursuant to NRS 77.310.

12 (d) The name and business address of each managing partner in
13 this State.

14 (e) That the partnership thereafter will be a registered limited-
15 liability partnership.

16 (f) Any other information that the partnership wishes to include.

17 2. The certificate of registration must be signed by a majority
18 in interest of the partners or by one or more partners authorized to
19 sign such a certificate.

20 3. The certificate of registration must be accompanied by a fee
21 of \$75 **H**, ***except that a partnership is exempt from this fee if the***
22 ***annual gross earnings of the partnership are \$200,000 or less.***

23 4. The Secretary of State shall register as a registered limited-
24 liability partnership any partnership that submits a completed
25 certificate of registration with the required fee.

26 5. The registration of a registered limited-liability partnership
27 is effective at the time of the filing of the certificate of registration.

28 **Sec. 12.** NRS 87.510 is hereby amended to read as follows:

29 87.510 1. A registered limited-liability partnership shall, on
30 or before the last day of the first month after the filing of its
31 certificate of registration with the Secretary of State, and annually
32 thereafter on or before the last day of the month in which the
33 anniversary date of the filing of its certificate of registration with the
34 Secretary of State occurs, file with the Secretary of State, on a form
35 furnished by the Secretary of State, a list that contains:

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

37 (b) The file number of the registered limited-liability
38 partnership, if known;

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

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

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

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



1 ↪ Each list filed pursuant to this subsection must be accompanied
2 by a declaration under penalty of perjury that the registered limited-
3 liability partnership has complied with the provisions of chapter 76
4 of NRS and which acknowledges that pursuant to NRS 239.330, it is
5 a category C felony to knowingly offer any false or forged
6 instrument for filing in the Office of the Secretary of State.

7 2. ~~Upon~~ *Except as otherwise provided in subsection 3, upon*
8 filing:

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

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

15 3. *A registered limited-liability partnership is exempt from*
16 *paying the fees set forth in subsection 2 if the annual gross*
17 *earnings of the registered limited-liability partnership are*
18 *\$200,000 or less.*

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

24 ~~4.~~ 5. The Secretary of State shall, at least 90 days before the
25 last day for filing each annual list required by subsection 1, provide
26 to the registered limited-liability partnership a notice of the fee due
27 pursuant to subsection 2 and a reminder to file the annual list
28 required by subsection 1. The failure of any registered limited-
29 liability partnership to receive a notice does not excuse it from
30 complying with the provisions of this section.

31 ~~5.~~ 6. If the list to be filed pursuant to the provisions of
32 subsection 1 is defective, or the fee required by subsection 2 is not
33 paid, the Secretary of State may return the list for correction or
34 payment.

35 ~~6.~~ 7. An annual list that is filed by a registered limited-
36 liability partnership which is not in default more than 90 days before
37 it is due shall be deemed an amended list for the previous year and
38 does not satisfy the requirements of subsection 1 for the year to
39 which the due date is applicable.

40 **Sec. 13.** NRS 87.541 is hereby amended to read as follows:

41 87.541 1. Each foreign registered limited-liability partnership
42 doing business in this State shall, on or before the last day of the
43 first month after the filing of its application for registration as a
44 foreign registered limited-liability partnership with the Secretary of
45 State, and annually thereafter on or before the last day of the month



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

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

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

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

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

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

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

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

18 (a) Has complied with the provisions of chapter 76 of NRS; and

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

22 3. ~~Upon~~ *Except as otherwise provided in subsection 4, upon*
23 filing:

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

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

30 4. *A foreign registered limited-liability partnership is exempt*
31 *from paying the fees set forth in subsection 3 if the annual gross*
32 *earnings of the foreign registered limited-liability partnership are*
33 *\$200,000 or less.*

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

39 ~~5.1~~ 6. The Secretary of State shall, 90 days before the last day
40 for filing each annual list required by subsection 1, provide to each
41 foreign registered limited-liability partnership which is required to
42 comply with the provisions of NRS 87.541 to 87.544, inclusive, and
43 which has not become delinquent, a notice of the fee due pursuant to
44 subsection 3 and a reminder to file the list required pursuant to
45 subsection 1. Failure of any foreign registered limited-liability



1 partnership to receive a notice does not excuse it from the penalty
2 imposed by the provisions of NRS 87.541 to 87.544, inclusive.

3 ~~6.1~~ 7. If the list to be filed pursuant to the provisions of
4 subsection 1 is defective or the fee required by subsection 3 is not
5 paid, the Secretary of State may return the list for correction or
6 payment.

7 ~~7.1~~ 8. An annual list for a foreign registered limited-liability
8 partnership not in default which is received by the Secretary of State
9 more than 90 days before its due date shall be deemed an amended
10 list for the previous year and does not satisfy the requirements of
11 subsection 1 for the year to which the due date is applicable.

12 **Sec. 14.** NRS 87A.290 is hereby amended to read as follows:

13 87A.290 1. A limited partnership shall, on or before the last
14 day of the first month after the filing of its certificate of limited
15 partnership with the Secretary of State, and annually thereafter on or
16 before the last day of the month in which the anniversary date of the
17 filing of its certificate of limited partnership occurs, file with the
18 Secretary of State, on a form furnished by the Secretary of State, a
19 list that contains:

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

28 ➔ Each list filed pursuant to this subsection must be accompanied
29 by a declaration under penalty of perjury that the limited partnership
30 has complied with the provisions of chapter 76 of NRS and which
31 acknowledges that pursuant to NRS 239.330, it is a category C
32 felony to knowingly offer any false or forged instrument for filing in
33 the Office of the Secretary of State.

34 2. Except as otherwise provided in ~~subsection~~ *subsections* 3
35 ~~4~~ *and 4*, a limited partnership shall, upon filing:

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

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

40 3. ~~4~~ *Except as otherwise provided in subsection 5, a*
41 registered limited-liability limited partnership shall, upon filing:

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

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



1 4. *A limited partnership is exempt from paying the fees set*
2 *forth in subsection 2 if the annual gross earnings of the limited*
3 *partnership are \$200,000 or less.*

4 5. *A registered limited-liability limited partnership is exempt*
5 *from paying the fee set forth in subsection 3 if the annual gross*
6 *earnings of the registered limited-liability limited partnership are*
7 *\$200,000 or less.*

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

12 ~~15-1~~ 7. The Secretary of State shall, 90 days before the last day
13 for filing each annual list required by subsection 1, provide to each
14 limited partnership which is required to comply with the provisions
15 of this section, and which has not become delinquent, a notice of the
16 fee due pursuant to the provisions of subsection 2 or 3, as
17 appropriate, and a reminder to file the annual list required pursuant
18 to subsection 1. Failure of any limited partnership to receive a notice
19 does not excuse it from the penalty imposed by NRS 87A.300.

20 ~~16-1~~ 8. If the list to be filed pursuant to the provisions of
21 subsection 1 is defective or the fee required by subsection 2 or 3 is
22 not paid, the Secretary of State may return the list for correction or
23 payment.

24 ~~17-1~~ 9. An annual list for a limited partnership not in default
25 that is received by the Secretary of State more than 90 days before
26 its due date shall be deemed an amended list for the previous year
27 and does not satisfy the requirements of subsection 1 for the year to
28 which the due date is applicable.

29 ~~18-1~~ 10. A filing made pursuant to this section does not satisfy
30 the provisions of NRS 87A.240 and may not be substituted for
31 filings submitted pursuant to NRS 87A.240.

32 **Sec. 15.** NRS 87A.315 is hereby amended to read as follows:

33 87A.315 The Secretary of State, for services relating to the
34 official duties of the Secretary of State and the records of the Office
35 of the Secretary of State, shall charge and collect the following fees:

36 1. For filing a certificate of limited partnership, or for
37 registering a foreign limited partnership, \$75 ~~H~~, *except that a*
38 *limited partnership or foreign limited partnership whose annual*
39 *gross earnings are \$200,000 or less is exempt from this fee.*

40 2. For filing a certificate of registration of limited-liability
41 limited partnership, or for registering a foreign registered limited-
42 liability limited partnership, \$100 ~~H~~, *except that a limited-liability*
43 *limited partnership or foreign registered limited-liability limited*
44 *partnership whose annual gross earnings are \$200,000 or less is*
45 *exempt from this fee.*



1 3. For filing a certificate of amendment of limited partnership
2 or restated certificate of limited partnership, \$175.

3 4. For certifying a copy of a certificate of limited partnership,
4 an amendment to the certificate, or a certificate as amended, \$30 per
5 certification.

6 5. For certifying an authorized printed copy of the limited
7 partnership law, \$30.

8 6. For reserving a limited partnership name, or for signing,
9 filing or certifying any other record, \$25.

10 7. For copies provided by the Office of the Secretary of State,
11 \$2 per page.

12 8. For filing a certificate of cancellation of a limited
13 partnership or a certificate of cancellation of the registration of a
14 foreign limited partnership, \$100.

15 ➔ Except as otherwise provided in this section, the fees set forth in
16 NRS 78.785 apply to this chapter.

17 **Sec. 16.** NRS 87A.560 is hereby amended to read as follows:

18 87A.560 1. Each foreign limited partnership doing business
19 in this State shall, on or before the last day of the first month after
20 the filing of its application for registration as a foreign limited
21 partnership with the Secretary of State, and annually thereafter on or
22 before the last day of the month in which the anniversary date of its
23 qualification to do business in this State occurs in each year, file
24 with the Secretary of State a list, on a form furnished by the
25 Secretary of State, that contains:

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

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

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

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

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

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

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

37 (a) Has complied with the provisions of chapter 76 of NRS; and

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

41 3. ~~Upon~~ *Except as otherwise provided in subsection 4, upon*
42 filing:

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



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

3 4. *A foreign limited partnership is exempt from paying the*
4 *fees set forth in subsection 3 if the annual gross earnings of the*
5 *foreign limited partnership are \$200,000 or less.*

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

11 ~~5.1~~ 6. The Secretary of State shall, 90 days before the last day
12 for filing each annual list required by subsection 1, provide to each
13 foreign limited partnership, which is required to comply with the
14 provisions of NRS 87A.560 to 87A.600, inclusive, and which has
15 not become delinquent, a notice of the fee due pursuant to
16 subsection 3 and a reminder to file the list required pursuant to
17 subsection 1. Failure of any foreign limited partnership to receive a
18 notice does not excuse it from the penalty imposed by the provisions
19 of NRS 87A.560 to 87A.600, inclusive.

20 ~~6.1~~ 7. If the list to be filed pursuant to the provisions of
21 subsection 1 is defective or the fee required by subsection 3 is not
22 paid, the Secretary of State may return the list for correction or
23 payment.

24 ~~7.1~~ 8. An annual list for a foreign limited partnership not in
25 default which is received by the Secretary of State more than 90
26 days before its due date shall be deemed an amended list for the
27 previous year and does not satisfy the requirements of subsection 1
28 for the year to which the due date is applicable.

29 **Sec. 17.** NRS 88.395 is hereby amended to read as follows:

30 88.395 1. A limited partnership shall, on or before the last
31 day of the first month after the filing of its certificate of limited
32 partnership with the Secretary of State, and annually thereafter on or
33 before the last day of the month in which the anniversary date of the
34 filing of its certificate of limited partnership occurs, file with the
35 Secretary of State, on a form furnished by the Secretary of State, a
36 list that contains:

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



- 1 ↪ Each list filed pursuant to this subsection must be accompanied
2 by a declaration under penalty of perjury that the limited partnership
3 has complied with the provisions of chapter 76 of NRS and which
4 acknowledges that pursuant to NRS 239.330, it is a category C
5 felony to knowingly offer any false or forged instrument for filing in
6 the Office of the Secretary of State.
- 7 2. Except as otherwise provided in ~~subsection~~ *subsections 3*
8 ~~H~~ *and 4*, a limited partnership shall, upon filing:
- 9 (a) The initial list required by subsection 1, pay to the Secretary
10 of State a fee of \$125.
- 11 (b) Each annual list required by subsection 1, pay to the
12 Secretary of State a fee of \$125.
- 13 3. ~~H~~ *Except as otherwise provided in subsection 5, a*
14 *registered limited-liability limited partnership shall, upon filing:*
- 15 (a) The initial list required by subsection 1, pay to the Secretary
16 of State a fee of \$125.
- 17 (b) Each annual list required by subsection 1, pay to the
18 Secretary of State a fee of \$175.
- 19 4. *A limited partnership is exempt from paying the fees set*
20 *forth in subsection 2 if the annual gross earnings of the limited*
21 *partnership are \$200,000 or less.*
- 22 5. *A registered limited-liability limited partnership is exempt*
23 *from paying the fees set forth in subsection 3 if the annual gross*
24 *earnings of the registered limited-liability limited partnership are*
25 *\$200,000 or less.*
- 26 6. If a general partner of a limited partnership resigns and the
27 resignation is not reflected on the annual or amended list of general
28 partners, the limited partnership or the resigning general partner
29 shall pay to the Secretary of State a fee of \$75 to file the resignation.
- 30 ~~H~~ 7. The Secretary of State shall, 90 days before the last day
31 for filing each annual list required by subsection 1, provide to each
32 limited partnership which is required to comply with the provisions
33 of this section, and which has not become delinquent, a notice of the
34 fee due pursuant to the provisions of subsection 2 or 3, as
35 appropriate, and a reminder to file the annual list required pursuant
36 to subsection 1. Failure of any limited partnership to receive a notice
37 does not excuse it from the penalty imposed by NRS 88.400.
- 38 ~~H~~ 8. If the list to be filed pursuant to the provisions of
39 subsection 1 is defective or the fee required by subsection 2 or 3 is
40 not paid, the Secretary of State may return the list for correction or
41 payment.
- 42 ~~H~~ 9. An annual list for a limited partnership not in default
43 that is received by the Secretary of State more than 90 days before
44 its due date shall be deemed an amended list for the previous year



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

3 ~~8.1~~ 10. A filing made pursuant to this section does not satisfy
4 the provisions of NRS 88.355 and may not be substituted for filings
5 submitted pursuant to NRS 88.355.

6 **Sec. 18.** NRS 88.415 is hereby amended to read as follows:

7 88.415 The Secretary of State, for services relating to the
8 official duties of the Secretary of State and the records of the Office
9 of the Secretary of State, shall charge and collect the following fees:

10 1. For filing a certificate of limited partnership, or for
11 registering a foreign limited partnership, \$75 ~~H~~, *except that a*
12 *limited partnership or foreign limited partnership whose annual*
13 *gross earnings are \$200,000 or less is exempt from this fee.*

14 2. For filing a certificate of registration of limited-liability
15 limited partnership, or for registering a foreign registered limited-
16 liability limited partnership, \$100 ~~H~~, *except that a limited-liability*
17 *limited partnership or foreign registered limited-liability limited*
18 *partnership whose annual gross earnings are \$200,000 or less is*
19 *exempt from this fee.*

20 3. For filing a certificate of amendment of limited partnership
21 or restated certificate of limited partnership, \$175.

22 4. For certifying a copy of a certificate of limited partnership,
23 an amendment to the certificate, or a certificate as amended, \$30 per
24 certification.

25 5. For certifying an authorized printed copy of the limited
26 partnership law, \$30.

27 6. For reserving a limited partnership name, or for signing,
28 filing or certifying any other record, \$25.

29 7. For copies provided by the Office of the Secretary of State,
30 \$2 per page.

31 8. For filing a certificate of cancellation of a limited
32 partnership, \$100.

33 ➤ Except as otherwise provided in this section, the fees set forth in
34 NRS 78.785 apply to this chapter.

35 **Sec. 19.** NRS 88.591 is hereby amended to read as follows:

36 88.591 1. Each foreign limited partnership doing business in
37 this State shall, on or before the last day of the first month after the
38 filing of its application for registration as a foreign limited
39 partnership with the Secretary of State, and annually thereafter on or
40 before the last day of the month in which the anniversary date of its
41 qualification to do business in this State occurs in each year, file
42 with the Secretary of State a list, on a form furnished by the
43 Secretary of State, that contains:

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

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



- 1 (c) The names of all its general partners;
2 (d) The address, either residence or business, of each general
3 partner;
4 (e) The information required pursuant to NRS 77.310; and
5 (f) The signature of a general partner of the foreign limited
6 partnership certifying that the list is true, complete and accurate.
- 7 2. Each list filed pursuant to this section must be accompanied
8 by a declaration under penalty of perjury that the foreign limited
9 partnership:
10 (a) Has complied with the provisions of chapter 76 of NRS; and
11 (b) Acknowledges that pursuant to NRS 239.330, it is a category
12 C felony to knowingly offer any false or forged instrument for filing
13 in the Office of the Secretary of State.
- 14 3. ~~Upon~~ *Except as otherwise provided in subsection 4, upon*
15 filing:
16 (a) The initial list required by this section, the foreign limited
17 partnership shall pay to the Secretary of State a fee of \$125.
18 (b) Each annual list required by this section, the foreign limited
19 partnership shall pay to the Secretary of State a fee of \$125.
- 20 4. *A foreign limited partnership is exempt from paying the*
21 *fees set forth in subsection 3 if the annual gross earnings of the*
22 *foreign limited partnership are \$200,000 or less.*
- 23 5. If a general partner of a foreign limited partnership resigns
24 and the resignation is not reflected on the annual or amended list of
25 general partners, the foreign limited partnership or the resigning
26 general partner shall pay to the Secretary of State a fee of \$75 to file
27 the resignation of the general partner.
- 28 ~~5.1~~ 6. The Secretary of State shall, 90 days before the last day
29 for filing each annual list required by subsection 1, provide to each
30 foreign limited partnership, which is required to comply with the
31 provisions of NRS 88.591 to 88.5945, inclusive, and which has not
32 become delinquent, a notice of the fee due pursuant to subsection 3
33 and a reminder to file the list required pursuant to subsection 1.
34 Failure of any foreign limited partnership to receive a notice does
35 not excuse it from the penalty imposed by the provisions of NRS
36 88.591 to 88.5945, inclusive.
- 37 ~~6.1~~ 7. If the list to be filed pursuant to the provisions of
38 subsection 1 is defective or the fee required by subsection 3 is not
39 paid, the Secretary of State may return the list for correction or
40 payment.
- 41 ~~7.1~~ 8. An annual list for a foreign limited partnership not in
42 default which is received by the Secretary of State more than 90
43 days before its due date shall be deemed an amended list for the
44 previous year and does not satisfy the requirements of subsection 1
45 for the year to which the due date is applicable.



1 **Sec. 20.** NRS 88A.600 is hereby amended to read as follows:

2 88A.600 1. A business trust formed pursuant to this chapter
3 shall, on or before the last day of the first month after the filing of
4 its certificate of trust with the Secretary of State, and annually
5 thereafter on or before the last day of the month in which the
6 anniversary date of the filing of its certificate of trust with the
7 Secretary of State occurs, file with the Secretary of State, on a form
8 furnished by the Secretary of State, a list signed by at least one
9 trustee that contains the name and street address of at least one
10 trustee and the information required pursuant to NRS 77.310. Each
11 list filed pursuant to this subsection must be accompanied by a
12 declaration under penalty of perjury that the business trust:

13 (a) Has complied with the provisions of chapter 76 of NRS; and

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

17 2. ~~Upon~~ *Except as otherwise provided in subsection 3, upon*
18 filing:

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

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

23 3. *A business trust is exempt from paying the fees set forth in*
24 *subsection 2 if the annual gross earnings of the business trust are*
25 *\$200,000 or less.*

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

30 ~~4.~~ 5. The Secretary of State shall, 90 days before the last day
31 for filing each annual list required by subsection 1, provide to each
32 business trust which is required to comply with the provisions of
33 NRS 88A.600 to 88A.660, inclusive, and which has not become
34 delinquent, a notice of the fee due pursuant to subsection 2 and a
35 reminder to file the list required pursuant to subsection 1. Failure of
36 a business trust to receive a notice does not excuse it from the
37 penalty imposed by law.

38 ~~5.~~ 6. An annual list for a business trust not in default which
39 is received by the Secretary of State more than 90 days before its
40 due date shall be deemed an amended list for the previous year.

41 **Sec. 21.** NRS 88A.732 is hereby amended to read as follows:

42 88A.732 1. Each foreign business trust doing business in this
43 State shall, on or before the last day of the first month after the filing
44 of its application for registration as a foreign business trust with the
45 Secretary of State, and annually thereafter on or before the last day



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

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

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

- 16 (a) Has complied with the provisions of chapter 76 of NRS; and
- 17 (b) Acknowledges that pursuant to NRS 239.330, it is a category
18 C felony to knowingly offer any false or forged instrument for filing
19 in the Office of the Secretary of State.

20 3. ~~Upon~~ **Except as otherwise provided in subsection 4, upon**
21 filing:

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

26 4. ***A foreign business trust is exempt from paying the fees set***
27 ***forth in subsection 3 if the annual gross earnings of the foreign***
28 ***business trust are \$200,000 or less.***

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

33 ~~5.1~~ 6. The Secretary of State shall, 90 days before the last day
34 for filing each annual list required by subsection 1, provide to each
35 foreign business trust which is required to comply with the
36 provisions of NRS 88A.732 to 88A.738, inclusive, and which has
37 not become delinquent, a notice of the fee due pursuant to
38 subsection 3 and a reminder to file the list required pursuant to
39 subsection 1. Failure of any foreign business trust to receive a notice
40 does not excuse it from the penalty imposed by the provisions of
41 NRS 88A.732 to 88A.738, inclusive.

42 ~~6.1~~ 7. If the list to be filed pursuant to the provisions of
43 subsection 1 is defective or the fee required by subsection 3 is not
44 paid, the Secretary of State may return the list for correction or
45 payment.



1 ~~77~~ 8. An annual list for a foreign business trust not in default
2 which is received by the Secretary of State more than 90 days before
3 its due date shall be deemed an amended list for the previous year
4 and does not satisfy the requirements of subsection 1 for the year to
5 which the due date is applicable.

6 **Sec. 22.** NRS 88A.900 is hereby amended to read as follows:

7 88A.900 The Secretary of State shall charge and collect the
8 following fees for:

9 1. Filing an original certificate of trust, or for registering a
10 foreign business trust, \$75 ~~H~~, *except that a business trust or*
11 *foreign business trust whose annual gross earnings are \$200,000*
12 *or less is exempt from this fee.*

13 2. Filing an amendment or restatement, or a combination
14 thereof, to a certificate of trust, \$175.

15 3. Filing a certificate of cancellation, \$100.

16 4. Certifying a copy of a certificate of trust or an amendment or
17 restatement, or a combination thereof, \$30 per certification.

18 5. Certifying an authorized printed copy of this chapter, \$30.

19 6. Reserving a name for a business trust, \$25.

20 7. Signing a certificate of existence of a business trust which
21 does not list the previous records relating to it, or a certificate of
22 change in the name of a business trust, \$50.

23 8. Signing a certificate of existence of a business trust which
24 lists the previous records relating to it, \$50.

25 9. Signing, certifying or filing any certificate or record not
26 otherwise provided for in this section, \$50.

27 10. Examining and provisionally approving a record before the
28 record is presented for filing, \$125.

29 11. Copying a record on file with the Secretary of State, for
30 each page, \$2.

31 **Sec. 23.** NRS 89.210 is hereby amended to read as follows:

32 89.210 1. Within 30 days after the organization of a
33 professional association under this chapter, the association shall file
34 with the Secretary of State a copy of the articles of association, duly
35 signed, and *, except as otherwise provided in subsection 2,* shall
36 pay at that time a filing fee of \$75. A copy of any amendments to
37 the articles of association must also be filed with the Secretary of
38 State within 30 days after the adoption of such amendments. Each
39 copy of amendments so filed must be certified as true and correct
40 and be accompanied by a filing fee of \$175.

41 2. *A professional association is exempt from paying the filing*
42 *fee required to be paid at the time of filing the articles of*
43 *association pursuant to subsection 1 if the annual gross earnings*
44 *of the professional association are \$200,000 or less.*



1 **3.** The name of such a professional association must contain
2 the words "Professional Association," "Professional Organization"
3 or the abbreviations "Prof. Ass'n" or "Prof. Org." The association
4 may render professional services and exercise its authorized powers
5 under a fictitious name if the association has first registered the
6 name in the manner required under chapter 602 of NRS.

7 **Sec. 24.** NRS 89.250 is hereby amended to read as follows:

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

18 2. A professional association organized and practicing pursuant
19 to the provisions of this chapter and NRS 623.349 shall, on or
20 before the last day of the first month after the filing of its articles of
21 association with the Secretary of State, and annually thereafter on or
22 before the last day of the month in which the anniversary date of its
23 organization occurs in each year, file with the Secretary of State a
24 list:

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

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

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

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

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

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

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

44 (1) Has complied with the provisions of chapter 76 of NRS;

45 and



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

4 4. ~~Upon~~ *Except as otherwise provided in subsection 5, upon*
5 filing:

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

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

10 5. *A professional association is exempt from paying the fees*
11 *set forth in subsection 4 if the annual gross earnings of the*
12 *professional association are \$200,000 or less.*

13 **Sec. 25.** This act becomes effective on July 1, 2013.



