

PROPOSED REGULATION OF THE SECRETARY OF STATE

LCB File No. R080-13

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

AUTHORITY: §§1-5, NRS 78.047; §§6-10, NRS 80.055; §§11-15, NRS 82.5234; §§16-20, NRS 86.213 and 86.548; §§21-25, NRS 87.445 and 87.5405; §§26-30, NRS 87A.237, 87A.610, 87A.632 and 87A.652; §§31-35, NRS 88.352, 88.600, 88.6062 and 88.6087; §§36-40, NRS 88A.215 and 88A.750; §§41-45, NRS 89.215.

A REGULATION relating to business entities; changing the terminology relating to matters referred to the district attorney or Attorney General when a person is purporting to transact business in this State as a business entity without complying with certain requirements concerning filings with the Secretary of State; and providing other matters properly relating thereto.

Section 1. Chapters 78, 80, 82, 86, 87, 87A, 88, 88A, and 89 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to XX, inclusive, of this regulation.

Sec. 2. Section 2.1 of adopted regulation R070-11 (that has yet to be codified) is hereby amended to read as follows:

1. The Secretary of State may ~~instruct~~ *refer the matter to* the district attorney of the county in which a person's principal place of business is located or the Attorney General, or both, to institute proceedings to recover the fine set forth in NRS 78.047 if the *corporation* ~~person~~...

Sec. 3. Section 7.1 of adopted regulation R070-11 (that has yet to be codified) is hereby amended to read as follows:

1. The Secretary of State may ~~instruct~~ *refer the matter to* the district attorney of the county in which a corporation has its principal place of business or the Attorney General, or both, to

institute proceedings to recover the fine set forth in NRS 80.055 if the corporation is organized pursuant to the laws of another state, territory, the District of Columbia, a possession of the United States or a foreign country and:...

Sec 4. Section 12.1 of adopted regulation R070-11 (that has yet to be codified) is hereby amended to read as follows:

1. The Secretary of State may ~~instruct~~ *refer the matter to* the district attorney of the county in which a foreign nonprofit corporation has its principal place of business or the Attorney General, or both, to institute proceedings to recover the fine set forth in NRS 82.5234 if the foreign nonprofit corporation:...

Sec 5. Section 17.1 of adopted regulation R070-11 (that has yet to be codified) is hereby amended to read as follows:

1. The Secretary of State may ~~instruct~~ *refer the matter to* the district attorney of the county in which a person's principal place of business is located or the Attorney General, or both, to institute proceedings to recover the fine set forth in NRS 86.213 if the ~~person~~ *company*:...

Sec 6. Section 22.1 of adopted regulation R070-11 (that has yet to be codified) is hereby amended to read as follows:

1. The Secretary of State may ~~instruct~~ *refer the matter to* the district attorney of the county in which a person's principal place of business is located or the Attorney General, or both, to institute proceedings to recover the fine set forth in NRS 87.445 if the ~~person~~ *partnership*:...

Sec 7. Section 27.1 of adopted regulation R070-11 (that has yet to be codified) is hereby amended to read as follows:

1. The Secretary of State may ~~instruct~~ *refer the matter to* the district attorney of the county in which a person's principal place of business is located or the Attorney General, or both, to institute proceedings to recover the fine set forth in NRS 87A.237 if the ~~person~~ *partnership*...

Sec 8. Section 32.1 of adopted regulation R070-11 (that has yet to be codified) is hereby amended to read as follows:

1. The Secretary of State may ~~instruct~~ *refer the matter to* the district attorney of the county in which a person's principal place of business is located or the Attorney General, or both, to institute proceedings to recover the fine set forth in NRS 88.352 if the ~~person~~ *partnership*...

Sec. 9. Section 37.1 of adopted regulation R070-11 (that has yet to be codified) is hereby amended to read as follows:

1. The Secretary of State may ~~instruct~~ *refer the matter to* the district attorney of the county in which a person's principal place of business is located or the Attorney General, or both, to institute proceedings to recover the fine set forth in NRS 88A.215 if the ~~person~~ *trust*...

Sec. 10. Section 42.1 of adopted regulation R070-11 (that has yet to be codified) is hereby amended to read as follows:

1. The Secretary of State may ~~instruct~~ *refer the matter to* the district attorney of the county in which a person's principal place of business is located or the Attorney General, or both, to institute proceedings to recover the fine set forth in NRS 89.215 if the person:...