

MOCK-UP

PROPOSED AMENDMENT 5077

MAY 15, 2009

PREPARED BY THE LEGAL DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed 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 that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

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

- 1 **Section 1. NRS 360.780 is hereby amended to read as follows:**
2 360.780 1. Except as otherwise provided in subsection 7, a
3 person shall not conduct a business in this State unless he has a state
4 business license issued by the Department.
5 2. An application for a state business license must:
6 (a) Be made upon a form prescribed by the Department;
7 (b) Set forth the name under which the applicant transacts or intends
8 to transact business and ~~the location of his place or places~~ *each physical*
9 *location at which the applicant maintains a fixed place* of business ~~in~~
10 *this State;*
11 (c) Be accompanied by a fee *in the amount of* ~~[\$100,]~~ *\$200 plus an*
12 *additional \$200 for each physical location at which the applicant*
13 *maintains a fixed place of business in this State;* and
14 (d) Include any other information that the Department deems
15 necessary.
16 3. The application must be signed by:
17 (a) The owner, if the business is owned by a natural person;

1 (b) A member or partner, if the business is owned by an association or
2 partnership; or

3 (c) An officer or some other person specifically authorized to sign the
4 application, if the business is owned by a corporation.

5 4. If the application is signed pursuant to paragraph (c) of
6 subsection 3, written evidence of the signer's authority must be attached to
7 the application.

8 5. The state business license required to be obtained pursuant to
9 this section is in addition to any license to conduct business that must be
10 obtained from the local jurisdiction in which the business is being
11 conducted.

12 6. For the purposes of NRS 360.760 to 360.798, inclusive, a person
13 shall be deemed to conduct a business in this State if a business for which
14 the person is responsible:

15 (a) Is organized pursuant to title 7 of NRS, other than a business
16 organized pursuant to chapter 82 or 84 of NRS;

17 (b) Has an office or other base of operations in this State; or

18 (c) Pays wages or other remuneration to a natural person who
19 performs in this State any of the duties for which he is paid.

20 7. A person who takes part in an exhibition held in this State for a
21 purpose related to the conduct of a business is not required to obtain a state
22 business license specifically for that event if the operator of the facility
23 where the exhibition is held pays the licensing fee on behalf of that person
24 pursuant to NRS 360.787.

25 **Sec. 2. NRS 360.784 is hereby amended to read as follows:**

26 360.784 1. Except as otherwise provided in subsection 2, a
27 person who has been issued a state business license shall submit a fee *in*
28 *the amount of* ~~the amount of \$100~~ *\$200 plus an additional \$200 for each physical*
29 *location at which the person maintains a fixed place of business in this*
30 *State* to the Department on or before:

31 (a) The last day of the month in which the anniversary date of
32 issuance of the state business license occurs in each year; or

33 (b) Such other annual date as the Department and person may
34 mutually agree,

35 ↪ unless the person submits a written statement to the Department, at least
36 10 days before that date, indicating that the person will not be conducting
37 business in this State after that date.

38 2. The Department may reduce the amount of any initial fee
39 required pursuant to paragraph (b) of subsection 1 to allow credit for the
40 remaining portion of a year for which the fee has been paid for the state
41 business license pursuant to paragraph (a) of subsection 1 or NRS 360.780.

42 3. A person who fails to submit the annual fee required pursuant to
43 this section in a timely manner shall pay a penalty in the amount of \$100 in
44 addition to the annual fee.

45 **Sec. 3. This act becomes effective on July 1, 2009.**