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Amendment to Senate Bill 250
Proposed by Alfredo Alonso

Insert new sections that read:

NRS 18.130(1) is hereby amended to read as follows:

NRS 18.130(1) When a plaintiff in an action resides out of the state, or is a foreign corporation, security for the costs and charges which may be awarded against such plaintiff may be required by the defendant, by the filing and service on plaintiff of a written demand therefore within the time for answering the complaint. When so required, all proceedings in the action shall be stayed until an undertaking, executed by two or more persons, be filed with the clerk, to the effect that they will pay such costs and charges as may be awarded against the plaintiff by judgment, or in the progress of the action, not exceeding the sum of ~~\$500~~ 700, or in lieu of such undertaking, the plaintiff may deposit ~~\$500~~ 700, lawful money, with the clerk of the court, subject to the same conditions as required for the undertaking. The plaintiff, upon filing the undertaking or depositing the security, shall notify the defendant of such filing or deposit, and the defendant, after receipt of such notice, shall have 10 days or the period allowed under N.R.C.P. 12(a), whichever is longer, in which to answer or otherwise plead to the complaint.

NRS 18.130(2) is hereby amended to read as follows:

NRS 18.130(2) A new or an additional undertaking ~~may~~ ***shall*** be ordered by the court or judge upon proof that the original undertaking is insufficient security, ~~and proceedings in the action stayed until such new or additional undertaking be executed and filed.~~ ***The defendant may prove security is insufficient by showing that costs in excess of the previously posted security amount actually were incurred and/or by providing estimates of costs (including, but not limited to, expert costs) that may be incurred during the remainder of the litigation. Proceedings in the action may be stayed until such new or additional undertaking be executed and filed.***