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3/21/2003

**Assembly Bill 439
(As Introduced)**

SUGGESTED AMENDMENT

Proposed by CLARK COUNTY NEVADA
Contact person: Dan Musgrove (702) 860-9900

Explanation of amendment: To avoid confusion between what is required by the state and by the local jurisdiction in order to conduct a business, the Clark County Business License Department suggests adding the language in NRS 364A.130 to make it clear that the business license/registration required by the state is in addition to the business license required by the jurisdiction in which the business is being conducted.

Amend section 82, page 51, by deleting lines 4 through 43, and page 52, by deleting lines 1 through 3 and inserting:

"Sec. 82. NRS 364A.130 is hereby amended to read as follows:

NRS 364A.130 1. Except as otherwise provided in subsection 6, a person shall not conduct a business in this state unless he has a business license issued by the department.

2. The application for a business license must:

(a) Be made upon a form prescribed by the department;

(b) Set forth the name under which the applicant transacts or intends to transact business and the location of his place or places of business;

(c) Declare the estimated number of employees for the previous calendar quarter;

(d) Be accompanied by a fee of ~~[\$25]~~ \$50; and

(e) Include any other information that the department deems necessary.

3. The application must be signed by:

(a) The owner, if the business is owned by a natural person;

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

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

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

5. *A person who has been issued a business license by the Department shall submit a fee of \$50 to the Department on or before the last day of the month in which the anniversary date of issuance of the business license occurs in each year, unless the person submits a written statement to the Department, at least 10 days before the anniversary date, indicating that the person will not be conducting business in this state after the anniversary date. A person who fails to submit the annual fee required pursuant to this subsection in a timely manner shall pay a penalty in the amount of \$75 in addition to the annual fee.*

ASSEMBLY JUDICIARY

DATE: 4/2/03 ROOM: 3138 EXHIBIT 6

SUBMITTED BY: Dan Musgrove

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[New language] 6. *The business license required to be obtained pursuant to this section is in addition to any license to conduct business that must be obtained by the jurisdiction in which the business is being conducted.*

7. For the purposes of this chapter, a person shall be deemed to conduct a business in this state if a business for which the person is responsible:

- (a) Is incorporated pursuant to chapter 78 or 78A of NRS;
- (b) Has an office or other base of operations in this state; or
- (c) Pays wages or other remuneration to a natural person who performs in this state any of the duties for which he is paid.

~~{6.}~~ 8. A person who takes part in a trade show or convention held in this state for a purpose related to the conduct of a business is not required to obtain a business license specifically for that event.

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