

Senate Bill 453 (2nd Reprint): Makes various changes concerning business entities. (BDR 7-576)

Allison Comb, Committee Policy Analyst:

Senate Bill 453 is the second business-law-type bill that comes typically every year. This is from the Secretary of State's Office, and it provides housekeeping measures and standardizes certain processes. There are three amendments ([Exhibit F](#)). The first one on the notaries public was to add in some language discussed in the Committee, and it was proposed by Renee Parker with the Secretary of State's Office to address issues relating to fraud. The second proposed amendment, mentioned by Mr. [Pat] Cashill during the hearing, was to clarify the definition of "record" under Section 41, relating to the filing of forged documents.

The bill currently says that the record includes information filed pursuant to Title 7 of NRS or Article 9. There's a request to clarify that it would include any record filed with that office. Finally, there was the area of charging orders. There were concerns raised with regard to that new issue for Nevada law. There are no proposed amendments on that issue.

Chairman Anderson:

What is the pleasure of the Committee? On [S.B. 453](#), number 1 and 2 of the section seem to be okay. I'm concerned about Sections 37 and 40. Regarding the notary public question, does anybody have a problem with Section 1, the proposed changes from the Secretary of State's Office?

Assemblyman Carpenter:

We need to make it part of the record that if it's a notary who has known someone for a long time, and if you're not in that presence and they notarize, they are not guilty of a gross misdemeanor. Ms. Parker stated that at the hearing, but I think it needs to be made part of the record so that does not happen. Very often you need to have something notarized, and maybe you can't be right there at the same time. If he or she has known you for a long time, it should be no problem.

Chairman Anderson:

I've never appeared in front of a notary; I've always done it in person. Whoever gets the assignment for this, Mr. Carpenter will make sure they get the opportunity to read this particular section when we do the statement on the Floor. Regarding the definition of "record," Ms. Combs, would you clarify Section 3 for me? On the suggested charging orders in Sections 1, 37 and 40, how should we proceed on that particular suggestion?