

Sixty-first
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3005

Introduced by

Representatives Klemin, Kretschmar

Senators Nething, Hogue

1 A concurrent resolution directing the Legislative Council to study the feasibility and desirability
2 of adopting the Revised Uniform Limited Liability Company Act, including consideration of
3 issues other states have addressed in considering the Act.

4 **WHEREAS**, in 2006 the National Conference of Commissioners on Uniform State Laws
5 approved and recommended for enactment in all states the Revised Uniform Limited Liability
6 Company Act, which revises the Uniform Limited Liability Company Act; and

7 **WHEREAS**, although North Dakota did not enact the Uniform Limited Liability Company
8 Act, all 50 states and the District of Columbia have enacted their own limited liability company
9 laws; and

10 **WHEREAS**, in 1993 North Dakota enacted North Dakota Century Code Chapter 10-32,
11 the Limited Liability Company Act, which was based on Minnesota's Limited Liability Company
12 Act; and

13 **WHEREAS**, historically, North Dakota's business entity laws have been drafted with the
14 cooperation and input of interested persons, including the Secretary of State, and have taken
15 into account the business entity laws of Minnesota; and

16 **WHEREAS**, the North Dakota Commission on Uniform State Laws supports introduction
17 of the Revised Uniform Limited Liability Company Act; and

18 **WHEREAS**, although no other state has yet enacted the Revised Uniform Limited
19 Liability Company Act, during the 2009 legislative session several states, including Minnesota,
20 likely will introduce legislation to adopt the Revised Uniform Limited Liability Company Act or to
21 amend the states' existing limited liability laws;

22 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
23 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

1 That the Legislative Council study the feasibility and desirability of adopting the Revised
2 Uniform Limited Liability Company Act, including consideration of issues other states have
3 addressed in considering the Act; and

4 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
5 recommendations, together with any legislation required to implement the recommendations, to
6 the Sixty-second Legislative Assembly.