

**HOUSE CONCURRENT RESOLUTION NO. 3074**

Introduced by

Representative Warner

1 A concurrent resolution directing the Legislative Council to study the current statutory  
2 framework of commercial entities, including possible inconsistent treatment of similarly situated  
3 entities.

4 **WHEREAS**, North Dakota law provides for associations, joint ventures, trusts, business  
5 trusts, enterprises, estates, partnerships, limited liability partnerships, limited liability limited  
6 partnerships, cooperatives, limited liability companies, limited liability corporations,  
7 corporations, nonprofit corporations, nonprofit organizations, professional organizations,  
8 professional corporations, professional limited liability companies, professional limited liability  
9 partnerships, and professional organizations; and

10 **WHEREAS**, in addition, these types of commercial entities frequently may be further  
11 distinguished as closely held, foreign, or domestic; and

12 **WHEREAS**, the creation of new types of commercial entities is ongoing; and

13 **WHEREAS**, inconsistent statutory references to commercial entities results in confusion  
14 and the need for judicial clarification or interpretation; and

15 **WHEREAS**, inconsistent treatment of similarly situated entities may be contrary to  
16 legislative intent and may have the unintended consequence of hindering commercial  
17 development in this state;

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

20 That the Legislative Council study the current statutory framework of commercial  
21 entities, including inconsistent treatment of similarly situated entities; and

22 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and  
23 recommendations, together with any legislation required to implement the recommendations, to  
24 the Fifty-ninth Legislative Assembly.