

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE CONCURRENT RESOLUTION NO. 3005
(Representatives Klemin, Kretschmar)
(Senators Nething, Hogue)

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

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

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

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

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

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

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

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

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

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