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CHAPTER 89

PROFESSIONAL ENTITIES AND ASSOCIATIONS

89.005 Electronic filing of records. 3

NAC 89.005 Electronic filing of records. (NRS 89.023)

1. The Secretary of State may develop or approve an electronic process for the electronic filing of records authorized or required to be filed with the Secretary of State pursuant to chapter 89 of NRS.

2. If the Secretary of State has developed or approved an electronic process and the electronic process is in place and available for use in the Office of the Secretary of State:

(a) A person may use the electronic process to file with the Secretary of State any record authorized or required to be filed with the Secretary of State pursuant to chapter 89 of NRS; and

(b) The Secretary of State will accept a record filed with the Secretary of State through the use of the electronic process if the record contains all the information required for filing and is accompanied by the appropriate fee and any applicable penalty.

3. The Secretary of State may reject a record filed with the Secretary of State through the use of an electronic process developed or approved by the Secretary of State if:

(a) The statutory requirements for filing the record have not been satisfied;

(b) The appropriate fee has not been submitted;

(c) The information contained in the record has been corrupted in any manner; or

(d) The record contains a virus or may otherwise compromise the security of the electronic process.

4. Failure by the Secretary of State to receive a record filed through the use of an electronic process does not relieve the person who attempted to file the record from any requirement to file the record, pay the appropriate fee or incur an applicable penalty.

5. As used in this section:

(a) "Electronic filing" means the submission of records to the Secretary of State by an electronic process and the processing of such records by the Secretary of State by an electronic process.

(b) "Electronic process" means any electronic process for the electronic filing of records authorized or required to be filed with the Secretary of State pursuant to chapter 89 of NRS.

(Added to NAC by Sec'y of State by R068-11, eff. 12-30-2011)