

**ONE HUNDRED SECOND LEGISLATURE - SECOND SESSION - 2012**  
**COMMITTEE STATEMENT**  
**LB852**

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**Hearing Date:** Tuesday January 17, 2012  
**Committee On:** Banking, Commerce and Insurance  
**Introducer:** McCoy  
**One Liner:** Change provisions relating to corporations and professional corporations

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

**Aye:** 7 Senators Christensen, Gloor, Langemeier, McCoy, Pahls, Pirsch,  
Schumacher

**Nay:**

**Absent:**

**Present Not Voting:**

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**Proponents:**

Senator Beau McCoy  
Colleen Byelick

**Representing:**

Introducer  
Secretary of State's Office

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

This bill would amend section 21-2024 of the Business Corporation Act and section 21-2202 of the Nebraska Professional Corporation Act to clarify who may form a professional corporation.

The Nebraska Professional Corporation Act provides that one or more individuals who reside in Nebraska and who are licensed to render the same professional service may organize and become a shareholder or shareholders in a professional corporation.

Section 2 of the bill would amend the definition of "professional service" in subdivision (3) of section 21-2202 of the Nebraska Professional Corporation Act to provide that a professional service means personal services rendered only by specific individuals (an attorney at law, a certified public accountant, a public accountant, a dentist, an osteopathic physician, a physician and surgeon, a real estate broker, an associate real estate broker, an associate real estate broker, a real estate salesperson, or a veterinarian) and this section would repeal provisions which provide that a professional service means any type of personal service to the public which requires the obtaining of a license, "including, but not limited to," personal services rendered by an individual listed above.

Section 1 would amend section 21-2024 of the Business Corporation Act to harmonize provisions with the definition of professional service in section 21-2202 of the Nebraska Professional Corporation Act (section 2 of the bill). This section would amend subsection (3) of section 21-2024 to provide that business corporations shall not be organized to perform "professional" services (rather than "personal" services) specified in section 21-2202 except for such services rendered by a designated real estate broker.

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Rich Pahls, Chairperson