

ASSEMBLY BILL NO. 435—ASSEMBLYMEN BERMAN, SEGERBLOM,
CARPENTER, LESLIE, NOLAN, BEERS, GIBBONS, MARVEL, PRICE,
OHRENSCHALL, VON TOBEL, MANENDO, COLLINS, PARKS, WILLIAMS,
GIUNCHIGLIANI, ARBERRY, BACHE, BUCKLEY, TIFFANY, HETTRICK,
BROWER AND HUMKE

MARCH 10, 1999

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to execution of certain powers of attorney.
(BDR 10-1565)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to estates in property; imposing certain requirements for the execution of a power of attorney by certain persons; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 111.450 is hereby amended to read as follows:
2 111.450 1. ~~Every~~ ***Except as otherwise provided in subsection 2, a***
3 power of attorney, or other instrument in writing, containing the power to
4 convey any real property as agent or attorney for the owner thereof, or to
5 execute, as agent or attorney for another, any conveyance whereby any real
6 property is conveyed, or may be affected, shall be acknowledged, or
7 proved and certified, and recorded as other conveyances whereby real
8 property is conveyed or affected are required to be acknowledged, or
9 proved and certified, and recorded.
10 2. ***An instrument executed pursuant to subsection 1 by a principal***
11 ***who is 60 years of age or older must be signed by two subscribing***
12 ***witnesses before the instrument may be acknowledged, or proved and***
13 ***certified, and recorded as required by subsection 1. A person to be named***
14 ***as the attorney in fact or agent in an instrument executed pursuant to***
15 ***this section may not sign the instrument as a subscribing witness.***

1 **3.** No such power of attorney or other instrument, *acknowledged, or*
2 *proved and* certified , and recorded in the manner prescribed in subsection
3 1 ~~H~~ *or 2*, shall be deemed to be revoked by any act of the party by whom
4 it was executed, until the instrument containing such revocation shall be
5 deposited for record in the same office in which the instrument containing
6 the power is recorded.

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