

SENATE BILL NO. 121—COMMITTEE ON JUDICIARY

(ON BEHALF OF CITY OF LAS VEGAS)

FEBRUARY 4, 1999

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Referred to Committee on Judiciary

SUMMARY—Provides additional notice of future uses surrounding residential developments to certain purchasers of residences. (BDR 10-610)

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 ~~for omitted material~~ is material to be omitted.

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AN ACT relating to real estate; providing additional notice of future uses surrounding residential developments to certain purchasers of residences; 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 113.070 is hereby amended to read as follows:  
2    113.070   1. Except as otherwise provided in subsection 3, in a county  
3    whose population is 400,000 or more, a seller may not sign a sales  
4    agreement with the initial purchaser of a residence unless the seller, at least  
5    24 hours before the time of the signing, provides the initial purchaser with a  
6    disclosure document that contains:  
7    (a) A copy of the most recent gaming enterprise district map that has  
8    been made available for public inspection pursuant to NRS 463.309 by the  
9    city or town in which the residence is located or, if the residence is not  
10   located in a city or town, by the county in which the residence is located;  
11   and  
12   (b) The location of the gaming enterprise district that is nearest to the  
13   residence, regardless of the jurisdiction in which the nearest gaming  
14   enterprise district is located.  
15   The seller shall retain a copy of the disclosure document which has been  
16   signed by the initial purchaser acknowledging the time and date of receipt  
17   by the initial purchaser of the original document.

1     2. The information contained in the disclosure document required by  
2 subsection 1 must:

- 3     (a) Be updated no less than once every 4 months;  
4     (b) Advise the initial purchaser that gaming enterprise districts are  
5 subject to change; and  
6     (c) Provide the initial purchaser with instructions on how to obtain more  
7 current information.

8     3. The initial purchaser of a residence may waive the 24-hour period  
9 required by subsection 1 if the seller provides the initial purchaser with the  
10 information required by subsections 1 and 2 and the initial purchaser signs  
11 a written waiver. The seller shall retain a copy of the written waiver which  
12 has been signed by the initial purchaser acknowledging the time and date of  
13 receipt by the initial purchaser of the original document.

14     4. Before the initial purchaser of a residence signs a sales agreement ~~{-}~~  
15 **or opens escrow, whichever occurs earlier**, the seller shall, by separate  
16 written document, disclose to ~~{him}~~ **the initial purchaser** the zoning  
17 designations and the designations in the master plan regarding land use ~~{-}~~  
18 adopted pursuant to chapter 278 of NRS for ~~{the adjoining parcels of land.}~~  
19 **each adjoining parcel of land and each parcel of land within a 500-foot**  
20 **radius of the residence.** If the residence is located within a subdivision, the  
21 disclosure must be made regarding ~~{all parcels}~~ **each parcel** of land  
22 adjoining the unit of the subdivision in which the residence is located ~~{-}~~  
23 **and each parcel of land within a 500-foot radius of the residence.** If the  
24 residence is located on land divided by a parcel map and not located within  
25 a subdivision, the disclosure must be made regarding ~~{all parcels}~~ **each**  
26 **parcel** of land adjoining the parcel map ~~{-}~~ **and each parcel of land within**  
27 **a 500-foot radius of the residence.** Such a disclosure must be made  
28 regardless of whether the adjoining parcels are owned by the seller. The  
29 seller shall retain a copy of the disclosure document which has been signed  
30 by the initial purchaser acknowledging the date of receipt by the initial  
31 purchaser of the original document.

32     5. The information contained in the disclosure document required by  
33 subsection 4 must:

- 34     (a) Be updated no less than once every 6 months, if the information is  
35 available from the local government;  
36     (b) **Advise the initial purchaser that the master plan is for the general,**  
37 **comprehensive and long-term development of land in the area and that**  
38 **the designations in the master plan regarding land use provide the most**  
39 **probable indication of future development which may occur on the**  
40 **surrounding properties;**  
41     (c) **Include a map of the surrounding property that lists the**  
42 **designations in the master plan regarding land use and a table that**  
43 **shows every allowable use within those designations;**

- 1     **(d)** Advise the initial purchaser that the master plan and zoning  
2 ordinances and regulations adopted pursuant to the master plan are subject  
3 to change; and  
4     ~~**(c)**~~ **(e)** Provide the initial purchaser with instructions on how to obtain  
5 more current information.  
6     6. As used in this section, “seller” means a person who sells or  
7 attempts to sell any land or tract of land in this state which is divided or  
8 proposed to be divided over any period into two or more lots, parcels, units  
9 or interests, including, but not limited to, undivided interests, which are  
10 offered, known, designated or advertised as a common unit by a common  
11 name or as a part of a common promotional plan of advertising and sale.

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