

REQUIRES TWO THIRDS MAJORITY VOTE (§§ 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,
11, 12, 13, 14, 15)

(REPRINTED WITH ADOPTED AMENDMENTS)
FIRST REPRINT

A.B. 77

ASSEMBLY BILL NO. 77—COMMITTEE ON GOVERNMENT AFFAIRS

FEBRUARY 9, 2001

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing unclaimed property. (BDR 10-410)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 unclaimed property; revising provisions governing when unclaimed property is presumed abandoned; providing for a limited exemption from interest penalties for the late payment or delivery of abandoned property under certain circumstances; 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 120A.160 is hereby amended to read as follows:
2 120A.160 The following property held or owing by a banking or
3 financial organization or by a business association is presumed abandoned:
4 1. Any demand, savings or matured time deposit or other certificate of
5 deposit with a banking organization, together with any interest or dividend
6 thereon, excluding any charges that may lawfully be withheld, including a
7 deposit that is automatically renewable, and any money paid toward the
8 purchase of a share, a mutual investment certificate or any other interest in
9 a banking or financial organization, unless the owner has within ~~15~~ **3**
10 years:
11 (a) In the case of a deposit, increased or decreased the amount of the
12 deposit, or presented the passbook or other similar evidence of the deposit
13 for the crediting of interest;
14 (b) Communicated in writing with the banking organization concerning
15 the property;
16 (c) Otherwise indicated an interest in the property as evidenced by a
17 memorandum or other record on file prepared by an employee of the
18 banking or financial organization;
19 (d) Owned other property to which paragraph (a), (b) or (c) applies and
20 if the banking or financial organization communicates in writing with the
21 owner with regard to the property that would otherwise be presumed



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1 abandoned under this subsection at the address to which communications
2 regarding the other property regularly are sent; or
3 (e) Had another relationship with the banking or financial organization
4 concerning which the owner has:
5 (1) Communicated in writing with the banking or financial
6 organization; or
7 (2) Otherwise indicated an interest as evidenced by a memorandum
8 or other record on file prepared by an employee of the banking or financial
9 organization and if the banking or financial organization communicates in
10 writing with the owner with regard to the property that would otherwise be
11 abandoned under this subsection at the address to which communications
12 regarding the other relationship regularly are sent.
13 For the purposes of this subsection, "property" includes interest and
14 dividends.
15 2. Any property described in subsection 1 that is automatically
16 renewable is matured for purposes of subsection 1 upon the expiration of
17 its initial time period, but in the case of any renewal to which the owner
18 consents at or about the time of renewal by communicating in writing with
19 the banking or financial organization or otherwise indicating consent as
20 evidenced by a memorandum or other record on file prepared by an
21 employee of the organization, the property is matured upon the expiration
22 of the last time period for which consent was given. If, at the time provided
23 for delivery in NRS 120A.320, a penalty or forfeiture in the payment of
24 interest would result from the delivery of the property, the time for delivery
25 is extended until the time when no penalty or forfeiture would result.
26 3. Any sum payable on a check certified in this state or on a written
27 instrument issued in this state on which a banking or financial organization
28 or business association is directly liable, including any draft or cashier's
29 check, which has been outstanding for more than 5 years after the date it
30 was payable, or after the date of its issuance if payable on demand, or any
31 sum payable on a money order which has been outstanding for more than 7
32 years after its issuance, or any sum payable on a traveler's check which has
33 been outstanding for more than 15 years after the date of its issuance,
34 unless the owner has within the specified period corresponded in writing
35 with the banking or financial organization or business association
36 concerning it, or otherwise indicated an interest as evidenced by a
37 memorandum on file with the banking or financial organization or business
38 association.
39 4. Any money or other personal property, tangible or intangible,
40 removed from a safe-deposit box or any other safekeeping repository on
41 which the lease or rental period has expired because of nonpayment of
42 rental charges or other reason, or any surplus amounts arising from the sale
43 thereof pursuant to law, that have been unclaimed by the owner for more
44 than ~~15~~ 3 years from the date on which the lease or rental period expired.
45 A safe-deposit box for which no rent is charged or which is provided to the
46 user because of a specific amount deposited with a banking or financial
47 organization or business association is presumed abandoned at the same
48 time as the account for which it was given.



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1 **Sec. 2.** NRS 120A.170 is hereby amended to read as follows:

2 120A.170 1. Unclaimed money held and owing by an insurance
3 company is presumed abandoned if the last known address, according to
4 the records of the company, of the person entitled to the money is within
5 this state. If a person other than the insured or annuitant is entitled to the
6 money and no address of such person is known to the company or if it is
7 not definite and certain from the records of the company what person is
8 entitled to the money, it is presumed that the last known address of the
9 person entitled to the money is the same as the last known address of the
10 insured or annuitant according to the records of the company.

11 2. "Unclaimed money," as used in this section, means all money held
12 and owing by any insurance company unclaimed and unpaid for more than
13 ~~1~~ 3 years after the money became due and payable as established from
14 the records of the company under any life or endowment insurance policy
15 or annuity contract which has matured or terminated. A life insurance
16 policy not matured by actual proof of the death of the insured shall be
17 deemed matured and the proceeds thereof deemed due if the policy was in
18 force when the insured attained the limiting age under the mortality table
19 on which the reserve is based, unless the person appearing entitled thereto
20 has within the preceding ~~1~~ 3 years:

21 (a) Assigned, readjusted or paid premiums on the policy or subjected
22 the policy to loan; or

23 (b) Corresponded in writing with the insurance company concerning the
24 policy.

25 3. Money otherwise payable according to the records of the company
26 shall be deemed due although the policy or contract has not been
27 surrendered as required.

28 **Sec. 3.** NRS 120A.190 is hereby amended to read as follows:

29 120A.190 1. Any stock or other intangible interest, or any dividend,
30 profit, distribution, interest, payment on principal or other sum held or
31 owing by a business association is presumed abandoned if, within ~~1~~ 3
32 years after the date prescribed for payment or delivery the shareholder,
33 certificate holder, member, bondholder, other security holder or the
34 participating patron of a cooperative has not claimed the property,
35 corresponded in writing with the business association or otherwise
36 indicated an interest in the property as evidenced by a memorandum or
37 other record on file with the association. As to that property, the business
38 association shall be deemed to be the holder.

39 2. Any dividend, profit, interest or other distributions held for or owing
40 to a person at the time the stock or other property to which they attach are
41 presumed to be abandoned shall be deemed to be abandoned at the same
42 time as the stock or other property.

43 3. This section does not apply to any stock or other intangible interest
44 enrolled in a plan that provides for the automatic reinvestment of
45 dividends, distributions, or other sums payable as a result of the interest
46 unless the records available to the administrator of the plan show, with
47 respect to any intangible interest not enrolled in the reinvestment plan, that
48 the owner has not within ~~1~~ 3 years communicated in any manner
49 described in subsection 1.



1 **Sec. 4.** NRS 120A.210 is hereby amended to read as follows:

2 120A.210 All intangible personal property and any income or
3 increment thereon held in a fiduciary capacity for the benefit of another
4 person is presumed abandoned unless the owner has, within ~~15~~ 3 years
5 after it becomes payable or distributable, increased or decreased the
6 principal, accepted payment of principal or income, corresponded in
7 writing concerning the property or otherwise indicated an interest as
8 evidenced by a memorandum on file with the fiduciary:

9 1. If the property is held by a banking organization or a financial
10 organization or by a business association organized under the laws of or
11 created in this state;

12 2. If it is held by a business association doing business in this state but
13 not organized under the laws of or created in this state and the records of
14 the business association indicate that the last known address of the person
15 entitled thereto is in this state; or

16 3. If it is held in this state by any other person.

17 **Sec. 5.** NRS 120A.220 is hereby amended to read as follows:

18 120A.220 All intangible personal property held for the owner by any
19 court, public corporation, public authority or public officer, an appointee
20 thereof, a federal or state governmental entity or a political subdivision
21 thereof, that has remained unclaimed by the owner for more than ~~15~~ 3
22 years after it became payable or distributable is presumed abandoned and
23 subject to the provisions of this chapter if:

24 1. The last known address or residence of the owner of the property is
25 in this state; or

26 2. The property is otherwise abandoned in this state.

27 This section does not apply to refunds held by the public utilities
28 commission of Nevada pursuant to NRS 703.375.

29 **Sec. 6.** NRS 120A.230 is hereby amended to read as follows:

30 120A.230 All intangible personal property not otherwise covered by
31 this chapter, including any income or increment thereon and deducting any
32 lawful charges, that is held or owing in this state in the ordinary course of
33 the holder's business and has remained unclaimed by the owner for more
34 than ~~15~~ 3 years after it became payable or distributable is presumed
35 abandoned.

36 **Sec. 7.** NRS 120A.270 is hereby amended to read as follows:

37 120A.270 Any banking or financial organization or business
38 association which holds property for another, if it does not hold property
39 presumed to be abandoned, shall file a report with the administrator, on or
40 before November 1 of each ~~15~~ 3-year period after November 1, ~~1984~~
41 1999, which indicates that it is not a holder of any property presumed to be
42 abandoned during that period. The reports of an insurance company under
43 this section must be filed before May 1 of each year for the preceding
44 calendar years.

45 **Sec. 8.** NRS 32.020 is hereby amended to read as follows:

46 32.020 1. In any receivership proceeding instituted in which a
47 dividend has been declared and ordered paid to creditors, any dividend
48 which remains unclaimed for ~~15~~ 3 years reverts to the general fund of the
49 estate and must be applied as follows:



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1 (a) To the payment of costs and expenses of the administration of the
2 estate and receivership.

3 (b) To a new dividend distributed to creditors whose claims have been
4 allowed but not paid in full. After those claims have been paid in full the
5 balance is presumed abandoned under NRS 120A.210.

6 2. This section applies to any receivership proceeding which may be
7 brought, and includes any bank, banking corporation, corporation,
8 copartnership, company, association or natural person.

9 **Sec. 9.** NRS 381.009 is hereby amended to read as follows:

10 381.009 1. Any property held by an institution of the division for
11 ~~10~~ 3 years or more, to which no person has made claim, shall be deemed
12 to be abandoned and becomes the property of the institution if the
13 institution complies with the provisions of subsection 2.

14 2. The institution shall cause to be published in at least one newspaper
15 of general circulation in the county in which the institution is located at
16 least once a week for 2 consecutive weeks a notice and listing of the
17 property. The notice must contain:

18 (a) The name and last known address, if any, of the last known owner of
19 the property;

20 (b) A description of the property; and

21 (c) A statement that if proof of a claim is not presented by the owner to
22 the institution and if the owner's right to receive the property is not
23 established to the institution's satisfaction within 60 days after the date of
24 the second published notice, the property will be considered abandoned
25 and become the property of the institution.

26 3. If no claim has been made to the property within 60 days after the
27 date of the second published notice, title, including literary rights, to the
28 property vests in the institution, free from all claims of the owner and of all
29 persons claiming through or under him.

30 **Sec. 10.** NRS 463.635 is hereby amended to read as follows:

31 463.635 1. If a corporation, partnership, limited partnership, limited-
32 liability company or other business organization applying for or holding a
33 state gaming license is or becomes owned in whole or in part or controlled
34 by a publicly traded corporation, or if a publicly traded corporation applies
35 for or holds a state gaming license, the publicly traded corporation shall:

36 (a) Maintain a ledger in the principal office of its subsidiary which is
37 licensed to conduct gaming in this state, which must:

38 (1) Reflect the ownership of record of each outstanding share of any
39 class of equity security issued by the publicly traded corporation. The
40 ledger may initially consist of a copy of its latest list of equity security
41 holders and thereafter be maintained by adding a copy of such material as
42 it regularly receives from the transfer agent for its equity securities of any
43 class which are outstanding.

44 (2) Be available for inspection by the board and the commission and
45 their authorized agents at all reasonable times without notice.

46 (b) Register with the commission and provide the following information
47 to the board:

48 (1) The organization, financial structure and nature of the business of
49 the publicly traded corporation, including the names of all officers,



1 directors and any employees actively and directly engaged in the
2 administration or supervision of the activities of the gaming licensee, and
3 the names, addresses and number of shares held of record by holders of its
4 equity securities.

5 (2) The rights and privileges accorded the holders of different classes
6 of its authorized equity securities.

7 (3) The terms on which its equity securities are to be, and during the
8 preceding 3 years have been, offered by the corporation to the public or
9 otherwise initially issued by it.

10 (4) The terms and conditions of all its outstanding loans, mortgages,
11 trust deeds, pledges or any other indebtedness or security device, directly
12 relating to the gaming activities of the gaming licensee.

13 (5) The extent of the equity security holdings of record in the publicly
14 traded corporation of all officers, directors, underwriters and persons
15 owning of record equity securities of any class of the publicly traded
16 corporation, and any payment received by any such person from the
17 publicly traded corporation for each of its 3 preceding fiscal years for any
18 reason ~~whatsoever~~ *whatever*.

19 (6) Remuneration exceeding \$40,000 per annum to persons other than
20 directors and officers who are actively and directly engaged in the
21 administration or supervision of the gaming activities of the gaming
22 licensee.

23 (7) Bonus and profit-sharing arrangements of the publicly traded
24 corporation directly or indirectly relating to the gaming activities of the
25 gaming licensee.

26 (8) Management and service contracts of the publicly traded
27 corporation directly or indirectly relating to the gaming activities of the
28 gaming licensee.

29 (9) Options existing or from time to time created in respect of its
30 equity securities.

31 (10) Balance sheets, certified by independent public accountants, for
32 at least the 3 preceding fiscal years, or if the publicly traded corporation
33 has not been incorporated for a period of 3 years, balance sheets from the
34 time of its incorporation. These balance sheets may be those filed by it with
35 or furnished by it to the Securities and Exchange Commission.

36 (11) Profit and loss statements, certified by independent certified
37 public accountants, for at least the 3 preceding fiscal years, or, if the
38 publicly traded corporation has not been incorporated for a period of 3
39 years, profit and loss statements from the time of its incorporation. These
40 profit and loss statements may be those filed by it with or furnished by it to
41 the Securities and Exchange Commission.

42 (12) Any further information within the knowledge or control of the
43 publicly traded corporation which either the board or the commission may
44 deem necessary or appropriate for the protection of this state, or licensed
45 gambling, or both. The board or the commission may make such
46 investigation of the publicly traded corporation or any of its officers,
47 directors, security holders or other persons associated therewith as it deems
48 necessary.



1 (c) Apply for an order of registration from the commission which must
2 set forth a description of the publicly traded corporation's affiliated
3 companies and intermediary companies, and the various gaming licenses
4 and approvals obtained by those entities. The commission may issue an
5 order of registration upon receipt of a proper application. If the information
6 set forth in an order of registration changes, the publicly traded corporation
7 shall apply for and the commission may issue amendments to and revisions
8 of the order of registration to reflect the changes.

9 (d) If the publicly traded corporation is a foreign corporation, qualify to
10 do business in this state.

11 2. If the board determines that a publicly traded corporation registered
12 with the commission, or any of its affiliates or intermediary companies,
13 have ceased engaging in gaming activities in Nevada, the board may, upon
14 its own motion, recommend that the commission deregister the publicly
15 traded corporation. Before making such a recommendation for
16 deregistration, the board shall provide at least 30 days' notice to the
17 publicly traded corporation that it intends to move for deregistration. If the
18 board is unable to confirm that notice has been received by the publicly
19 traded corporation, the board shall provide notice to the last known address
20 of the registered agent of the publicly traded corporation. If the
21 commission issues an order deregistering the publicly traded corporation, a
22 copy of the order must be provided to the publicly traded corporation
23 together with a notice that the publicly traded corporation must apply,
24 within ~~15~~ 3 years after the date of the order of deregistration, to the
25 commission for a refund of any money of the publicly traded corporation
26 held by the board. If the commission is unable to confirm that the publicly
27 traded corporation has received the order, the commission shall provide the
28 order to the last known address of the registered agent of the publicly
29 traded corporation. The publicly traded corporation must apply to the board
30 for a refund of any investigative or other money of the publicly traded
31 corporation held by the board within ~~15~~ 3 years after the date of
32 deregistration. The money of the publicly traded corporation for which a
33 refund is not requested within ~~15~~ 3 years after the date of deregistration is
34 presumed abandoned and is subject to the provisions of chapter 120A of
35 NRS.

36 3. The commission may adopt regulations that generally or selectively
37 impose on any publicly traded corporation any requirement not
38 inconsistent with law which it may deem necessary in the public interest.
39 Without limiting the generality of the preceding sentence, any such
40 requirement may deal with the same subject matter as, but be more
41 stringent than, the requirements imposed by NRS 463.482 to 463.645,
42 inclusive.

43 **Sec. 11.** NRS 607.170 is hereby amended to read as follows:

44 607.170 1. When the labor commissioner deems it necessary, he may
45 take an assignment of a claim for wages and commissions and prosecute an
46 action for collection of wages, commissions and other demands of any
47 person who is financially unable to employ counsel in a case in which, in
48 the judgment of the labor commissioner, the claim for wages or
49 commissions is valid and enforceable in the courts.



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1 2. In all matters relating to wages or commissions and before taking
2 any assignment, the labor commissioner may summon to appear before
3 him, at a suitable place in the county of the claimant, his employer and all
4 other necessary persons for the purpose of adjusting and settling claims for
5 wages or commissions before bringing suit therefor, and the labor
6 commissioner may effect reasonable compromises of those claims.

7 3. The labor commissioner or his deputy may maintain a commercial
8 account with any bank or credit union within this state for the deposit of
9 money collected for claims for wages or commissions. The money must be
10 promptly paid to the person entitled thereto. At the end of each calendar
11 year, any unclaimed money in the commercial account which has been a
12 part of the account for ~~1 1/2~~ 3 years or more is presumed abandoned under
13 NRS 120A.220.

14 **Sec. 12.** NRS 663.085 is hereby amended to read as follows:

15 663.085 1. If the rental due on a safe-deposit box has not been paid
16 for 90 days, the lessor may send a notice by registered or certified mail to
17 the last known address of the lessee stating that the safe-deposit box will be
18 opened and its contents stored at the expense of the lessee unless payment
19 of the rental is made within 30 days. If the rental is not paid within 30 days
20 from the mailing of the notice, the box may be opened in the presence of
21 any officer of the lessor and a notary public. The contents must be sealed in
22 a package by the notary public, who shall write on the outside the name of
23 the lessee and the date of the opening in the presence of the officer. The
24 notary public and the officer shall execute a certificate reciting the name of
25 the lessee, the date of the opening of the box and a list of its contents. The
26 certificate must be included in the package and a copy of the certificate
27 must be sent by registered or certified mail to the last known address of the
28 lessee. If the contents of the safe-deposit box have been unclaimed by the
29 owner for ~~1 1/2~~ 3 years or less, the package must then be placed in the
30 general vaults of the lessor at a rental not exceeding the rental previously
31 charged for the box, until such time that the contents will have been
32 unclaimed by the owner for more than ~~1 1/2~~ 3 years, at which time the lessor
33 shall deliver the package to the division of unclaimed property of the
34 department of business and industry pursuant to the provisions of chapter
35 120A of NRS.

36 2. If the contents of a safe-deposit box that has been opened pursuant
37 to subsection 1 have been unclaimed by the owner for more than ~~1 1/2~~ 3
38 years, the lessor shall deliver the package to the division of unclaimed
39 property of the department of business and industry pursuant to the
40 provisions of chapter 120A of NRS.

41 **Sec. 13.** NRS 673.373 is hereby amended to read as follows:

42 673.373 1. If the rental due on a safe-deposit box has not been paid
43 for 90 days, the lessor may send a notice by registered or certified mail to
44 the last known address of the lessee stating that the safe-deposit box will be
45 opened and its contents stored at the expense of the lessee unless payment
46 of the rental is made within 30 days. If the rental is not paid within 30 days
47 from the mailing of the notice, the box may be opened in the presence of
48 any officer of the lessor and a notary public. The contents must be sealed in
49 a package by the notary public, who shall write on the outside the name of



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1 the lessee and the date of the opening in the presence of the officer. The
2 notary public and the officer shall execute a certificate reciting the name of
3 the lessee, the date of the opening of the box and a list of its contents. The
4 certificate must be included in the package and a copy of the certificate
5 must be sent by registered or certified mail to the last known address of the
6 lessee. If the contents of the safe-deposit box have been unclaimed by the
7 owner for ~~15~~ 3 years or less, the package must then be placed in the
8 general vaults of the lessor at a rental not exceeding the rental previously
9 charged for the box, until such time that the contents will have been
10 unclaimed by the owner for more than ~~15~~ 3 years, at which time the lessor
11 shall deliver the package to the division of unclaimed property of the
12 department of business and industry pursuant to the provisions of chapter
13 120A of NRS.

14 2. If the contents of a safe-deposit box that has been opened pursuant
15 to subsection 1 have been unclaimed by the owner for more than ~~15~~ 3
16 years, the lessor shall deliver the package to the division of unclaimed
17 property of the department of business and industry pursuant to the
18 provisions of chapter 120A of NRS.

19 **Sec. 14.** For purposes of sections 1 to 13, inclusive, of this act:

20 1. Except as otherwise provided in subsection 2, property that has been
21 abandoned for the period established pursuant to the amendatory
22 provisions of this act as of the effective date of this act shall be deemed to
23 be abandoned property for purposes of chapter 120A of NRS.

24 2. Any notice required by a specific statute must be given before
25 property may be deemed abandoned pursuant to subsection 1.

26 **Sec. 15.** 1. Notwithstanding the provisions of NRS 120A.450,
27 interest may not be imposed upon any abandoned property paid or
28 delivered to the division before July 1, 2002, if:

29 (a) On July 1, 2001, with regard to the abandoned property, the holder
30 of the abandoned property is not:

31 (1) The subject of an investigation or prosecution;

32 (2) The subject of an audit; or

33 (3) A party to litigation pursuant to NRS 120A.430;

34 (b) The abandoned property was required to be reported before July 1,
35 2001, pursuant to NRS 120A.250 or 120A.270;

36 (c) The abandoned property is paid or delivered directly to the division
37 or its authorized agent, together with a report that includes:

38 (1) Except with respect to traveler's checks and money orders, the
39 name, if known, and last known address, if any, of each person appearing
40 from the records of the holder to be the owner of any property of the value
41 of \$50 or more presumed abandoned pursuant to this chapter;

42 (2) In case of unclaimed money held by an insurance company, the
43 full name of the insured or annuitant and his last known address according
44 to the records of the corporation;

45 (3) The nature and identifying number, if any, or description of the
46 property and the amount appearing from the records to be due, except that
47 items of value under \$50 each may be reported in the aggregate;



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- 1 (4) The date when the property became payable, demandable or
2 returnable and the date of the last transaction with the owner with respect
3 to the property; and
4 (5) Any other information that the administrator prescribes by
5 regulation as necessary for the administration of this section;
6 (d) Abandoned property that includes securities is remitted as set forth
7 in NRS 120A.320; and
8 (e) The records of the holder are maintained in a manner, satisfactory to
9 the administrator, that permits verification of compliance with this section.
10 2. All abandoned property reported on or after July 1, 2001, must be
11 reported separately from abandoned property reported before July 1, 2001,
12 and may not be reported with abandoned property that is not eligible for
13 exemption from NRS 120A.450 pursuant to this section.
14 3. The administrator shall:
15 (a) Provide information to the public concerning the provisions of this
16 section; and
17 (b) Submit a report to the legislature on or before January 15, 2003, that
18 includes a full accounting of all abandoned property surrendered pursuant
19 to this section, the date abandoned property was surrendered and the
20 identities of the holders of the surrendered property.
21 4. This section does not:
22 (a) Create an entitlement to a refund of interest or penalties paid to the
23 division before July 1, 2001, pursuant to NRS 120A.450;
24 (b) Prohibit civil liability for false claims pursuant to NRS 357.040;
25 (c) Prevent prosecution of a person who violates NRS 120A.440; or
26 (d) Provide for the granting of an extension for filing a report required
27 by NRS 120A.250.
28 5. As used in this section:
29 (a) "Audit" includes, without limitation, an audit or examination of
30 records of a holder conducted by the administrator or commissioner of
31 financial institutions pursuant to NRS 120A.420 or any other law
32 authorizing an audit or examination of the records of a holder.
33 (b) "Investigation or prosecution" includes, without limitation:
34 (1) Any investigation conducted by the attorney general pursuant to
35 NRS 357.070 or any other law authorizing investigation; or
36 (2) Any prosecution conducted by the attorney general or a district
37 attorney pursuant to NRS 120A.440 or any other law authorizing
38 prosecution,
39 of a holder for a violation of chapter 120A of NRS.
40 **Sec. 16.** This act becomes effective upon passage and approval.

