

(REPRINTED WITH ADOPTED AMENDMENTS)
SECOND REPRINT S.B. 489

SENATE BILL NO. 489—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF OFFICE OF THE STATE TREASURER)

MARCH 26, 2001

Referred to Committee on Government Affairs

SUMMARY—Makes various changes regarding powers and duties of state treasurer and revises Uniform Disposition of Unclaimed Property Act. (BDR 18-360)

FISCAL NOTE: Effect on Local Government: No.
 Effect on the State: 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 governmental administration; revising the authority of the state treasurer to use a facsimile signature; abolishing the division of unclaimed property of the department of business and industry and transferring the duties of the division to the state treasurer; authorizing the state treasurer to employ a deputy of unclaimed property; revising the time for the submission of an annual report by the state treasurer; providing for the submission of certain public revenue and reports to the state controller instead of the state treasurer; revising the Uniform Disposition of Unclaimed Property Act; 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.** (Deleted by amendment.)
2 **Sec. 2.** NRS 226.080 is hereby amended to read as follows:
3 226.080 1. The state treasurer ~~is authorized to~~ *may* use a facsimile
4 signature ~~produced through a mechanical device~~ in place of his
5 handwritten signature ~~whenever the necessity may arise; provided:~~
6 ~~—(a) That the mechanical device shall be of such nature that the facsimile~~
7 ~~may be removed from the mechanical device and kept in a separate secure~~
8 ~~place;~~
9 ~~—(b) That the facsimile signature of the state treasurer shall be made and~~
10 ~~used only under his personal direction and supervision; and~~
11 ~~—(c) That all of the mechanical device shall at all times be kept securely~~
12 ~~locked when not so in use with the facsimile signature and the registered~~
13 ~~key to the mechanical device removed and locked in a vault, to the end that~~
14 ~~any misuse, fraudulent use, or other improper use thereof shall be~~
15 ~~prevented.~~



1 ~~2. Subject} if:~~
2 (a) The facsimile signature is:
3 (1) Produced by the most efficient device or other method of
4 facsimile reproduction reasonably available; and
5 (2) Made and used only under the personal direction and
6 supervision of the state treasurer; and
7 (b) The device or other method of facsimile reproduction is kept
8 securely locked at all times when not in use in such a manner as to
9 prevent any misuse, fraudulent use or other improper use. If the device
10 or other method of facsimile reproduction is of such a nature that:
11 (1) The facsimile image or impression is severable from the device
12 or other method of facsimile reproduction, the facsimile image or
13 impression must be kept in a separate secure place in the office of the
14 state treasurer; and
15 (2) Any registered key, password or other securing device or
16 procedure is severable from the device or other method of facsimile
17 reproduction, the registered key, password or other securing device or
18 procedure must be locked in a vault.
19 2. Except as otherwise required by specific statute and subject to the
20 conditions of subsection 1 and the consent of each, the state treasurer and
21 the state controller , or the state treasurer and any other officer or
22 employee of state government who is authorized to administer a bank
23 account, may combine their facsimile signatures for use in ~~one~~
24 ~~mechanical device,} a device or other method of facsimile reproduction.~~
25 The facsimile ~~image or impression~~ of such combined signatures ~~shall~~
26 ~~must~~ be kept in the ~~state treasurer's~~ office ~~of the state treasurer~~ as
27 provided in paragraph ~~(a)}~~ (b) of subsection 1.
28 **Sec. 3.** NRS 226.100 is hereby amended to read as follows:
29 226.100 1. The state treasurer may appoint and employ a chief
30 deputy, a deputy of debt management, a deputy of investments, a deputy of
31 cash management , ~~a deputy of unclaimed property~~ and an assistant to the
32 state treasurer in the unclassified service of the state.
33 2. Except as otherwise provided in NRS 284.143, the chief deputy
34 state treasurer shall devote his entire time and attention to the business of
35 his office and shall not pursue any other business or occupation or hold any
36 other office of profit.
37 **Sec. 4.** NRS 226.110 is hereby amended to read as follows:
38 226.110 The state treasurer:
39 1. Shall receive and keep all money of the state which is not expressly
40 required by law to be received and kept by some other person.
41 2. Shall receipt to the state controller for all money received, from
42 whatever source, at the time of receiving it.
43 3. Shall establish the policies to be followed in the investment of
44 money of the state, subject to the periodic review and approval or
45 disapproval of those policies by the state board of finance.
46 4. May employ any necessary investment and financial advisers to
47 render advice and other services in connection with the investment of
48 money of the state.



1 5. Shall disburse the public money upon warrants drawn upon the
2 treasury by the state controller, and not otherwise. The warrants must be
3 registered and paid in the order of their registry. The state treasurer may
4 use any sampling or post-audit technique, or both, which he considers
5 reasonable to verify the proper distribution of warrants.

6 6. Shall keep a just, true and comprehensive account of all money
7 received and disbursed.

8 7. Shall deliver in good order to his successor in office all money,
9 records, books, papers and other things belonging to his office.

10 8. Shall fix, charge and collect reasonable fees for:

11 (a) Investing the money in any fund or account which is credited for
12 interest earned on money deposited in it; and

13 (b) Special services rendered to other state agencies or to members of
14 the public which increase the cost of operating his office.

15 9. Serves as the primary representative of the state in matters
16 concerning any nationally recognized bond credit rating agency for the
17 purposes of the issuance of any obligation authorized on the behalf and in
18 the name of the state, except as otherwise provided in NRS 538.206 and
19 except for those obligations issued pursuant to chapter 319 of NRS and
20 NRS 349.400 to 349.987, inclusive.

21 10. Is directly responsible for the issuance of any obligation authorized
22 on the behalf and in the name of the state, except as otherwise provided in
23 NRS 538.206 and except for those obligations issued pursuant to chapter
24 319 of NRS and NRS 349.400 to 349.987, inclusive. The state treasurer:

25 (a) Shall issue such an obligation as soon as practicable after receiving a
26 request from a state agency for the issuance of the obligation.

27 (b) May, except as otherwise provided in NRS 538.206, employ
28 necessary legal, financial or other professional services in connection with
29 the authorization, sale or issuance of such an obligation.

30 11. May organize and facilitate statewide pooled financing programs,
31 including lease purchases, for the benefit of the state and any political
32 subdivision, including districts organized pursuant to NRS 450.550 to
33 450.750, inclusive, and chapters 244A, 309, 318, 379, 474, 541, 543 and
34 555 of NRS.

35 *12. Shall serve as the administrator of unclaimed property.*

36 **Sec. 5.** NRS 226.120 is hereby amended to read as follows:

37 226.120 The state treasurer shall:

38 1. Provide information to either house of the legislature, whenever
39 required, upon any subject connected with the treasury or any duty of his
40 office.

41 2. Prepare and submit an annual report of the operations of his office
42 to the governor and the legislative commission within ~~90~~ **60 working**
43 days after ~~the end of each fiscal year~~ :

44 *(a) The close of a fiscal year; or*

45 *(b) The latest date established by the legislature to close accounts for a*
46 *fiscal year,*

47 *whichever occurs later for that fiscal year.*



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1 **Sec. 6.** NRS 227.090 is hereby amended to read as follows:
2 227.090 1. The state controller ~~is authorized to~~ **may** use a facsimile
3 signature produced through a mechanical device in place of his handwritten
4 signature whenever the necessity may arise ~~is provided:~~

5 ~~—(a) That the~~, **except that:**

6 **(a) The** mechanical device ~~shall~~ **must** be of such nature that the
7 facsimile signature may be removed from the mechanical device and kept
8 in a separate secure place;

9 **(b) ~~That the~~ The** use of the facsimile signature ~~shall be made~~ **must**
10 **be** only under the direction and supervision of the state controller; and

11 **(c) ~~That the~~ The** registered key to the mechanical device ~~shall~~ **must**
12 at all times be kept in a vault, securely locked, when not in use, to prevent
13 any misuse of the ~~same~~.

14 ~~—2. Subject to the conditions~~ **mechanical device.**

15 **2. Notwithstanding the provisions** of subsection 1, ~~and the consent~~
16 ~~of each,~~ the state controller and the state treasurer may combine their
17 facsimile signatures ~~for use in one mechanical device. The facsimile of~~
18 ~~such combined signatures shall be kept in a separate secure place in the~~
19 ~~state treasurer's office.~~ **as provided in NRS 226.080.**

20 **Sec. 7.** NRS 228.460 is hereby amended to read as follows:

21 228.460 1. The account for programs related to domestic violence is
22 hereby created in the state general fund. Any administrative assessment
23 imposed and collected pursuant to NRS 200.485 must be deposited with
24 the state ~~treasurer~~ **controller** for credit to the account.

25 2. The ombudsman for victims of domestic violence:

26 **(a)** Shall administer the account for programs related to domestic
27 violence; and

28 **(b)** May expend money in the account only to pay for expenses related
29 to:

30 **(1)** The committee on domestic violence created pursuant to NRS
31 228.470;

32 **(2)** Training law enforcement officers, attorneys and members of the
33 judicial system about domestic violence;

34 **(3)** Assisting victims of domestic violence and educating the public
35 concerning domestic violence; and

36 **(4)** Carrying out his duties and the functions of his office.

37 3. All claims against the account for programs related to domestic
38 violence must be paid as other claims against the state are paid.

39 **Sec. 8.** NRS 232.510 is hereby amended to read as follows:

40 232.510 1. The department of business and industry is hereby
41 created.

42 2. The department consists of a director and the following:

43 **(a)** Consumer affairs division.

44 **(b)** Division of financial institutions.

45 **(c)** Housing division.

46 **(d)** Manufactured housing division.

47 **(e)** Real estate division.

48 **(f) ~~Division of unclaimed property.~~**

49 ~~—(g)~~ **Division of insurance.**



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1 ~~(h)~~ (g) Division of industrial relations.
2 ~~(i)~~ (h) Office of labor commissioner.
3 ~~(j)~~ (i) Taxicab authority.
4 ~~(k)~~ (j) Nevada athletic commission.
5 ~~(l)~~ (k) Office of the Nevada attorney for injured workers.
6 ~~(m)~~ (l) Transportation services authority.
7 ~~(n)~~ (m) Any other office, commission, board, agency or entity created
8 or placed within the department pursuant to a specific statute, the budget
9 approved by the legislature or an executive order, or an entity whose
10 budget or activities have been placed within the control of the department
11 by a specific statute.
12 **Sec. 9.** NRS 232.520 is hereby amended to read as follows:
13 232.520 The director:
14 1. Shall appoint a chief or executive director, or both of them, of each
15 of the divisions, offices, commissions, boards, agencies or other entities of
16 the department, unless the authority to appoint such a chief or executive
17 director, or both of them, is expressly vested in another person, board or
18 commission by a specific statute. In making the appointments, the director
19 may obtain lists of qualified persons from professional organizations,
20 associations or other groups recognized by the department, if any. The
21 chief of the consumer affairs division is the commissioner of consumer
22 affairs, the chief of the division of financial institutions is the
23 commissioner of financial institutions, the chief of the housing division is
24 the administrator of the housing division, the chief of the manufactured
25 housing division is the administrator of the manufactured housing division,
26 the chief of the real estate division is the real estate administrator, ~~the~~
27 ~~chief of the division of unclaimed property is the administrator of~~
28 ~~unclaimed property.~~ the chief of the division of insurance is the
29 commissioner of insurance, the chief of the division of industrial relations
30 is the administrator of the division of industrial relations, the chief of the
31 office of labor commissioner is the labor commissioner, the chief of the
32 taxicab authority is the taxicab administrator, the chief of the transportation
33 services authority is the chairman of the authority and the chief of any
34 other entity of the department has the title specified by the director, unless
35 a different title is specified by a specific statute.
36 2. Is responsible for the administration of all provisions of law relating
37 to the jurisdiction, duties and functions of all divisions and other entities
38 within the department. The director may, if he deems it necessary to carry
39 out his administrative responsibilities, be considered as a member of the
40 staff of any division or other entity of the department for the purpose of
41 budget administration or for carrying out any duty or exercising any power
42 necessary to fulfill the responsibilities of the director pursuant to this
43 subsection. ~~The provisions of this subsection do not authorize~~ **This**
44 **subsection does not allow** the director to preempt any authority or
45 jurisdiction granted by statute to any division or other entity within the
46 department or ~~authorize the director~~ to act or take on a function that
47 would contravene a rule of court or a statute.
48 3. May:



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- 1 (a) Establish uniform policies for the department, consistent with the
2 policies and statutory responsibilities and duties of the divisions and other
3 entities within the department, relating to matters concerning budgeting,
4 accounting, planning, program development, personnel, information
5 services, dispute resolution, travel, workplace safety, the acceptance of
6 gifts or donations, the management of records and any other subject for
7 which a uniform departmental policy is necessary to ensure the efficient
8 operation of the department.
- 9 (b) Provide coordination among the divisions and other entities within
10 the department, in a manner which does not encroach upon their statutory
11 powers and duties, as they adopt and enforce regulations, execute
12 agreements, purchase goods, services or equipment, prepare legislative
13 requests and lease or use office space.
- 14 (c) Define the responsibilities of any person designated to carry out the
15 duties of the director relating to financing, industrial development or
16 business support services.
- 17 4. May, within the limits of the financial resources made available to
18 him, promote, participate in the operation of, and create or cause to be
19 created, any nonprofit corporation, pursuant to chapter 82 of NRS, which
20 he determines is necessary or convenient for the exercise of the powers and
21 duties of the department. The purposes, powers and operation of the
22 corporation must be consistent with the purposes, powers and duties of the
23 department.
- 24 5. For any bonds which he is otherwise authorized to issue, may issue
25 bonds the interest on which is not exempt from federal income tax or
26 excluded from gross revenue for the purposes of federal income tax.
- 27 6. May, except as otherwise provided by specific statute, adopt by
28 regulation a schedule of fees and deposits to be charged in connection with
29 the programs administered by him pursuant to chapters 348A and 349 of
30 NRS. Except as otherwise provided ~~†~~ *by specific statute*, the amount of
31 any such fee or deposit must not exceed 2 percent of the principal amount
32 of the financing.
- 33 7. May designate any person within the department to perform any of
34 the duties or responsibilities, or exercise any of the authority, of the
35 director on his behalf.
- 36 8. May negotiate and execute agreements with public or private
37 entities which are necessary to the exercise of the powers and duties of the
38 director or the department.
- 39 9. May establish a trust account in the state treasury for depositing and
40 accounting for money that is held in escrow or is on deposit with the
41 department for the payment of any direct expenses incurred by the director
42 in connection with any bond programs administered by the director. The
43 interest and income earned on money in the trust account, less any amount
44 deducted to pay for applicable charges, must be credited to the trust
45 account. Any balance remaining in the account at the end of a fiscal year
46 may be:
- 47 (a) Carried forward to the next fiscal year for use in covering the
48 expense for which it was originally received; or



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- 1 (b) Returned to any person entitled thereto in accordance with
2 agreements or regulations of the director relating to those bond programs.
3 **Sec. 10.** NRS 4.060 is hereby amended to read as follows:
4 4.060 1. Except as otherwise provided in this section, each justice of
5 the peace shall charge and collect the following fees:
6 (a) On the commencement of any action or proceeding in
7 the justice's court, other than in actions commenced pursuant
8 to chapter 73 of NRS, to be paid by the party commencing the
9 action:
10 If the sum claimed does not exceed \$1,000..... \$28.00
11 If the sum claimed exceeds \$1,000 but does not exceed
12 \$2,500..... 50.00
13 If the sum claimed exceeds \$2,500 but does not exceed
14 \$4,500..... 100.00
15 If the sum claimed exceeds \$4,500 but does not exceed
16 \$6,500..... 125.00
17 If the sum claimed exceeds \$6,500 but does not exceed
18 \$7,500..... 150.00
19 In all other civil actions..... 28.00
20 (b) For the preparation and filing of an affidavit and order
21 in an action commenced pursuant to chapter 73 of NRS:
22 If the sum claimed does not exceed \$1,000..... 25.00
23 If the sum claimed exceeds \$1,000 but does not exceed
24 \$2,500..... 45.00
25 If the sum claimed exceeds \$2,500 but does not exceed
26 \$5,000..... 65.00
27 (c) On the appearance of any defendant, or any number of
28 defendants answering jointly, to be paid him or them on filing
29 the first paper in the action, or at the time of appearance:
30 In all civil actions..... 12.00
31 For every additional defendant, appearing separately..... 6.00
32 (d) No fee may be charged where a defendant or defendants
33 appear in response to an affidavit and order issued pursuant to
34 the provisions of chapter 73 of NRS.
35 (e) For the filing of any paper in intervention..... 6.00
36 (f) For the issuance of any writ of attachment, writ of
37 garnishment, writ of execution or any other writ designed to
38 enforce any judgment of the court..... 6.00
39 (g) For filing a notice of appeal, and appeal bonds..... 12.00
40 One charge only may be made if both papers are filed at the
41 same time.
42 (h) For issuing supersedeas to a writ designed to enforce a
43 judgment or order of the court..... 12.00
44 (i) For preparation and transmittal of transcript and papers
45 on appeal..... 12.00
46 (j) For celebrating a marriage and returning the certificate
47 to the county recorder..... 35.00
48 (k) For entering judgment by confession..... 6.00



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- 1 (l) For preparing any copy of any record, proceeding or
2 paper, for each page 30
3 (m) For each certificate of the clerk, under the seal of the
4 court 3.00
5 (n) For searching records or files in his office, for each year 1.00
6 (o) For filing and acting upon each bail or property bond 40.00
7 2. A justice of the peace shall not charge or collect any of the fees set
8 forth in subsection 1 for any service rendered by him to the county in
9 which his township is located.
10 3. A justice of the peace shall not charge or collect the fee pursuant to
11 paragraph (j) of subsection 1 if he performs a marriage ceremony in a
12 commissioner township.
13 4. Except as otherwise provided by an ordinance adopted pursuant to
14 the provisions of NRS 244.207, the justice of the peace shall, on or before
15 the fifth day of each month, account for and pay to the county treasurer all
16 fees collected during the preceding month, except for the fees he may
17 retain as compensation and the fees he is required to pay to the state
18 ~~treasurer~~ controller pursuant to subsection 5.
19 5. The justice of the peace shall, on or before the fifth day of each
20 month, pay to the state ~~treasurer~~ controller half of the fees collected
21 pursuant to paragraph (o) of subsection 1 during the preceding month. The
22 state ~~treasurer~~ controller shall deposit the money in the fund for the
23 compensation of victims of crime.
24 **Sec. 11.** NRS 4.065 is hereby amended to read as follows:
25 4.065 1. The justice of the peace shall, on the commencement of any
26 action or proceeding in the justice's court for which a fee is required, and
27 on the answer or appearance of any defendant in any such action or
28 proceeding for which a fee is required, charge and collect a fee of \$1 from
29 the party commencing, answering or appearing in the action or proceeding.
30 These fees are in addition to any other fee required by law.
31 2. On or before the first Monday of each month, the justice of the
32 peace shall pay over to the county treasurer the amount of all fees collected
33 by him pursuant to subsection 1 for credit to the state general fund.
34 Quarterly, the county treasurer shall remit all money so collected to the
35 state ~~treasurer~~ controller, who shall place the money in an account in the
36 state general fund for use by the director of the department of taxation to
37 administer the provisions of NRS 360.283.
38 **Sec. 12.** NRS 19.030 is hereby amended to read as follows:
39 19.030 1. Except as otherwise provided by specific statute, on the
40 commencement of any civil action or proceeding in the district court, other
41 than the commencement of a proceeding for an adoption, the county clerk
42 of each county, in addition to any other fees provided by law, shall charge
43 and collect \$32 from the party commencing the action or proceeding.
44 2. On or before the first Monday of each month, the county clerk shall
45 pay over to the county treasurer an amount equal to \$32 per civil case
46 commenced as provided in subsection 1, for the preceding calendar month,
47 and the county treasurer shall place that money to the credit of the state
48 fund. The county treasurer shall remit quarterly all such fees turned over to



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1 him by the county clerk to the state ~~treasurer,~~ *controller* to be placed by
2 the state ~~treasurer,~~ *controller* in the state general fund.

3 **Sec. 13.** NRS 19.033 is hereby amended to read as follows:

4 19.033 1. In each county, on the commencement of any action for
5 divorce in the district court, the county clerk shall charge and collect, in
6 addition to other fees required by law, a fee of \$20. The fee must be paid
7 by the party commencing the action.

8 2. On or before the first Monday of each month, the county clerk shall
9 pay over to the county treasurer an amount equal to all fees collected by
10 him pursuant to subsection 1, and the county treasurer shall place that
11 amount to the credit of the state general fund. Quarterly, the county
12 treasurer shall remit all money so collected to the state ~~treasurer,~~
13 *controller*, who shall place the money in an account in the state general
14 fund for use by the director of the state job training office or, if the office is
15 abolished by executive order, the director of the department of
16 employment, training and rehabilitation to administer the provisions of
17 NRS 388.605 to 388.655, inclusive.

18 3. The board of county commissioners of any county may impose by
19 ordinance an additional filing fee of not more than \$6 to be paid by the
20 defendant in an action for divorce, annulment or separate maintenance. In a
21 county where this fee has been imposed:

22 (a) On the appearance of a defendant in the action in the district court,
23 the county clerk, in addition to any other fees provided by law, shall charge
24 and collect from the defendant the prescribed fee to be paid upon the filing
25 of the first paper in the action by the defendant.

26 (b) On or before the fifth day of each month, the county clerk shall
27 account for and pay to the county treasurer all fees collected during the
28 preceding month pursuant to paragraph (a).

29 **Sec. 14.** Chapter 120A of NRS is hereby amended by adding thereto
30 the provisions set forth as sections 15 and 16 of this act.

31 **Sec. 15.** *"Apparent owner" means a person whose name appears on*
32 *the records of a holder as the person entitled to property held, issued or*
33 *owing by the holder.*

34 **Sec. 16.** *"Money order" includes an express money order and a*
35 *personal money order, on which the remitter is the purchaser. The term*
36 *does not include a bank money order or any other instrument sold by a*
37 *financial organization if the seller has obtained the name and address of*
38 *the payee.*

39 **Sec. 17.** NRS 120A.020 is hereby amended to read as follows:

40 120A.020 As used in this chapter, unless the context otherwise
41 requires, the words and terms defined in NRS 120A.025 to 120A.120,
42 inclusive, *and sections 15 and 16 of this act* have the meanings ascribed to
43 them in those sections.

44 **Sec. 18.** NRS 120A.025 is hereby amended to read as follows:

45 120A.025 "Administrator" means the ~~chief of the division~~ *state*
46 *treasurer in his capacity as the administrator* of unclaimed property.

47 **Sec. 19.** NRS 120A.040 is hereby amended to read as follows:

48 120A.040 "Business association" means ~~any corporation (~~ *a*
49 *corporation*, other than a public corporation ~~)~~ *, a* joint-stock company,



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1 investment company, ~~{business trust, partnership or any association for~~
2 ~~business purposes of two or more natural}~~ *partnership, unincorporated*
3 *association, joint venture, limited-liability company, business trust,*
4 *financial organization, insurance company, mutual fund or utility, or*
5 *another business entity consisting of one or more* persons, whether or not
6 for profit . ~~{, including a banking organization, financial organization,~~
7 ~~insurance company or utility.}~~

8 **Sec. 20.** NRS 120A.070 is hereby amended to read as follows:

9 120A.070 "Financial organization" means ~~{any}~~ *a* savings and loan
10 association, ~~{building and loan association, thrift company, credit union,~~
11 ~~cooperative bank or investment company.}~~ *banking organization or credit*
12 *union.*

13 **Sec. 21.** NRS 120A.080 is hereby amended to read as follows:

14 120A.080 "Holder" means a person ~~{, wherever organized or~~
15 ~~domiciled, who is:~~

- 16 ~~—1. In possession of property belonging to another;~~
17 ~~—2. A trustee; or~~
18 ~~—3. Indebted to another on an obligation.}~~ *obligated to hold for the*
19 *account of, or deliver or pay to, the owner property that is subject to this*
20 *chapter.*

21 **Sec. 22.** NRS 120A.090 is hereby amended to read as follows:

22 120A.090 "Insurance company" means an association, corporation ~~{,}~~
23 *or* fraternal or mutual benefit organization, whether or not for profit, which
24 is engaged in *the business of* providing *life endowments, annuities or*
25 insurance, including ~~{the following kinds: Accident,}~~ *accident,* burial,
26 casualty, credit life, contract performance, dental, *disability,* fidelity, fire,
27 health, hospitalization, illness, life , ~~{(including endowments and~~
28 ~~annuities).}~~ *malpractice, marine, mortgage, surety , {and} wage protection*
29 *{,} and workers' compensation insurance.*

30 **Sec. 23.** NRS 120A.110 is hereby amended to read as follows:

31 120A.110 "Person" ~~{includes a government , a governmental agency~~
32 ~~and a political subdivision of a government.}~~ *means a natural person,*
33 *business association, estate, trust, government or governmental*
34 *subdivision, agency or instrumentality, or any other legal or commercial*
35 *entity.*

36 **Sec. 24.** NRS 120A.145 is hereby amended to read as follows:

37 120A.145 The administrator or any officer, agent or employee of the
38 ~~{division}~~ *office of the state treasurer* shall not use or disclose any
39 information received by the administrator in the course of carrying out the
40 provisions of this chapter which is confidential or which is provided to the
41 ~~{division}~~ *administrator* on the basis that the information is to remain
42 confidential, unless the use or disclosure of the information is necessary to
43 locate the owner of unclaimed or abandoned property.

44 **Sec. 25.** NRS 120A.160 is hereby amended to read as follows:

45 120A.160 The following property held or owing by a ~~{banking or~~
46 ~~financial organization or by a}~~ business association is presumed
47 abandoned:

- 48 1. Any demand, savings or matured time deposit or other certificate of
49 deposit with a banking organization, together with any interest or dividend



1 thereon, excluding any charges that may lawfully be withheld, including a
2 deposit that is automatically renewable, and any money paid toward the
3 purchase of a share, a mutual investment certificate or any other interest in
4 a ~~banking or~~ financial organization, unless the owner has within ~~5~~ 3
5 years:

6 (a) In the case of a deposit, increased or decreased the amount of the
7 deposit, or presented the passbook or other similar evidence of the deposit
8 for the crediting of interest;

9 (b) Communicated in writing with the ~~banking or~~ financial organization
10 concerning the property;

11 (c) Otherwise indicated an interest in the property as evidenced by a
12 memorandum or other record on file prepared by an employee of the
13 ~~banking or~~ financial organization;

14 (d) Owned other property to which paragraph (a), (b) or (c) applies and
15 if the ~~banking or~~ financial organization communicates in writing with the
16 owner with regard to the property that would otherwise be presumed
17 abandoned under this subsection at the address to which communications
18 regarding the other property regularly are sent; or

19 (e) Had another relationship with the ~~banking or~~ financial organization
20 concerning which the owner has:

21 (1) Communicated in writing with the ~~banking or~~ financial
22 organization; or

23 (2) Otherwise indicated an interest as evidenced by a memorandum
24 or other record on file prepared by an employee of the ~~banking or~~
25 financial organization and if the ~~banking or~~ financial organization
26 communicates in writing with the owner with regard to the property that
27 would otherwise be abandoned under this subsection at the address to
28 which communications regarding the other relationship regularly are sent.
29 For the purposes of this subsection, "property" includes interest and
30 dividends.

31 2. Any property described in subsection 1 that is automatically
32 renewable is matured for purposes of subsection 1 upon the expiration of
33 its initial ~~time~~ period, but in the case of any renewal to which the owner
34 consents at or about the time of renewal by communicating in writing with
35 the ~~banking or~~ financial organization or otherwise indicating consent as
36 evidenced by a memorandum or other record on file prepared by an
37 employee of the organization, the property is matured upon the expiration
38 of the last ~~time~~ period for which consent was given. If, at the time
39 provided for delivery in NRS 120A.320, a penalty or forfeiture in the
40 payment of interest would result from the delivery of the property, the time
41 for delivery is extended until the time when no penalty or forfeiture would
42 result.

43 3. Any sum payable on a check certified in this state or on a written
44 instrument issued in this state on which a ~~banking or financial~~
45 ~~organization or~~ business association is directly liable, including any draft
46 or cashier's check, which has been outstanding for more than 5 years after
47 the date it was payable, or after the date of its issuance if payable on
48 demand, or any sum payable on a money order which has been outstanding
49 for more than 7 years after its issuance, or any sum payable on a traveler's



1 check which has been outstanding for more than 15 years after the date of
2 its issuance, unless the owner has within the specified period corresponded
3 in writing with the ~~banking or financial organization or~~ business
4 association concerning it, or otherwise indicated an interest as evidenced
5 by a memorandum on file with the ~~banking or financial organization or~~
6 business association.

7 4. Any money or other personal property, tangible or intangible,
8 removed from a safe-deposit box or any other safekeeping repository on
9 which the lease or rental period has expired because of nonpayment of
10 rental charges or other reason, or any surplus amounts arising from the sale
11 thereof pursuant to law, that have been unclaimed by the owner for more
12 than 5 years from the date on which the lease or rental period expired. A
13 safe-deposit box for which no rent is charged or which is provided to the
14 user because of a specific amount deposited with a ~~banking or financial~~
15 ~~organization or~~ business association is presumed abandoned at the same
16 time as the account for which it was given.

17 **Sec. 26.** NRS 120A.170 is hereby amended to read as follows:

18 120A.170 1. Unclaimed money held and owing by an insurance
19 company is presumed abandoned if the last known address, according to
20 the records of the company, of the person entitled to the money is within
21 this state. If a person other than the insured or annuitant is entitled to the
22 money and no address of such person is known to the company or if it is
23 not definite and certain from the records of the company what person is
24 entitled to the money, it is presumed that the last known address of the
25 person entitled to the money is the same as the last known address of the
26 insured or annuitant according to the records of the company.

27 2. "Unclaimed money," as used in this section, means all money held
28 and owing by any insurance company unclaimed and unpaid for more than
29 ~~15~~ 3 years after the money became due and payable as established from
30 the records of the company under any life or endowment insurance policy
31 or annuity contract which has matured or terminated. A life insurance
32 policy not matured by actual proof of the death of the insured shall be
33 deemed matured and the proceeds thereof deemed due if the policy was in
34 force when the insured attained the limiting age under the mortality table
35 on which the reserve is based, unless the person appearing entitled thereto
36 has within the preceding ~~15~~ 3 years:

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

39 (b) Corresponded in writing with the insurance company concerning the
40 policy.

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

44 **Sec. 27.** NRS 120A.190 is hereby amended to read as follows:

45 120A.190 1. Any stock or other intangible interest, or any dividend,
46 profit, distribution, interest, payment on principal or other sum held or
47 owing by a business association is presumed abandoned if ~~it~~ *it is*
48 *unclaimed by the apparent owner* within 5 years after the *earlier of*:



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1 (a) The date ~~prescribed for payment or delivery the shareholder,~~
2 ~~certificate holder, member, bondholder, other security holder or the~~
3 ~~participating patron of a cooperative has not claimed the property,~~
4 ~~corresponded in writing with the business association or otherwise~~
5 ~~indicated an interest in the property as evidenced by a memorandum or~~
6 ~~other record on file with the association.~~ of the most recent dividend,
7 stock split or other distribution unclaimed by the apparent owner; or

8 (b) The date of the second mailing of a statement of account or other
9 notification or communication that was returned as undeliverable or
10 after the holder discontinued mailings, notifications or communications
11 to the apparent owner.

12 As to that property, the business association shall be deemed to be the
13 holder.

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

18 ~~{3. This section does not apply to any stock or other intangible interest~~
19 ~~enrolled in a plan that provides for the automatic reinvestment of~~
20 ~~dividends, distributions, or other sums payable as a result of the interest~~
21 ~~unless the records available to the administrator of the plan show, with~~
22 ~~respect to any intangible interest not enrolled in the reinvestment plan, that~~
23 ~~the owner has not within 5 years communicated in any manner described in~~
24 ~~subsection 1.~~

25 **Sec. 28.** NRS 120A.200 is hereby amended to read as follows:

26 120A.200 All intangible personal property distributable in the course
27 of a dissolution of a business association ~~banking organization or~~
28 ~~financial organization~~ organized under the laws of or created in this state
29 that is unclaimed by the owner within 1 year after the date for final
30 distribution is presumed abandoned.

31 **Sec. 29.** NRS 120A.210 is hereby amended to read as follows:

32 120A.210 All intangible personal property and any income or
33 increment thereon held in a fiduciary capacity for the benefit of another
34 person is presumed abandoned unless the owner has, within 5 years after it
35 becomes payable or distributable, increased or decreased the principal,
36 accepted payment of principal or income, corresponded in writing
37 concerning the property or otherwise indicated an interest as evidenced by
38 a memorandum on file with the fiduciary:

39 1. If the property is held by a ~~banking organization or a financial~~
40 ~~organization or by a~~ business association organized under the laws of or
41 created in this state;

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

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

47 **Sec. 30.** NRS 120A.230 is hereby amended to read as follows:

48 120A.230 All intangible personal property not otherwise covered by
49 this chapter, including any income or increment thereon and deducting any



1 lawful charges, that is held or owing in this state in the ordinary course of
2 the holder's business and has remained unclaimed by the owner for more
3 than ~~§4~~ 3 years after it became payable or distributable is presumed
4 abandoned.

5 **Sec. 31.** NRS 120A.250 is hereby amended to read as follows:

6 120A.250 1. ~~Every~~ 4 person holding money or other property
7 presumed abandoned under this chapter shall make a verified report to the
8 ~~division~~ administrator with respect to the property.

9 2. The report must include:

10 (a) Except with respect to traveler's checks and money orders, the
11 name, if known, and last known address, if any, of each person appearing
12 from the records of the holder to be the owner of any property of the value
13 of \$50 or more presumed abandoned under this chapter.

14 (b) In *the* case of unclaimed money held by an insurance company, the
15 full name of the insured or annuitant and his last known address according
16 to the ~~corporation's records~~ records of the company.

17 (c) The nature and identifying number, if any, or description of the
18 property and the amount appearing from the records to be due, except that
19 items of value under \$50 each may be reported in the aggregate.

20 (d) The date when the property became payable, demandable or
21 returnable and the date of the last transaction with the owner with respect
22 to the property.

23 (e) ~~Other~~ Any other information which the administrator prescribes by
24 regulation as necessary for the administration of this chapter.

25 3. If the person holding property presumed abandoned is a successor to
26 other persons who previously held the property for the owner, or if the
27 holder has changed his name while holding the property, he shall file with
28 his report all prior known names and addresses of each holder of the
29 property.

30 4. The report must be filed before November 1 of each year for the
31 preceding fiscal year ending June 30 except that the report of an insurance
32 company must be filed before May 1 of each year for the preceding
33 calendar year. The administrator may, in writing, postpone the reporting
34 date upon written request by any person required to file a report.

35 5. Verification of the report, if made by:

36 (a) A partnership, must be executed by a partner.

37 (b) An unincorporated association or private corporation, must be
38 executed by an officer.

39 (c) A public entity or corporation, must be executed by its chief fiscal
40 officer.

41 **Sec. 32.** NRS 120A.260 is hereby amended to read as follows:

42 120A.260 1. If the holder of property presumed abandoned under
43 this chapter knows the whereabouts of the owner and if the owner's claim
44 has not been barred by the statute of limitations, the holder shall, before
45 filing the annual report, communicate with the owner and take necessary
46 steps to prevent abandonment from being presumed. The holder shall
47 exercise due diligence to ascertain the whereabouts of the owner.

48 2. The administrator may, by regulation, prescribe a form on which the
49 owner may indicate his interest in maintaining the deposit, shares or



1 account. If a form is so prescribed, the holder shall send the form to each
2 owner whose balance is more than \$50, not less than ~~60~~ 60 nor more than
3 ~~12 months~~ 120 days before the holder's report is due. If the owner fills
4 out, signs and returns the form to the holder, this action prevents
5 abandonment from being presumed. The administrator may, by regulation,
6 authorize the holder to impose a charge of not more than a prescribed
7 amount upon the owner's deposit, shares or account for the expense of
8 mailing the form. In the absence of a regulation prescribing the maximum
9 charge, the holder may impose a charge of not more than \$2.

10 **Sec. 33.** NRS 120A.270 is hereby amended to read as follows:

11 120A.270 Any ~~banking or financial organization or~~ business
12 association which holds property for another, if it does not hold property
13 presumed to be abandoned, shall file a report with the administrator, on or
14 before November 1 of each 5-year period after November 1, 1984, which
15 indicates that it is not a holder of any property presumed to be abandoned
16 during that period. The reports of an insurance company under this section
17 must be filed before May 1 of each year for the preceding calendar years.

18 **Sec. 34.** NRS 120A.280 is hereby amended to read as follows:

19 120A.280 1. Within ~~180~~ 360 days after the filing of the report
20 required by NRS 120A.250 and the payment or delivery of the property
21 required by NRS ~~120A.360~~ 120A.320, the administrator shall cause
22 notice to be published in at least one newspaper of general circulation in
23 the county in this state in which is located the last known address of any
24 person to be named in the notice. If no address is listed or if the address is
25 outside this state, the notice must be published in the county in which the
26 holder of the abandoned property has his principal place of business within
27 this state.

28 2. The published notice must be entitled "Notice of Names of Persons
29 Appearing To Be Owners of Abandoned Property," and must contain:

30 (a) The names in alphabetical order and last known addresses, if any, of
31 persons listed in the report and entitled to notice within the county.

32 (b) A statement that information concerning the amount or description
33 of the property and the name and address of the holder may be obtained by
34 any person possessing an interest in the property by addressing an inquiry
35 to the ~~division~~ administrator.

36 (c) If the property was removed from a safe-deposit box or other
37 safekeeping repository, a statement declaring that the administrator will
38 hold the property for 1 year after the date the property was delivered to the
39 ~~division~~ administrator, and that the property may be destroyed if no
40 claims are made for it within that period.

41 3. The administrator is not required to publish in the notice any item
42 valued at less than \$50 unless he deems the publication to be in the public
43 interest.

44 4. In addition to the notice required to be published pursuant to this
45 section, the administrator shall take such actions as are reasonably
46 calculated to give actual notice to the owner of property presumed
47 abandoned, including, without limitation, using information obtained from
48 the department of motor vehicles and public safety and other governmental



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1 agencies or executing contracts with private businesses to assist in locating
2 such owners of property.

3 **Sec. 35.** NRS 120A.300 is hereby amended to read as follows:

4 120A.300 1. A ~~banking or financial organization shall not impose a~~
5 ~~charge upon a depositor's account based on the dormancy of the account~~
6 ~~unless the organization has first mailed a notice of its intended charge to~~
7 ~~the depositor at his last known address and has allowed him 60 days to~~
8 ~~respond.~~ *holder may deduct from property presumed abandoned*
9 *pursuant to this chapter a charge imposed by reason of the owner's*
10 *failure to claim the property within a specified time only if there is a valid*
11 *and enforceable written contract between the holder and the owner*
12 *under which the holder may impose the charge and the holder regularly*
13 *imposes the charge, which is not regularly reversed or otherwise*
14 *canceled.*

15 2. The administrator may prescribe by regulation the highest rate of
16 charge which a ~~banking or financial organization~~ *holder* may impose
17 upon a dormant account.

18 3. In the absence of such a regulation, a ~~banking or financial~~
19 ~~institution~~ *holder* shall not impose a charge upon a dormant account of
20 more than \$5 per month.

21 **Sec. 36.** NRS 120A.310 is hereby amended to read as follows:

22 120A.310 No service, handling, maintenance or other charge or fee
23 may be deducted or withheld from any property subject to this chapter if,
24 under the holder's policy or practice, the holder would not have excluded,
25 withheld or deducted such a charge or fee if the property had been claimed
26 by the owner before it was paid or delivered to the ~~division.~~
27 *administrator.*

28 **Sec. 37.** NRS 120A.320 is hereby amended to read as follows:

29 120A.320 1. Except as otherwise provided in subsection 3 and NRS
30 120A.160, ~~every~~ *a* person who files a report under NRS 120A.250 shall,
31 at the time of filing the report, pay or deliver to the ~~division~~
32 *administrator* all abandoned property specified in ~~this~~ *the* report.

33 2. The holder of an interest under NRS 120A.190 shall deliver a
34 duplicate certificate or other evidence of ownership if the holder does not
35 issue certificates of ownership to the ~~division.~~ *administrator.* Upon
36 delivery of a duplicate certificate to the administrator, the holder and any
37 transfer agent, registrar, or other person acting for or on behalf of a holder
38 in executing or delivering the duplicate certificate is relieved of all liability
39 to every person, including any person acquiring the original certificate or
40 the duplicate of the certificate issued to the ~~division.~~ *administrator,* for
41 any losses or damages resulting to any person by the issuance and delivery
42 to the ~~division~~ *administrator* of the duplicate certificate.

43 3. Property which in all probability will be presumed abandoned
44 pursuant to ~~NRS 120A.200~~ *this chapter* may, upon ~~approval of~~
45 *conditions and terms prescribed by* the administrator, be reported and
46 delivered by the holder to the ~~division~~ *administrator* before the ~~date it is~~
47 ~~statutorily~~ *property is* presumed abandoned. *Property so delivered must*
48 *be held by the administrator and is not presumed abandoned until it*
49 *otherwise would be presumed abandoned pursuant to this chapter.*



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1 **Sec. 38.** NRS 120A.330 is hereby amended to read as follows:

2 120A.330 Except for property that was removed from a safe-deposit
3 box, the administrator may decline to receive any abandoned property
4 which he deems to have a value less than the cost of giving notice and
5 holding a sale, or he may, if he deems it desirable because of the small sum
6 involved, postpone taking possession until a sufficient sum accumulates.
7 Unless ~~he~~ gives notice to the contrary at the time ~~he~~ receives
8 abandoned property, the ~~division~~ administrator shall be deemed to have
9 elected to receive and maintain the custody of the property.

10 **Sec. 39.** NRS 120A.340 is hereby amended to read as follows:

11 120A.340 1. Upon the payment or delivery to ~~him~~ of abandoned
12 property, the ~~division~~ administrator shall assume custody of the property
13 and is thereafter responsible for its safekeeping.

14 2. Any person who pays or delivers abandoned property to the
15 ~~division~~ administrator under this chapter is relieved of all liability to the
16 extent of the value of the property so paid or delivered for any claim which
17 then exists or which thereafter may arise or be made in respect to the
18 property.

19 3. Any holder who has paid money to the ~~division~~ administrator
20 pursuant to this chapter may make payment to any person appearing to the
21 holder to be entitled thereto, and if the holder files with the ~~division~~
22 administrator proof of such payment and proof that the payee was entitled
23 thereto, the ~~division~~ administrator shall forthwith reimburse the holder
24 for the payment, without charge. ~~Where~~ If reimbursement is sought for a
25 payment made on a negotiable instrument, ~~it~~ including a traveler's check
26 or money order ~~it~~, the ~~division~~ administrator shall reimburse the
27 holder upon his filing proof that the instrument was presented to him and
28 that payment was made thereon to a person who appeared to the holder to
29 be entitled to payment.

30 4. If the holder pays or delivers property to the ~~division~~
31 administrator in accordance with this chapter and thereafter any person
32 claims the property from the holder, or another state claims the property
33 from the holder under that state's laws, the attorney general shall, upon
34 written request of the holder, defend him against the claim and the
35 administrator shall indemnify him against ~~any~~ all liability on the claim.

36 5. Property removed from a safe-deposit box or other safekeeping
37 repository is received by the administrator subject to the holder's right to
38 be reimbursed for the actual cost of the opening and to any valid lien or
39 contract providing for the holder to be reimbursed for unpaid rent or
40 storage charges. The administrator shall reimburse or pay the holder out of
41 the proceeds remaining after deducting the administrator's selling cost.

42 **Sec. 40.** NRS 120A.350 is hereby amended to read as follows:

43 120A.350 ~~When~~ If property other than money is paid or delivered to
44 the ~~division~~ administrator under this chapter, the owner is entitled to
45 receive from the ~~division~~ administrator any dividends, interest or other
46 increments realized or accruing on the property at or before liquidation or
47 conversion thereof into money.



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1 **Sec. 41.** NRS 120A.360 is hereby amended to read as follows:

2 120A.360 1. Except as otherwise provided in subsections 4, 5 and 6,
3 all abandoned property other than money delivered to the ~~division~~
4 *administrator* under this chapter must, within 1 year after the delivery, be
5 sold by the administrator to the highest bidder at public sale in whatever
6 city in the state affords in his judgment the most favorable market for the
7 property involved. The administrator may decline the highest bid and
8 reoffer the property for sale if he considers the price bid insufficient.

9 2. Any sale held under this section must be preceded by a single
10 publication of notice thereof at least 2 weeks in advance of *the* sale in a
11 newspaper of general circulation in the county where the property is to be
12 sold.

13 3. The purchaser at any sale conducted by the administrator pursuant
14 to this chapter is vested with title to the property purchased, free from all
15 claims of the owner or prior holder and of all persons claiming through or
16 under them. The administrator shall execute all documents necessary to
17 complete the transfer of title.

18 4. The administrator need not offer any property for sale if , in his
19 opinion , the probable cost of *the* sale exceeds the value of the property.
20 The administrator may destroy or otherwise dispose of such property or
21 may transfer it to:

22 (a) The Nevada museum and historical society, the Nevada state
23 museum or the Nevada historical society, upon its written request, if the
24 property has, in the opinion of the requesting institution, historical, artistic
25 or literary value and is worthy of preservation; or

26 (b) A genealogical library, upon its written request, if the property has
27 genealogical value and is not wanted by the Nevada museum and historical
28 society, the Nevada state museum or the Nevada historical society.
29 An action may not be maintained by any person against the holder of the
30 property because of that transfer, disposal or destruction.

31 5. Securities listed on an established stock exchange must be sold at
32 the prevailing price for that security on the exchange at the time of sale.
33 Other securities not listed on an established stock exchange may be sold:

34 (a) Over the counter at the prevailing price for that security at the time
35 of sale; or

36 (b) By any other method the administrator deems acceptable.

37 6. The administrator shall hold property that was removed from a safe-
38 deposit box or other safekeeping repository for 1 year after the date of the
39 delivery of the property to the ~~division~~ *administrator*, unless that
40 property is a will or a codicil to a will, in which case the administrator shall
41 hold the property for 10 years after the date of the delivery of the property
42 to the ~~division~~ *administrator*. If no claims are filed for the property
43 within that period, it may be destroyed.

44 **Sec. 42.** NRS 120A.370 is hereby amended to read as follows:

45 120A.370 1. There is hereby created in the state treasury the
46 abandoned property trust fund.

47 2. All money received by the ~~division~~ *administrator* under this
48 chapter, including the proceeds from the sale of abandoned property, must



1 be deposited by the administrator in the state treasury for credit to the
2 abandoned property trust fund.

3 3. Before making a deposit, the administrator shall record the name
4 and last known address of each person appearing from the holders' reports
5 to be entitled to the abandoned property and of the name and last known
6 address of each insured person or annuitant, and with respect to each policy
7 or contract listed in the report of an insurance company, its number, the
8 name of the company and the amount due. The record must be available for
9 public inspection at all reasonable business hours.

10 4. The administrator may pay from money available in the abandoned
11 property trust fund:

- 12 (a) Any costs in connection with the sale of abandoned property.
13 (b) Any costs of mailing and publication in connection with any
14 abandoned property.
15 (c) Reasonable service charges.
16 (d) Any costs incurred in examining the records of a holder and in
17 collecting the abandoned property.
18 (e) Any valid claims filed pursuant to this chapter.

19 5. At the end of each fiscal year, the amount of the balance in the fund
20 in excess of \$100,500 must be ~~deposited with the state treasurer for credit~~
21 ~~transferred~~ to the state general fund, but remains subject to the valid
22 claims of holders pursuant to NRS 120A.340 or owners pursuant to NRS
23 120A.380.

24 6. If there is an insufficient amount of money in the abandoned
25 property trust fund to pay any cost or charge pursuant to subsection 4, the
26 state board of examiners may, upon the application of the administrator,
27 authorize a temporary transfer from the state general fund to the abandoned
28 property trust fund of an amount necessary to pay those costs or charges.
29 The administrator shall repay the amount of the transfer as soon as
30 sufficient money is available in the abandoned property trust fund.

31 **Sec. 43.** NRS 120A.400 is hereby amended to read as follows:

32 120A.400 Any person aggrieved by a decision of the administrator, or
33 as to whose claim the administrator has failed to render a decision within
34 90 days after the filing of the claim, may ~~do either of the following, or~~
35 ~~both:~~

36 ~~—1.— Request the director of the department of business and industry to~~
37 ~~review the administrative record. The request must be made in writing and~~
38 ~~must be filed with the director within 90 days after the decision of the~~
39 ~~administrator or within 180 days after the filing of the claim. The decision~~
40 ~~of the director constitutes the final decision in a contested case.~~

41 ~~—2.— Commence~~ **commence** an action in the district court to establish his
42 claim. The proceeding must be brought within 90 days after the decision of
43 the administrator or within 180 days after the filing of the claim if the
44 administrator has failed to render a decision. The action must be tried
45 without a jury in cases where the administrator has failed to render a
46 decision.



1 **Sec. 44.** NRS 120A.405 is hereby amended to read as follows:
2 120A.405 1. Any agreement to locate, deliver, recover or assist in
3 the recovery of property presumed abandoned which is entered into by or
4 on behalf of the owner of the property must:
5 (a) Be in writing.
6 (b) Be signed by the owner.
7 (c) Include a description of the property.
8 (d) Include the value of the property.
9 (e) Include the name and address of the person in possession of the
10 property, if known.
11 2. ~~[No such]~~ *Such an* agreement is *not* valid unless it is executed:
12 (a) Before the date on which the property is reported to the ~~[division]~~
13 *administrator* pursuant to NRS 120A.250; or
14 (b) Two years after the property has been paid or delivered to the
15 ~~[division]~~
16 ~~3. No~~ *administrator*.
17 3. A fee charged for the location, delivery, recovery or assistance in
18 the recovery of property presumed abandoned ~~[may]~~ *must not* be more
19 than 10 percent of the total value of the property.
20 **Sec. 45.** NRS 120A.420 is hereby amended to read as follows:
21 120A.420 1. The ~~[chief of the division of unclaimed property]~~
22 *administrator* may, at reasonable times and upon reasonable notice,
23 examine the records of any person if he has reason to believe that the
24 person has failed to report property which should have been reported
25 pursuant to this chapter.
26 2. To determine compliance with this chapter, the commissioner of
27 financial institutions may examine the records of any banking organization
28 and any savings and loan association doing business within this state but
29 not organized under the laws of or created in this state.
30 3. When requested by the ~~[chief of the division of unclaimed~~
31 ~~property]~~ *administrator*, any licensing or regulating agency otherwise
32 empowered by the laws of this state to examine the records of the holder
33 shall include in its examination a determination whether the holder has
34 complied with this chapter.
35 **Sec. 46.** NRS 120A.430 is hereby amended to read as follows:
36 120A.430 If any person refuses to pay or deliver property to the
37 ~~[division]~~ *administrator* as required under this chapter, the attorney
38 general, upon request of the administrator, may bring an action in a court
39 of competent jurisdiction to enforce the payment or delivery. In such an
40 action, the court may award costs and reasonable attorney's fees to the
41 prevailing party, and, if the ~~[division]~~ *administrator* is the prevailing party,
42 may impose a civil penalty against the losing party in an amount not to
43 exceed 2 percent of the value of the property, or \$1,000, whichever is
44 greater.
45 **Sec. 47.** NRS 120A.440 is hereby amended to read as follows:
46 120A.440 1. ~~[Any]~~ *Except as otherwise provided in subsection 2,*
47 *any* person who willfully fails to make any report or perform any other
48 duty required under this chapter is guilty of a misdemeanor. Each day such
49 a report is withheld constitutes a separate offense.



1 2. Any person who willfully refuses to pay or deliver abandoned
2 property to the ~~division~~ administrator as required under this chapter is
3 guilty of a gross misdemeanor.

4 **Sec. 48.** NRS 120A.450 is hereby amended to read as follows:

5 120A.450 1. Except as otherwise provided in subsection 2, in
6 addition to any penalties for which he may be liable, any person who fails
7 to report or to pay or deliver abandoned property within the time prescribed
8 by this chapter shall pay to the ~~division~~ administrator interest at the rate
9 of 18 percent per annum on the money or the value of other property from
10 the date on which the property should have been paid or delivered.

11 2. The administrator may waive ~~any~~ the right to the payment of
12 interest pursuant to this section if:

13 (a) The person otherwise obligated to make payment files with the
14 ~~division~~ administrator a verified statement of the facts, showing that his
15 failure to report or to make payment or delivery was not willful or
16 negligent but occurred because of circumstances beyond his control; and

17 (b) The administrator so finds.

18 **Sec. 49.** NRS 122.060 is hereby amended to read as follows:

19 122.060 1. The clerk is entitled to receive as his fee for issuing the
20 license the sum of \$13.

21 2. The clerk shall also at the time of issuing the license collect the sum
22 of \$3 and pay it over to the county recorder as his fee for recording the
23 originally signed copy of the certificate of marriage described in NRS
24 122.120.

25 3. The clerk shall also at the time of issuing the license collect the
26 additional sum of \$4 for the State of Nevada. The fees collected for the
27 state must be paid over to the county treasurer by the county clerk on or
28 before the ~~5th~~ fifth day of each month for the preceding calendar month,
29 and must be placed to the credit of the state general fund. The county
30 treasurer shall remit quarterly all such fees deposited by the clerk to the
31 state ~~treasurer~~ controller for credit to the state general fund.

32 4. The clerk shall also at the time of issuing the license collect the
33 additional sum of \$15 for the account for aid for victims of domestic
34 violence in the state general fund. The fees collected for this purpose must
35 be paid over to the county treasurer by the county clerk on or before the
36 ~~5th~~ fifth day of each month for the preceding calendar month, and must
37 be placed to the credit of that account. The county treasurer shall, on or
38 before the 15th day of each month, remit those fees deposited by the clerk
39 to the state ~~treasurer~~ controller for credit to that account.

40 **Sec. 50.** NRS 176.059 is hereby amended to read as follows:

41 176.059 1. Except as otherwise provided in subsection 2, when a
42 defendant pleads guilty or guilty but mentally ill or is found guilty of a
43 misdemeanor, including the violation of any municipal ordinance, the
44 justice or judge shall include in the sentence the sum prescribed by the
45 following schedule as an administrative assessment and render a judgment
46 against the defendant for the assessment:



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1	Fine.....	Assessment
2	\$5 to \$49.....	\$15
3	50 to 59.....	30
4	60 to 69.....	35
5	70 to 79.....	40
6	80 to 89.....	45
7	90 to 99.....	50
8	100 to 199.....	60
9	200 to 299.....	70
10	300 to 399.....	80
11	400 to 499.....	90
12	500 to 1,000.....	105

- 13
- 14 2. The provisions of subsection 1 do not apply to:
- 15 (a) An ordinance regulating metered parking; or
- 16 (b) An ordinance which is specifically designated as imposing a civil
- 17 penalty or liability pursuant to NRS 244.3575 or 268.019.
- 18 3. The money collected for an administrative assessment must not be
- 19 deducted from the fine imposed by the justice or judge but must be taxed
- 20 against the defendant in addition to the fine. The money collected for an
- 21 administrative assessment must be stated separately on the court's docket
- 22 and must be included in the amount posted for bail. If the defendant is
- 23 found not guilty or the charges are dismissed, the money deposited with the
- 24 court must be returned to the defendant. If the justice or judge cancels a
- 25 fine because the fine has been determined to be uncollectible, any balance
- 26 of the fine and the administrative assessment remaining unpaid shall be
- 27 deemed to be uncollectible and the defendant is not required to pay it. If a
- 28 fine is determined to be uncollectible, the defendant is not entitled to a
- 29 refund of the fine or administrative assessment he has paid and the justice
- 30 or judge shall not recalculate the administrative assessment.
- 31 4. If the justice or judge permits the fine and administrative assessment
- 32 to be paid in installments, the payments must be first applied to the unpaid
- 33 balance of the administrative assessment. The city treasurer shall distribute
- 34 partially collected administrative assessments in accordance with the
- 35 requirements of subsection 5. The county treasurer shall distribute partially
- 36 collected administrative assessments in accordance with the requirements
- 37 of subsection 6.
- 38 5. The money collected for administrative assessments in municipal
- 39 court must be paid by the clerk of the court to the city treasurer on or
- 40 before the fifth day of each month for the preceding month. The city
- 41 treasurer shall distribute, on or before the 15th day of that month, the
- 42 money received in the following amounts for each assessment received:
- 43 (a) Two dollars to the county treasurer for credit to a special account in
- 44 the county general fund for the use of the county's juvenile court or for
- 45 services to juvenile offenders. Any money remaining in the special account
- 46 after 2 fiscal years must be deposited in the county general fund if it has
- 47 not been committed for expenditure. The county treasurer shall provide,
- 48 upon request by a juvenile court, monthly reports of the revenue credited to
- 49 and expenditures made from the special account.



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1 (b) Seven dollars for credit to a special revenue fund for the use of the
2 municipal courts. Any money remaining in the special revenue fund after 2
3 fiscal years must be deposited in the municipal general fund if it has not
4 been committed for expenditure. The city treasurer shall provide, upon
5 request by a municipal court, monthly reports of the revenue credited to
6 and expenditures made from the special revenue fund.

7 (c) The remainder of each assessment to the state ~~treasurer~~ **controller**
8 for credit to a special account in the state general fund.

9 6. The money collected for administrative assessments in justices'
10 courts must be paid by the clerk of the court to the county treasurer on or
11 before the fifth day of each month for the preceding month. The county
12 treasurer shall distribute, on or before the 15th day of that month, the
13 money received in the following amounts for each assessment received:

14 (a) Two dollars for credit to a special account in the county general fund
15 for the use of the county's juvenile court or for services to juvenile
16 offenders. Any money remaining in the special account after 2 fiscal years
17 must be deposited in the county general fund if it has not been committed
18 for expenditure. The county treasurer shall provide, upon request by a
19 juvenile court, monthly reports of the revenue credited to and expenditures
20 made from the special account.

21 (b) Seven dollars for credit to a special revenue fund for the use of the
22 justices' courts. Any money remaining in the special revenue fund after 2
23 fiscal years must be deposited in the county general fund if it has not been
24 committed for expenditure. The county treasurer shall provide, upon
25 request by a justice's court, monthly reports of the revenue credited to and
26 expenditures made from the special revenue fund.

27 (c) The remainder of each assessment to the state ~~treasurer~~ **controller**
28 for credit to a special account in the state general fund.

29 7. The money apportioned to a juvenile court, a justice's court or a
30 municipal court pursuant to this section must be used, in addition to
31 providing services to juvenile offenders in the juvenile court, to improve
32 the operations of the court, or to acquire appropriate advanced technology
33 or the use of such technology, or both. Money used to improve the
34 operations of the court may include expenditures for:

- 35 (a) Training and education of personnel;
36 (b) Acquisition of capital goods;
37 (c) Management and operational studies; or
38 (d) Audits.

39 8. Of the total amount deposited in the state general fund pursuant to
40 subsections 5 and 6, the state controller shall distribute the money received,
41 to the extent of legislative authorization, to the following public agencies in
42 the following manner:

43 (a) Not less than 51 percent must be distributed to the office of the court
44 administrator for allocation as follows:

45 (1) Eighteen and one-half percent of the amount distributed to the
46 office of the court administrator for the administration of the courts.

47 (2) Nine percent of the amount distributed to the office of the court
48 administrator for the development of a uniform system for judicial records.



1 (3) Nine percent of the amount distributed to the office of the court
2 administrator for continuing judicial education.

3 (4) Sixty percent of the amount distributed to the office of the court
4 administrator for the supreme court.

5 (5) Three and one-half percent of the amount distributed to the office
6 of the court administrator for the payment for the services of retired
7 justices and retired district judges.

8 (b) Not more than 49 percent must be used to the extent of legislative
9 authorization for the support of:

10 (1) The central repository for Nevada records of criminal history;

11 (2) The peace officers' standards and training commission;

12 (3) The operation by the Nevada highway patrol of a computerized
13 switching system for information related to law enforcement;

14 (4) The fund for the compensation of victims of crime; and

15 (5) The advisory council for prosecuting attorneys.

16 9. As used in this section, "juvenile court" means:

17 (a) In any judicial district that includes a county whose population is
18 100,000 or more, the family division of the district court; or

19 (b) In any other judicial district, the juvenile division of the district
20 court.

21 **Sec. 51.** NRS 176.062 is hereby amended to read as follows:

22 176.062 1. When a defendant pleads guilty or guilty but mentally ill
23 or is found guilty of a felony or gross misdemeanor, the judge shall include
24 in the sentence the sum of \$25 as an administrative assessment and render
25 a judgment against the defendant for the assessment.

26 2. The money collected for an administrative assessment:

27 (a) Must not be deducted from any fine imposed by the judge;

28 (b) Must be taxed against the defendant in addition to the fine; and

29 (c) Must be stated separately on the court's docket.

30 3. The money collected for administrative assessments in district
31 courts must be paid by the clerk of the court to the county treasurer on or
32 before the fifth day of each month for the preceding month. The county
33 treasurer shall distribute, on or before the 15th day of that month, the
34 money received in the following amounts for each assessment received:

35 (a) Five dollars for credit to a special account in the county general fund
36 for the use of the district court.

37 (b) The remainder of each assessment to the state ~~treasurer~~ **controller**.

38 4. The state ~~treasurer~~ **controller** shall credit the money received
39 pursuant to subsection 3 to a special account for the assistance of criminal
40 justice in the state general fund, and distribute the money from the account
41 to the attorney general as authorized by the legislature. Any amount
42 received in excess of the amount authorized by the legislature for
43 distribution must remain in the account.

44 **Sec. 52.** NRS 178.518 is hereby amended to read as follows:

45 178.518 Money collected pursuant to NRS 178.506 to 178.516,
46 inclusive, which was collected:

47 1. From a person who was charged with a misdemeanor must be paid
48 over to the county treasurer.



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1 2. From a person who was charged with a gross misdemeanor or a
2 felony must be paid over to the state ~~treasurer~~ *controller* for deposit in
3 the fund for the compensation of victims of crime.

4 **Sec. 53.** NRS 200.485 is hereby amended to read as follows:
5 200.485 1. Unless a greater penalty is provided pursuant to NRS
6 200.481, a person convicted of a battery that constitutes domestic violence
7 pursuant to NRS 33.018:
8 (a) For the first offense within 7 years, is guilty of a misdemeanor and
9 shall be sentenced to:
10 (1) Imprisonment in the city or county jail or detention facility for not
11 less than 2 days, but not more than 6 months; and
12 (2) Perform not less than 48 hours, but not more than 120 hours, of
13 community service.
14 The person shall be further punished by a fine of not less than \$200, but not
15 more than \$1,000. A term of imprisonment imposed pursuant to this
16 paragraph may be served intermittently at the discretion of the judge or
17 justice of the peace, except that each period of confinement must be not
18 less than 4 consecutive hours and must occur at a time when the person is
19 not required to be at his place of employment or on a weekend.

20 (b) For the second offense within 7 years, is guilty of a misdemeanor
21 and shall be sentenced to:
22 (1) Imprisonment in the city or county jail or detention facility for not
23 less than 10 days, but not more than 6 months; and
24 (2) Perform not less than 100 hours, but not more than 200 hours, of
25 community service.
26 The person shall be further punished by a fine of not less than \$500, but not
27 more than \$1,000.

28 (c) For the third and any subsequent offense within 7 years, is guilty of
29 a category C felony and shall be punished as provided in NRS 193.130.

30 2. In addition to any other penalty, if a person is convicted of a battery
31 which constitutes domestic violence pursuant to NRS 33.018, the court
32 shall:
33 (a) For the first offense within 7 years, require him to participate in
34 weekly counseling sessions of not less than 1 1/2 hours per week for not
35 less than 6 months, but not more than 12 months, at his expense, in a
36 program for the treatment of persons who commit domestic violence that
37 has been certified pursuant to NRS 228.470.
38 (b) For the second offense within 7 years, require him to participate in
39 weekly counseling sessions of not less than 1 1/2 hours per week for 12
40 months, at his expense, in a program for the treatment of persons who
41 commit domestic violence that has been certified pursuant to NRS 228.470.

42 3. An offense that occurred within 7 years immediately preceding the
43 date of the principal offense or after the principal offense constitutes a prior
44 offense for the purposes of this section when evidenced by a conviction,
45 without regard to the sequence of the offenses and convictions. The facts
46 concerning a prior offense must be alleged in the complaint, indictment or
47 information, must not be read to the jury or proved at trial but must be
48 proved at the time of sentencing and, if the principal offense is alleged to



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1 be a felony, must also be shown at the preliminary examination or
2 presented to the grand jury.

3 4. In addition to any other fine or penalty, the court shall order such a
4 person to pay an administrative assessment of \$35. Any money so collected
5 must be paid by the clerk of the court to the state ~~treasurer~~ **controller** on
6 or before the fifth day of each month for the preceding month for credit to
7 the account for programs related to domestic violence established pursuant
8 to NRS 228.460.

9 5. In addition to any other penalty, the court may require such a person
10 to participate, at his expense, in a program of treatment for the abuse of
11 alcohol or drugs that has been certified by the health division of the
12 department of human resources.

13 6. If a person is charged with committing a battery which constitutes
14 domestic violence pursuant to NRS 33.018, a prosecuting attorney shall not
15 dismiss such a charge in exchange for a plea of guilty, guilty but mentally
16 ill or nolo contendere to a lesser charge or for any other reason unless he
17 knows, or it is obvious, that the charge is not supported by probable cause
18 or cannot be proved at the time of trial. A court shall not grant probation to
19 and, except as otherwise provided in NRS 4.373 and 5.055, a court shall
20 not suspend the sentence of such a person.

21 7. As used in this section:

22 (a) "Battery" has the meaning ascribed to it in paragraph (a) of
23 subsection 1 of NRS 200.481; and

24 (b) "Offense" includes a battery which constitutes domestic violence
25 pursuant to NRS 33.018 or a violation of the law of any other jurisdiction
26 that prohibits the same or similar conduct.

27 **Sec. 54.** NRS 206.340 is hereby amended to read as follows:

28 206.340 1. The graffiti reward fund is hereby created in the state
29 general fund.

30 2. When a defendant pleads or is found guilty of violating NRS
31 206.125 or 206.330, the court shall include an administrative assessment of
32 \$250 for each violation in addition to any other fine or penalty. The money
33 collected must be paid by the clerk of the court to the state ~~treasurer~~
34 **controller** on or before the fifth day of each month for the preceding month
35 for credit to the graffiti reward fund.

36 3. All money received pursuant to subsection 2 must be deposited with
37 the state ~~treasurer~~ **controller** for credit to the graffiti reward fund. The
38 money in the fund must be used to pay a reward to a person who, in
39 response to the offer of a reward, provides information which results in the
40 identification, apprehension and conviction of a person who violates NRS
41 206.125 or 206.330.

42 4. If sufficient money is available in the graffiti reward fund, a state
43 law enforcement agency may offer a reward, not to exceed \$1,000, for
44 information leading to the identification, apprehension and conviction of a
45 person who violates NRS 206.125 or 206.330. The reward must be paid out
46 of the graffiti reward fund upon approval by the state board of examiners.

47 **Sec. 55.** NRS 249.085 is hereby amended to read as follows:

48 249.085 On or before the 15th day of each month, the county treasurer
49 shall report to the state ~~treasurer~~ **controller** the amount of the



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1 administrative assessments paid by each justices' court for the preceding
2 month pursuant to NRS 176.059.

3 **Sec. 56.** NRS 281.581 is hereby amended to read as follows:

4 281.581 1. A candidate or public or judicial officer who fails to file
5 his statement of financial disclosure in a timely manner pursuant to NRS
6 281.561 is subject to a civil penalty and payment of court costs and
7 attorney's fees. The amount of the civil penalty is:

8 (a) If the statement is filed not more than 7 days late, \$25 for each day
9 the statement is late.

10 (b) If the statement is filed more than 7 days late but not more than 15
11 days late, \$175 for the first 7 days, plus \$50 for each additional day the
12 statement is late.

13 (c) If the statement is filed more than 15 days late, \$575 for the first 15
14 days, plus \$100 for each additional day the statement is late.

15 2. The commission may, for good cause shown, waive or reduce the
16 civil penalty.

17 3. The civil penalty must be recovered in a civil action brought in the
18 name of the State of Nevada by the commission in a court of competent
19 jurisdiction and deposited ~~with the state treasurer~~ *by the commission in*
20 *the account* for credit to the state general fund ~~in the bank designated~~
21 *by the state treasurer.*

22 4. If the commission waives a civil penalty pursuant to subsection 2,
23 the commission shall:

24 (a) Create a record which sets forth that the civil penalty has been
25 waived and describes the circumstances that constitute the good cause
26 shown; and

27 (b) Ensure that the record created pursuant to paragraph (a) is available
28 for review by the general public.

29 **Sec. 57.** NRS 293.840 is hereby amended to read as follows:

30 293.840 1. In addition to any criminal penalty, a person who violates
31 the provisions of this chapter is subject to a civil penalty in an amount not
32 to exceed \$20,000 for each violation. This penalty must be recovered in a
33 civil action brought in the name of the State of Nevada by the attorney
34 general or by any district attorney in a court of competent jurisdiction.

35 2. Any civil penalty collected pursuant to this section must be
36 deposited ~~with the state treasurer~~ *by the collecting agency* for credit to
37 the state general fund ~~in the bank designated by the state treasurer.~~

38 **Sec. 58.** NRS 294A.420 is hereby amended to read as follows:

39 294A.420 1. If the secretary of state receives information that a
40 person or entity that is subject to the provisions of NRS 294A.120,
41 294A.140, 294A.150, 294A.180, 294A.200, 294A.210, 294A.220,
42 294A.270, 294A.280 or 294A.360 has not filed a report pursuant to the
43 applicable provisions of those sections, the secretary of state may, after
44 giving notice to that person or entity, cause the appropriate proceedings to
45 be instituted in the first judicial district court.

46 2. Except as otherwise provided in this section, a person or entity that
47 violates an applicable provision of NRS 294A.112, 294A.120, 294A.130,
48 294A.140, 294A.150, 294A.160, 294A.170, 294A.180, 294A.200,
49 294A.210, 294A.220, 294A.270, 294A.280, 294A.300, 294A.310,



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1 294A.320 or 294A.360 is subject to a civil penalty of not more than \$5,000
2 for each violation and payment of court costs and attorney's fees. The civil
3 penalty must be recovered in a civil action brought in the name of the State
4 of Nevada by the secretary of state in the first judicial district court and
5 deposited ~~{with the state treasurer}~~ *by the secretary of state* for credit to the
6 state general fund ~~{+ in the bank designated by the state treasurer}~~.

7 3. If a civil penalty is imposed because a person or entity has reported
8 its contributions, expenses or expenditures after the date the report is due,
9 the amount of the civil penalty is:

10 (a) If the report is not more than 7 days late, \$25 for each day the report
11 is late.

12 (b) If the report is more than 7 days late but not more than 15 days late,
13 \$50 for each day the report is late.

14 (c) If the report is more than 15 days late, \$100 for each day the report
15 is late.

16 4. For good cause shown, the secretary of state may waive a civil
17 penalty that would otherwise be imposed pursuant to this section. If the
18 secretary of state waives a civil penalty pursuant to this subsection, the
19 secretary of state shall:

20 (a) Create a record which sets forth that the civil penalty has been
21 waived and describes the circumstances that constitute the good cause
22 shown; and

23 (b) Ensure that the record created pursuant to paragraph (a) is available
24 for review by the general public.

25 **Sec. 59.** NRS 361.745 is hereby amended to read as follows:

26 361.745 1. On the third Mondays of July, October, January and April
27 of each year, each county treasurer shall deposit with the state ~~{treasurer}~~
28 *controller* all money which has come into his hands as county treasurer for
29 the use and benefit of the state.

30 2. Each county treasurer shall hold himself in readiness to settle and
31 pay all money in his hands belonging to the state at all other times
32 whenever required to do so by order signed by the state controller, who is
33 authorized to draw such an order whenever he deems it necessary.

34 **Sec. 60.** NRS 375.070 is hereby amended to read as follows:

35 375.070 1. The county recorder shall transmit the proceeds of the
36 real property transfer tax at the end of each quarter in the following
37 manner:

38 (a) An amount equal to that portion of the proceeds which is equivalent
39 to 10 cents for each \$500 of value or fraction thereof must be transmitted to
40 the state ~~{treasurer}~~ *controller* who shall deposit that amount in the account
41 for low-income housing created pursuant to NRS 319.500.

42 (b) In a county whose population is more than 400,000, an amount
43 equal to that portion of the proceeds which is equivalent to 60 cents for
44 each \$500 of value or fraction thereof must be transmitted to the county
45 treasurer for deposit in the county school district's fund for capital projects
46 established pursuant to NRS 387.328, to be held and expended in the same
47 manner as other money deposited in that fund.

48 (c) The remaining proceeds must be transmitted to the state ~~{treasurer}~~
49 *controller* for deposit in the local government tax distribution account



1 created by NRS 360.660 for credit to the respective accounts of Carson
2 City and each county.

3 2. In addition to any other authorized use of the proceeds it receives
4 pursuant to subsection 1, a county or city may use the proceeds to pay
5 expenses related to or incurred for the development of affordable housing
6 for families whose income does not exceed 80 percent of the median
7 income for families residing in the same county, as that percentage is
8 defined by the United States Department of Housing and Urban
9 Development. A county or city that uses the proceeds in that manner must
10 give priority to the development of affordable housing for persons who are
11 disabled or elderly.

12 3. The expenses authorized by subsection 2 include, but are not limited
13 to:

- 14 (a) The costs to acquire land and developmental rights;
- 15 (b) Related predevelopment expenses;
- 16 (c) The costs to develop the land, including the payment of related
17 rebates;
- 18 (d) Contributions toward down payments made for the purchase of
19 affordable housing; and
- 20 (e) The creation of related trust funds.

21 **Sec. 61.** NRS 408.185 is hereby amended to read as follows:

22 408.185 1. The director and deputy director may use a facsimile
23 signature produced through a mechanical device in place of their
24 handwritten signatures whenever the necessity may arise.

25 2. Such ~~mechanical facsimile signature devices~~ *a device* must be of
26 such *a* nature that the facsimile signature plate may be inserted and
27 removed from the mechanical device only by use of two locking keys.

28 3. Such facsimile signatures must be made and used only under the
29 personal direction and supervision of the director and deputy director,
30 respectively.

31 4. All of the facsimile signature plates and locking keys must at all
32 times be kept in a vault, securely locked when not in use, to the end that
33 any misuse, fraudulent use or other improper use is prevented.

34 *5. Notwithstanding the provisions of this section, the director or*
35 *deputy director and the state treasurer may combine their facsimile*
36 *signatures as provided in NRS 226.080.*

37 **Sec. 62.** NRS 428.185 is hereby amended to read as follows:

38 428.185 1. In addition to the taxes levied pursuant to NRS 428.050
39 and 428.285 and any tax levied pursuant to NRS 450.425, the board of
40 county commissioners of each county shall levy an ad valorem tax at a rate
41 which must be calculated by:

42 (a) First multiplying the tax rate of 1.5 cents on each \$100 of assessed
43 valuation by the assessed valuation of all taxable property in this state,
44 including new real property, possessory interests and mobile homes, during
45 the next fiscal year.

46 (b) Then subtracting the amount of unencumbered money in the fund on
47 May 1 of the current fiscal year.



1 (c) Then setting the rate so that the revenue from the tax does not
2 exceed the amount resulting from the calculations made in paragraphs (a)
3 and (b).

4 2. The tax so levied and its proceeds, must be excluded in computing
5 the maximum amount of money which the county is permitted to receive
6 from taxes ad valorem and the highest permissible rate of such taxes.

7 3. The proceeds of this tax must be remitted in the manner provided
8 for in NRS 361.745 to the state ~~treasurer~~ controller for credit to the fund.

9 **Sec. 63.** NRS 428.285 is hereby amended to read as follows:

10 428.285 1. The board of county commissioners of each county shall
11 establish a tax rate of at least 6 cents on each \$100 of assessed valuation
12 for the purposes of the tax imposed pursuant to subsection 2. A board of
13 county commissioners may increase the rate to not more than 10 cents on
14 each \$100 of assessed valuation.

15 2. In addition to the levies provided in NRS 428.050 and 428.185 and
16 any tax levied pursuant to NRS 450.425, the board of county
17 commissioners shall levy a tax ad valorem at a rate necessary to produce
18 revenue in an amount equal to an amount calculated by multiplying the
19 assessed valuation of all taxable property in the county by the tax rate
20 established pursuant to subsection 1, and subtracting from the product the
21 amount of unencumbered money remaining in the fund on May 1 of the
22 current fiscal year.

23 3. For each fiscal year beginning on or after July 1, 1989, the board of
24 county commissioners of each county shall remit to the state ~~treasurer~~
25 controller from the money in the fund an amount of money equivalent to 1
26 cent on each \$100 of assessed valuation of all taxable property in the
27 county for credit to the supplemental fund.

28 4. The tax so levied and its proceeds must be excluded in computing
29 the maximum amount of money which the county is permitted to receive
30 from taxes ad valorem and the highest permissible rate of such taxes.

31 **Sec. 64.** NRS 440.605 is hereby amended to read as follows:

32 440.605 1. For each divorce and annulment of marriage granted by
33 any court in this state a report must be prepared and filed by the clerk of
34 the district court with the state registrar. The information necessary to
35 prepare the report must be furnished, with the complaint in the action, to
36 the clerk of the district court by the complainant or his legal representative
37 on the form furnished by the state registrar.

38 2. On the first business day of each month, the clerk of the district
39 court shall forward to the state registrar the report of each divorce and
40 annulment granted during the preceding calendar month.

41 3. Every clerk of the district court shall collect, at the time the
42 complaint is filed in any action for divorce or annulment of marriage, a fee
43 of \$10, which he shall forward to the state ~~treasurer~~ controller to be
44 deposited in the state general fund. This fee is in addition to the other costs
45 in the case.

46 **Sec. 65.** NRS 533.290 is hereby amended to read as follows:

47 533.290 1. The assessments and charges provided for in NRS
48 533.285, when collected, must be deposited with the state ~~treasurer,~~



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1 **controller** in the same manner as other special assessments, for credit to
2 the water district account which is hereby created in the state general fund.

3 2. All bills against the water district account must be certified by the
4 state engineer or his assistant and, when certified and approved by the state
5 board of examiners, the state controller may draw his warrant therefor
6 against the account.

7 3. An advance must not be made from a stream system account that
8 has been depleted until the advance is reimbursable from the proceeds of
9 any assessments levied against the particular stream system or water
10 district for which any claims are presented.

11 4. Any money remaining in the water district account at the end of the
12 current year must remain in the account and be available for use in the
13 following year.

14 5. The state controller shall keep separate accounts of the money for
15 each stream system or water district received from the various counties
16 within which the stream system or water district is located, and shall not
17 draw warrants against an account until he has been notified by the state
18 engineer that assessments have been filed with the board of county
19 commissioners, as required by NRS 533.285, that will return to the State of
20 Nevada money advanced by the state out of the water distribution
21 revolving account provided for in NRS 532.210.

22 **Sec. 66.** NRS 598.0975 is hereby amended to read as follows:

23 598.0975 1. Except as otherwise provided in subsection 1 of NRS
24 598.0999 and subsection ~~4.4~~ 3, all fees, civil penalties and any other
25 money collected pursuant to the provisions of NRS 598.0903 to 598.0999,
26 inclusive:

27 (a) In an action brought by the attorney general, commissioner or
28 director, must be deposited in the state general fund and may only be used
29 to offset the costs of administering and enforcing the provisions of NRS
30 598.0903 to 598.0999, inclusive.

31 (b) In an action brought by the district attorney of a county, must be
32 deposited with the county treasurer of that county and accounted for
33 separately in the county general fund.

34 2. Money in the account created pursuant to paragraph (b) of
35 subsection 1 must be used by the district attorney of the county for:

36 (a) The investigation and prosecution of deceptive trade practices
37 against elderly or disabled persons; and

38 (b) Programs for the education of consumers which are directed toward
39 elderly or disabled persons, law enforcement officers, members of the
40 judicial system, persons who provide social services and the general public.

41 3. ~~At the end of each fiscal year, the state treasurer shall:~~

42 ~~—(a) Prepare a written report which specifies the total amount of money~~
43 ~~deposited in the state general fund pursuant to paragraph (a) of subsection~~
44 ~~1; and~~

45 ~~—(b) Submit the report to the director of the department of administration,~~
46 ~~the attorney general and the consumer affairs division of the department of~~
47 ~~business and industry.~~

48 ~~4.4~~ The provisions of this section do not apply to:



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1 (a) Criminal fines imposed pursuant to NRS 598.0903 to 598.0999,
2 inclusive; or

3 (b) Restitution ordered pursuant to NRS 598.0903 to 598.0999,
4 inclusive, in an action brought by the attorney general. Money collected for
5 restitution ordered in such an action must be deposited ~~with the state~~
6 ~~treasurer~~ *by the attorney general* and credited to the appropriate account
7 of the consumer affairs division of the department of business and industry
8 or the attorney general for distribution to the person for whom the
9 restitution was ordered.

10 **Sec. 67.** NRS 599B.260 is hereby amended to read as follows:

11 599B.260 1. Except as otherwise provided in subsection ~~3~~ *2*, all
12 fees, civil penalties and any other money collected pursuant to this chapter
13 in an action brought by the attorney general must be deposited in the state
14 general fund and may only be used to defray the costs of:

15 (a) Administering and enforcing the provisions of this chapter.

16 (b) Enforcing the provisions of chapter 598 of NRS as they relate to the
17 conduct of sellers and salesmen, whether or not the sellers and salesmen
18 are registered pursuant to this chapter.

19 2. ~~At the end of each fiscal year, the state treasurer shall:~~

20 ~~—(a) Prepare a written report which specifies the total amount of money~~
21 ~~deposited in the state general fund pursuant to subsection 1; and~~

22 ~~—(b) Submit the report to the director of the department of administration,~~
23 ~~the attorney general and the division.~~

24 ~~3.~~ The provisions of this section do not apply to:

25 (a) Criminal fines imposed pursuant to the provisions of this chapter; or

26 (b) Restitution ordered in an action brought by the attorney general
27 pursuant to the provisions of this chapter. Money collected for restitution
28 ordered in such an action must be deposited ~~with the state treasurer~~ *by the*
29 *attorney general* and credited to the appropriate account of the division or
30 the attorney general for distribution to the person for whom the restitution
31 was ordered.

32 **Sec. 68.** NRS 663.085 is hereby amended to read as follows:

33 663.085 1. If the rental due on a safe-deposit box has not been paid
34 for 90 days, the lessor may send a notice by registered or certified mail to
35 the last known address of the lessee stating that the safe-deposit box will be
36 opened and its contents stored at the expense of the lessee unless payment
37 of the rental is made within 30 days. If the rental is not paid within 30 days
38 ~~from~~ *after* the mailing of the notice, the box may be opened in the
39 presence of any officer of the lessor and a notary public. The contents must
40 be sealed in a package by the notary public, who shall write on the outside
41 the name of the lessee and the date of the opening *of the box* in the
42 presence of the officer. The notary public and the officer shall execute a
43 certificate reciting the name of the lessee, the date of the opening of the
44 box and a list of its contents. The certificate must be included in the
45 package , and a copy of the certificate must be sent by registered or
46 certified mail to the last known address of the lessee. If the contents of the
47 safe-deposit box have been unclaimed by the owner for 5 years or less, the
48 package must then be placed in the general vaults of the lessor at a rental
49 not exceeding the rental previously charged for the box, until such time



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1 that the contents will have been unclaimed by the owner for more than 5
2 years, at which time the lessor shall deliver the package to the ~~{division}~~
3 *state treasurer in his capacity as the administrator* of unclaimed property
4 ~~{of the department of business and industry}~~ pursuant to the provisions of
5 chapter 120A of NRS.

6 2. If the contents of a safe-deposit box that has been opened pursuant
7 to subsection 1 have been unclaimed by the owner for more than 5 years,
8 the lessor shall deliver the package to the ~~{division}~~ *state treasurer in his*
9 *capacity as the administrator* of unclaimed property ~~{of the department of~~
10 ~~business and industry}~~ pursuant to the provisions of chapter 120A of NRS.

11 **Sec. 69.** NRS 673.373 is hereby amended to read as follows:

12 673.373 1. If the rental due on a safe-deposit box has not been paid
13 for 90 days, the lessor may send a notice by registered or certified mail to
14 the last known address of the lessee stating that the safe-deposit box will be
15 opened and its contents stored at the expense of the lessee unless payment
16 of the rental is made within 30 days. If the rental is not paid within 30 days
17 ~~{from}~~ *after* the mailing of the notice, the box may be opened in the
18 presence of any officer of the lessor and a notary public. The contents must
19 be sealed in a package by the notary public, who shall write on the outside
20 the name of the lessee and the date of the opening *of the box* in the
21 presence of the officer. The notary public and the officer shall execute a
22 certificate reciting the name of the lessee, the date of the opening of the
23 box and a list of its contents. The certificate must be included in the
24 package , and a copy of the certificate must be sent by registered or
25 certified mail to the last known address of the lessee. If the contents of the
26 safe-deposit box have been unclaimed by the owner for 5 years or less, the
27 package must then be placed in the general vaults of the lessor at a rental
28 not exceeding the rental previously charged for the box, until such time
29 that the contents will have been unclaimed by the owner for more than 5
30 years, at which time the lessor shall deliver the package to the ~~{division}~~
31 *state treasurer in his capacity as the administrator* of unclaimed property
32 ~~{of the department of business and industry}~~ pursuant to the provisions of
33 chapter 120A of NRS.

34 2. If the contents of a safe-deposit box that has been opened pursuant
35 to subsection 1 have been unclaimed by the owner for more than 5 years,
36 the lessor shall deliver the package to the ~~{division}~~ *state treasurer in his*
37 *capacity as the administrator* of unclaimed property ~~{of the department of~~
38 ~~business and industry}~~ pursuant to the provisions of chapter 120A of NRS.

39 **Sec. 70.** NRS 706.8825 is hereby amended to read as follows:

40 706.8825 1. All fees collected pursuant to NRS 706.881 to 706.885,
41 inclusive, must be deposited ~~{with the state treasurer}~~ *by the administrator*
42 to the credit of the taxicab authority fund, which is hereby created as a
43 special revenue fund. The transactions for each county subject to those
44 sections must be accounted for separately within the fund.

45 2. The interest and income earned on the money in the fund, after
46 deducting any applicable charges, must be credited to the fund.

47 3. The revenues received pursuant to subsection 1 of NRS 706.8826
48 are hereby appropriated to defray the cost of regulating taxicabs in the
49 county or the city, respectively, making the deposit under that subsection.



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1 4. The fees received pursuant to subsection 3 of NRS 706.8826, NRS
2 706.8827, 706.8841 and 706.8848 to 706.885, inclusive, are hereby
3 appropriated to defray the cost of regulating taxicabs in the county in
4 which the certificate holder operates a taxicab business.

5 5. Any balance remaining in the fund does not revert to the state
6 general fund. The administrator may transfer to the aging services division
7 of the department of human resources any balance over \$200,000 and any
8 interest earned on the fund, within the limits of legislative authorization for
9 each fiscal year, to subsidize transportation for the elderly and the
10 permanently handicapped in taxicabs. The money transferred to the aging
11 services division must be administered in accordance with regulations
12 adopted by the administrator of the aging services division pursuant to
13 NRS 427A.070.

14 6. The administrator may establish an account for petty cash not to
15 exceed \$1,000 for the support of undercover investigation and, if the
16 account is created, the administrator shall reimburse the account from the
17 taxicab authority fund in the same manner as other claims against the state
18 are paid.

19 **Sec. 71.** NRS 706.8826 is hereby amended to read as follows:

20 706.8826 1. The board of county commissioners of any county in
21 which there is in effect an order for the allocation of taxicabs from a
22 taxicab authority, and the governing body of each city within any such
23 county, shall deposit ~~{with the state treasurer}~~ to the credit of the taxicab
24 authority fund all of the tax revenue which is received from the taxicab
25 business operating in the county and city, respectively.

26 2. For the purpose of calculating the amount due to the state under
27 subsection 1, the tax revenue of a county does not include any amount
28 which represents a payment for the use of county facilities or property.

29 3. Any certificate holder who is subject to an order of allocation by the
30 taxicab authority shall pay to the taxicab authority \$100 per year for each
31 taxicab that the taxicab authority has allocated to the certificate holder and
32 a fee set by the taxicab authority that must not exceed 15 cents per trip for
33 each compensable trip of each of those taxicabs, which may be added to
34 the meter charge. The money so received by the taxicab authority must be
35 ~~{paid to the state treasurer for deposit}~~ **deposited** in the state treasury to the
36 credit of the taxicab authority fund.

37 **Sec. 72.** NRS 120A.050 is hereby repealed.

38 **Sec. 73.** 1. This section, sections 3, 4, 8, 9, 14 to 48, inclusive, 68,
39 69, 72 and 74 of this act become effective upon passage and approval.

40 2. Sections 1, 2, 5, 6, 7, 10 to 13, inclusive, 49, 51 to 67, inclusive, 70
41 and 71 of this act become effective on July 1, 2001.

42 3. Section 50 of this act becomes effective at 12:01 a.m. on July 1,
43 2001.

44 **Sec. 74.** The legislative counsel shall:

45 1. In preparing the reprint and supplements to the Nevada Revised
46 Statutes, appropriately change any references to an officer or agency whose
47 responsibilities are transferred pursuant to the provisions of this act to refer
48 to the appropriate officer or agency.



- 1 2. In preparing supplements to the Nevada Administrative Code,
- 2 appropriately change any references to an officer or agency whose
- 3 responsibilities are transferred pursuant to the provisions of this act to refer
- 4 to the appropriate officer or agency.

TEXT OF REPEALED SECTION

120A.050 “Division” defined. “Division” means the division of unclaimed property in the department of business and industry.

