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**TESTIMONY TO THE NEVADA STATE LEGISLATURE SENATE JUDICIARY COMMITTEE
SENATE BILL 134 (REPEAL OF NEVADA REVISED STATUTE 463.3669)**

Mr. Chairman, members of the Senate Judiciary Committee, as Professor Faiss mentioned, my name is Doug Walker and I feel it is both a pleasure and a privilege to have the opportunity to testify here this morning. I thank you. I will outline what we plan to accomplish with regard to Senate Bill 134

Senate Bill 134 seeks to repeal NRS 463.3669, which prohibits a gaming patron's ability to assign periodic payments, with the exception of the estate of a deceased patron or a divorce settlement. This statute has not been necessary since the 1998 adaptation of Internal Revenue Code § 451 (h), which eliminated federal income liability for patrons who had the option of assigning jackpot winnings.

NRS 463.3669 also conflicts with Nevada's 1999 adoption of Uniform Commercial Code provisions. The statute, by prohibiting the assignment of periodic payments, remains contrary to NRS 104.9406. NRS 104.9406 is concerned with the discharge of account debtors; notification of assignment; identification and proof of assignment; restrictions on assignment of accounts, chattel paper, payment intangibles and the ineffectiveness of promissory notes. Subsection (6) specifically renders any rule, statute, or regulation prohibiting, restricting, or requiring governmental consent for assignment ineffective. This conflict with the UCC has impliedly repealed NRS 463.3669 by invalidating the prohibition on assignment.

I will now turn the testimony over to Jeremy Aguero, who will analyze these two compelling reasons for repealing NRS 463.3669. We will then be happy to answer any questions you may have.