

ASSEMBLY BILL NO. 155—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE ATTORNEY GENERAL)

FEBRUARY 18, 2003

Referred to Committee on Judiciary

SUMMARY—Makes various changes regarding authorizing background checks to ensure compliance with federal law authorizing Federal Bureau of Investigation to exchange records of criminal history with officials of state and local government for purposes of employment and licensing. (BDR 14-430)

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 records of criminal history; making various changes regarding authorizing background checks to ensure compliance with the federal law that authorizes the Federal Bureau of Investigation to exchange records of criminal history with officials of state and local government for purposes of employment and licensing; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 179A.075 is hereby amended to read as
2 follows:
3 179A.075 1. The Central Repository for Nevada Records of
4 Criminal History is hereby created within the Nevada Highway
5 Patrol Division of the Department.
6 2. Each agency of criminal justice and any other agency
7 dealing with crime or delinquency of children shall:



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- 1 (a) Collect and maintain records, reports and compilations of
2 statistical data required by the Department; and
- 3 (b) Submit the information collected to the Central Repository
4 in the manner recommended by the Advisory Committee and
5 approved by the Director of the Department.
- 6 3. Each agency of criminal justice shall submit the information
7 relating to sexual offenses and other records of criminal history that
8 it creates or issues, and any information in its possession relating to
9 the genetic markers of a biological specimen of a person who is
10 convicted of an offense listed in subsection 4 of NRS 176.0913, to
11 the Division in the manner prescribed by the Director of the
12 Department. The information must be submitted to the Division:
- 13 (a) Through an electronic network;
14 (b) On a medium of magnetic storage; or
15 (c) In the manner prescribed by the Director of the
16 Department,
17 within the period prescribed by the Director of the Department. If an
18 agency has submitted a record regarding the arrest of a person who
19 is later determined by the agency not to be the person who
20 committed the particular crime, the agency shall, immediately upon
21 making that determination, so notify the Division. The Division
22 shall delete all references in the Central Repository relating to that
23 particular arrest.
- 24 4. The Division shall, in the manner prescribed by the Director
25 of the Department:
- 26 (a) Collect, maintain and arrange all information submitted to it
27 relating to:
- 28 (1) Sexual offenses and other records of criminal history; and
29 (2) The genetic markers of a biological specimen of a person
30 who is convicted of an offense listed in subsection 4 of
31 NRS 176.0913.
- 32 (b) When practicable, use a record of the personal identifying
33 information of a subject as the basis for any records maintained
34 regarding him.
- 35 (c) Upon request, provide the information that is contained in
36 the Central Repository to the State Disaster Identification Team of
37 the Division of Emergency Management of the Department.
- 38 5. The Division may:
- 39 (a) Disseminate any information which is contained in the
40 Central Repository to any other agency of criminal justice;
41 (b) Enter into cooperative agreements with federal and state
42 repositories to facilitate exchanges of information that may be
43 disseminated pursuant to paragraph (a); and
44 (c) Request of and receive from the Federal Bureau of
45 Investigation information on the background and personal history of



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1 any person whose record of fingerprints the Central Repository
2 submits to the Federal Bureau of Investigation and:

3 (1) Who has applied to any agency of the State of Nevada or
4 any political subdivision thereof for a license which it has the power
5 to grant or deny;

6 (2) With whom any agency of the State of Nevada or any
7 political subdivision thereof intends to enter into a relationship of
8 employment or a contract for personal services;

9 (3) About whom any agency of the State of Nevada or any
10 political subdivision thereof has a legitimate need to have accurate
11 personal information for the protection of the agency or the persons
12 within its jurisdiction; or

13 (4) For whom such information is required to be obtained
14 pursuant to NRS 449.179.

15 *To request and receive information from the Federal Bureau of*
16 *Investigation concerning a person pursuant to this subsection, the*
17 *Central Repository must receive the person's complete set of*
18 *fingerprints from the agency or political subdivision and submit*
19 *the fingerprints to the Federal Bureau of Investigation for its*
20 *report.*

21 6. The Central Repository shall:

22 (a) Collect and maintain records, reports and compilations of
23 statistical data submitted by any agency pursuant to subsection 2.

24 (b) Tabulate and analyze all records, reports and compilations of
25 statistical data received pursuant to this section.

26 (c) Disseminate to federal agencies engaged in the collection of
27 statistical data relating to crime information which is contained in
28 the Central Repository.

29 (d) Investigate the criminal history of any person who:

30 (1) Has applied to the superintendent of public instruction for
31 a license;

32 (2) Has applied to a county school district for employment;
33 or

34 (3) Is employed by a county school district,
35 and notify the superintendent of each county school district and the
36 Superintendent of Public Instruction if the investigation of the
37 Central Repository indicates that the person has been convicted of a
38 violation of NRS 200.508, 201.230, 453.3385, 453.339 or 453.3395,
39 or convicted of a felony or any offense involving moral turpitude.

40 (e) Upon discovery, notify the superintendent of each county
41 school district by providing him with a list of all persons:

42 (1) Investigated pursuant to paragraph (d); or

43 (2) Employed by a county school district whose fingerprints
44 were sent previously to the Central Repository for
45 investigation,



1 who the Central Repository's records indicate have been convicted
2 of a violation of NRS 200.508, 201.230, 453.3385, 453.339 or
3 453.3395, or convicted of a felony or any offense involving moral
4 turpitude since the Central Repository's initial investigation. The
5 superintendent of each county school district shall determine
6 whether further investigation or action by the district is appropriate.

7 (f) Investigate the criminal history of each person who submits
8 fingerprints or has his fingerprints submitted pursuant to NRS
9 449.176 or 449.179.

10 (g) On or before July 1 of each year, prepare and present to the
11 Governor a printed annual report containing the statistical data
12 relating to crime received during the preceding calendar year.
13 Additional reports may be presented to the Governor throughout the
14 year regarding specific areas of crime if they are recommended by
15 the Advisory Committee and approved by the Director of the
16 Department.

17 (h) On or before July 1 of each year, prepare and submit to the
18 Director of the Legislative Counsel Bureau, for submission to the
19 Legislature, or the Legislative Commission when the Legislature is
20 not in regular session, a report containing statistical data about
21 domestic violence in this state.

22 (i) Identify and review the collection and processing of
23 statistical data relating to criminal justice and the delinquency of
24 children by any agency identified in subsection 2, and make
25 recommendations for any necessary changes in the manner of
26 collecting and processing statistical data by any such agency.

27 7. The Central Repository may:

28 (a) At the recommendation of the Advisory Committee and in
29 the manner prescribed by the Director of the Department,
30 disseminate compilations of statistical data and publish statistical
31 reports relating to crime or the delinquency of children.

32 (b) Charge a reasonable fee for any publication or special report
33 it distributes relating to data collected pursuant to this section. The
34 Central Repository may not collect such a fee from an agency of
35 criminal justice, any other agency dealing with crime or the
36 delinquency of children which is required to submit information
37 pursuant to subsection 2 or the State Disaster Identification Team of
38 the Division of Emergency Management of the Department. All
39 money collected pursuant to this paragraph must be used to pay for
40 the cost of operating the Central Repository.

41 (c) In the manner prescribed by the Director of the Department,
42 use electronic means to receive and disseminate information
43 contained in the Central Repository that it is authorized to
44 disseminate pursuant to the provisions of this chapter.

45 8. As used in this section:



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1 (a) "Advisory Committee" means the committee established by
2 the Director of the Department pursuant to NRS 179A.078.

3 (b) "Personal identifying information" means any information
4 designed, commonly used or capable of being used, alone or in
5 conjunction with any other information, to identify a person,
6 including, without limitation:

7 (1) The name, driver's license number, social security
8 number, date of birth and photograph or computer generated image
9 of a person; and

10 (2) The fingerprints, voiceprint, retina image and iris image
11 of a person.

12 **Sec. 2.** NRS 179A.200 is hereby amended to read as follows:

13 179A.200 1. An employer may request from the Central
14 Repository notice of information relating to sexual offenses
15 concerning an employee.

16 2. A request for notice of information relating to sexual
17 offenses from an employer must conform to the requirements of the
18 Central Repository. The request must include:

19 (a) The name and address of the employer, and the name and
20 signature of the person requesting the notice on behalf of the
21 employer;

22 (b) The name and address of the employer's facility in which the
23 employee is employed or seeking to become employed;

24 (c) The name, *a complete set of* fingerprints and other
25 identifying information of the employee;

26 (d) Signed consent by the employee ~~to a~~ *authorizing:*

27 *(1) The employer to forward the fingerprints of the*
28 *employee to the Central Repository for submission to the Federal*
29 *Bureau of Investigation for its report;*

30 *(2) A search of information relating to sexual offenses*
31 *concerning ~~him, and for~~ the employee; and*

32 *(3) The release of a notice concerning that information;*

33 (e) The mailing address of the employee or a signed waiver of
34 the right of the employee to be sent a copy of the information
35 disseminated to the employer as a result of the search of the records
36 of criminal history; and

37 (f) The signature of the employee indicating that he has been
38 notified of:

39 (1) The types of information for which notice is subject to
40 dissemination pursuant to NRS 179A.210, or a description of the
41 information;

42 (2) The employer's right to require a check of the records of
43 criminal history as a condition of employment; and



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1 (3) The employee's right, pursuant to NRS 179A.150, to
2 challenge the accuracy or sufficiency of any information
3 disseminated to the employer.

4 **Sec. 3.** NRS 202.366 is hereby amended to read as follows:

5 202.366 1. Upon receipt by a sheriff of an application for a
6 permit, the sheriff shall conduct an investigation of the applicant to
7 determine if he is eligible for a permit. In conducting the
8 investigation, the sheriff shall forward a complete set of the
9 applicant's fingerprints to the Central Repository for Nevada
10 Records of Criminal History ~~and~~ *for submission to* the Federal
11 Bureau of Investigation for ~~its~~ *its* report concerning the criminal
12 history of the applicant. The sheriff shall issue a permit to the
13 applicant unless he is not qualified to possess a handgun pursuant to
14 state or federal law or is not otherwise qualified to obtain a permit
15 pursuant to NRS 202.3653 to 202.369, inclusive, or the regulations
16 adopted pursuant thereto.

17 2. To assist the sheriff in conducting his investigation, any
18 local law enforcement agency, including the sheriff of any county,
19 may voluntarily submit to the sheriff a report or other information
20 concerning the criminal history of an applicant.

21 3. Within 120 days after a complete application for a permit is
22 submitted, the sheriff to whom the application is submitted shall
23 grant or deny the application. If the application is denied, the sheriff
24 shall send the applicant written notification setting forth the reasons
25 for the denial. If the application is granted, the sheriff shall provide
26 the applicant with a permit containing a colored photograph of the
27 applicant and containing such other information as may be
28 prescribed by the department. The permit must be in substantially
29 the following form:

30
31 NEVADA CONCEALED FIREARM PERMIT

32
33 County Permit Number.....
34 Expires..... Date of Birth
35 Height..... Weight.....
36 Name Address
37 City Zip.....
38 Photograph
39 Signature
40 Issued by.....
41 Date of Issue.....
42 Make, model and caliber of each authorized firearm.....
43

44 4. Unless suspended or revoked by the sheriff who issued the
45 permit, a permit expires:



1 (a) If the permittee was a resident of this state at the time the
2 permit was issued, on the fifth anniversary of the permittee's
3 birthday, measured from the birthday nearest the date of issuance or
4 renewal.

5 (b) If the permittee was not a resident of this state at the time the
6 permit was issued, on the third anniversary of the permittee's
7 birthday, measured from the birthday nearest the date of issuance or
8 renewal.

9 5. If the date of birth of a permittee is on February 29 in a leap
10 year, for the purposes of NRS 202.3653 to 202.369, inclusive, his
11 date of birth shall be deemed to be on February 28.

12 **Sec. 4.** NRS 239B.010 is hereby amended to read as follows:

13 239B.010 **1.** Any agency of the State or any political
14 subdivision may request of and receive from the Federal Bureau of
15 Investigation information on the background and personal history of
16 any person:

17 ~~(1)~~ (a) Who has applied to it for a license *as required by any*
18 *statute or local ordinance* which it has the power to grant or deny;

19 ~~(2)~~ (b) With whom it intends to enter into a relationship of
20 employment or a contract for personal services; or

21 ~~(3)~~ (c) About whom it has a legitimate need to have accurate
22 personal information for the protection of the agency or the people
23 within its jurisdiction.

24 **2. To request and receive information from the Federal**
25 **Bureau of Investigation concerning a person pursuant to**
26 **subsection 1, the agency or political subdivision must:**

27 (a) *Require the person to submit a complete set of his*
28 *fingerprints; and*

29 (b) *Forward the fingerprints to the Central Repository for*
30 *Nevada Records of Criminal History for submission to the Federal*
31 *Bureau of Investigation for its report.*

32 **3. Only the Central Repository may:**

33 (a) *Receive fingerprints from an agency of the State or any*
34 *political subdivision for submission to the Federal Bureau of*
35 *Investigation pursuant to this section;*

36 (b) *Submit those fingerprints to the Federal Bureau of*
37 *Investigation; and*

38 (c) *Receive a report from the Federal Bureau of Investigation*
39 *based on the submission of those fingerprints.*

40 **Sec. 5.** NRS 391.033 is hereby amended to read as follows:

41 391.033 1. All licenses for teachers and other educational
42 personnel are granted by the Superintendent of Public Instruction
43 pursuant to regulations adopted by the Commission and as
44 otherwise provided by law.



1 2. An application for the issuance of a license must include the
2 social security number of the applicant.

3 3. Every applicant for a license must submit with his
4 application a complete set of his fingerprints and written permission
5 authorizing the Superintendent to forward the fingerprints *to the*
6 *Central Repository for Nevada Records of Criminal History for its*
7 *report on the criminal history of the applicant and for submission*
8 to the Federal Bureau of Investigation ~~and to the Central~~
9 ~~Repository for Nevada Records of Criminal History for their~~
10 ~~reports~~ *for its report* on the criminal history of the applicant.

11 4. The Superintendent may issue a provisional license pending
12 receipt of the reports of the Federal Bureau of Investigation and the
13 Central Repository for Nevada Records of Criminal History if he
14 determines that the applicant is otherwise qualified.

15 5. A license must be issued to an applicant if:

16 (a) The Superintendent determines that the applicant is
17 qualified;

18 (b) The reports on the criminal history of the applicant from the
19 Federal Bureau of Investigation and the Central Repository for
20 Nevada Records of Criminal History:

21 (1) Do not indicate that the applicant has been convicted of a
22 felony or any offense involving moral turpitude; or

23 (2) Indicate that the applicant has been convicted of a felony
24 or an offense involving moral turpitude but the Superintendent
25 determines that the conviction is unrelated to the position within the
26 county school district for which the applicant applied; and

27 (c) The applicant submits the statement required pursuant to
28 NRS 391.034.

29 **Sec. 6.** NRS 391.100 is hereby amended to read as follows:

30 391.100 1. The board of trustees of a school district may
31 employ a superintendent of schools, teachers and all other necessary
32 employees.

33 2. The board of trustees of a school district:

34 (a) May employ teacher aides and other auxiliary,
35 nonprofessional personnel to assist licensed personnel in the
36 instruction or supervision of children, either in the classroom or at
37 any other place in the school or on the grounds thereof; and

38 (b) Shall establish policies governing the duties and
39 performance of teacher aides.

40 3. Each applicant for employment pursuant to this section,
41 except a teacher or other person licensed by the Superintendent of
42 Public Instruction, must, as a condition to employment, submit to
43 the school district a full set of his fingerprints and written
44 permission authorizing the school district to forward the fingerprints
45 *to the Central Repository for Nevada Records of Criminal History*



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1 *for its report on the criminal history of the applicant and for*
2 *submission* to the Federal Bureau of Investigation ~~and the Central~~
3 ~~Repository for Nevada Records of Criminal History for their~~
4 ~~reports~~ *for its report* on the criminal history of the applicant.

5 4. Except as otherwise provided in subsection 5, the board of
6 trustees of a school district shall not require a licensed teacher or
7 other person licensed by the Superintendent of Public Instruction
8 pursuant to NRS 391.033 who has taken a leave of absence from
9 employment authorized by the school district, including, without
10 limitation:

- 11 (a) Sick leave;
- 12 (b) Sabbatical leave;
- 13 (c) Personal leave;
- 14 (d) Leave for attendance at a regular or special session of the
15 Legislature of this state if the employee is a member thereof;
- 16 (e) Maternity leave; and
- 17 (f) Leave permitted by the Family and Medical Leave Act of
18 1993, 29 U.S.C. §§ 2601 et seq.,
19 to submit a set of his fingerprints as a condition of return to or
20 continued employment with the school district if the employee is in
21 good standing when the employee began the leave.

22 5. A board of trustees of a school district may ask the
23 Superintendent of Public Instruction to require a person licensed by
24 the Superintendent of Public Instruction pursuant to NRS 391.033
25 who has taken a leave of absence from employment authorized by
26 the school district to submit a set of his fingerprints as a condition of
27 return to or continued employment with the school district if the
28 board of trustees has probable cause to believe that the person has
29 committed a felony or an offense involving moral turpitude during
30 the period of his leave of absence.

31 6. The board of trustees of a school district may employ or
32 appoint persons to serve as school police officers. If the board of
33 trustees of a school district employs or appoints persons to serve as
34 school police officers, the board of trustees shall employ a law
35 enforcement officer to serve as the chief of school police who is
36 supervised by the superintendent of schools of the school district.
37 The chief of school police shall supervise each person appointed or
38 employed by the board of trustees as a school police officer. In
39 addition, persons who provide police services pursuant to subsection
40 7 or 8 shall be deemed school police officers.

41 7. The board of trustees of a school district in a county that has
42 a metropolitan police department created pursuant to chapter 280 of
43 NRS ~~H~~ may contract with the metropolitan police department for
44 the provision and supervision of police services in the public
45 schools within the jurisdiction of the metropolitan police department



1 and on property therein that is owned by the school district. If a
2 contract is entered into pursuant to this subsection, the contract must
3 make provision for the transfer of each school police officer
4 employed by the board of trustees to the metropolitan police
5 department. If the board of trustees of a school district contracts
6 with a metropolitan police department pursuant to this subsection,
7 the board of trustees shall, if applicable, cooperate with appropriate
8 local law enforcement agencies within the school district for the
9 provision and supervision of police services in the public schools
10 within the school district and on property owned by the school
11 district, but outside the jurisdiction of the metropolitan police
12 department.

13 8. The board of trustees of a school district in a county that
14 does not have a metropolitan police department created pursuant to
15 chapter 280 of NRS may contract with the sheriff of that county for
16 the provision of police services in the public schools within the
17 school district and on property therein that is owned by the school
18 district.

19 **Sec. 7.** NRS 394.465 is hereby amended to read as follows:

20 394.465 1. Except as otherwise provided in subsection 4,
21 before a postsecondary educational institution employs or contracts
22 with a person:

23 (a) To occupy an instructional position;

24 (b) To occupy an administrative or financial position, including
25 a position as school director, personnel officer, counselor, admission
26 representative, solicitor, canvasser, surveyor, financial aid officer or
27 any similar position; or

28 (c) To act as an agent for the institution,

29 the applicant must submit to the Administrator completed
30 fingerprint cards and a form authorizing an investigation of the
31 applicant's background and the submission of *a complete set of* his
32 fingerprints to the Central Repository for Nevada Records of
33 Criminal History ~~and~~ *for its report and for submission to* the
34 Federal Bureau of Investigation ~~and~~ *for its report*. The fingerprint
35 cards and authorization form submitted must be those which are
36 provided to the applicant by the Administrator. The applicant's
37 fingerprints must be taken by an agency of law enforcement.

38 2. The Administrator shall keep the results of the investigation
39 confidential, except that if the investigation discloses that the
40 applicant has been convicted of any felony, the Administrator shall
41 notify the applicant and the hiring institution of the conviction and
42 the nature of the offense.

43 3. The applicant shall pay the cost of the investigation.

44 4. An applicant is not required to satisfy the requirements of
45 subsection 1 if he:



- 1 (a) Is licensed by the Superintendent of Public Instruction;
- 2 (b) Is an employee of the United States Department of Defense;
- 3 (c) Is a member of the faculty of an accredited postsecondary
- 4 educational institution in another state who is domiciled in a state
- 5 other than Nevada and is present in Nevada for a temporary period
- 6 to teach at a branch of that accredited institution; or
- 7 (d) Has satisfied the requirements of subsection 1 within the
- 8 immediately preceding 5 years.

9 **Sec. 8.** NRS 450B.800 is hereby amended to read as follows:

10 450B.800 An applicant for any permit, license or certificate

11 issued pursuant to this chapter shall furnish to the health authority a

12 complete set of his fingerprints and written permission authorizing

13 the health authority to forward those fingerprints *to the Central*

14 *Repository for Nevada Records of Criminal History for submission*

15 to the Federal Bureau of Investigation for its report. The health

16 authority may exchange with the Federal Bureau of Investigation

17 any information respecting the fingerprints of an applicant.

18 **Sec. 9.** NRS 463.1405 is hereby amended to read as follows:

19 463.1405 1. The Board shall investigate the qualifications of

20 each applicant under this chapter before any license is issued or any

21 registration, finding of suitability or approval of acts or transactions

22 for which Commission approval is required or permission is

23 granted, and shall continue to observe the conduct of all licensees

24 and other persons having a material involvement directly or

25 indirectly with a licensed gaming operation or registered holding

26 company to ensure that licenses are not issued or held by, nor is

27 there any material involvement directly or indirectly with a licensed

28 gaming operation or registered holding company by unqualified,

29 disqualified or unsuitable persons, or persons whose operations are

30 conducted in an unsuitable manner or in unsuitable or prohibited

31 places or locations.

32 2. *To request and receive information from the Federal*

33 *Bureau of Investigation concerning an investigation of an*

34 *applicant pursuant to this section, the Board must receive a*

35 *complete set of fingerprints of the applicant which the Board must*

36 *forward to the Central Repository for Nevada Records of Criminal*

37 *History for submission to the Federal Bureau of Investigation for*

38 *its report.*

39 3. The Board has full and absolute power and authority to

40 recommend the denial of any application, the limitation,

41 conditioning or restriction of any license, registration, finding of

42 suitability or approval, the suspension or revocation of any license,

43 registration, finding of suitability or approval or the imposition of a

44 fine upon any person licensed, registered, found suitable or

45 approved for any cause deemed reasonable by the Board.



1 ~~[3-]~~ 4. The Commission has full and absolute power and
2 authority to deny any application or limit, condition, restrict, revoke
3 or suspend any license, registration, finding of suitability or
4 approval, or fine any person licensed, registered, found suitable or
5 approved, for any cause deemed reasonable by the Commission.

6 **Sec. 10.** NRS 463.4095 is hereby amended to read as follows:

7 463.4095 1. To register with or request the approval of the
8 Executive Director, a qualified organization must submit to him:

9 (a) A written application containing:

10 (1) The name, address and nature of the organization.

11 (2) Proof that the organization is a qualified organization.

12 (3) The names of the officers or principals of the
13 organization, and of any person responsible for the management,
14 administration or supervision of the organization's charitable bingo
15 games and any activities related to those bingo games.

16 (4) A description of all the prizes to be offered in charitable
17 bingo games operated by the organization during the calendar year
18 to which the application pertains and, if the approval of the
19 Executive Director is required, a summary of the anticipated
20 expenses of conducting those bingo games, including copies of any
21 proposed agreements between the organization and any suppliers of
22 material for the operation of those bingo games.

23 (5) A description of the intended use of the net proceeds of
24 charitable bingo games operated by the organization during the
25 calendar year to which the application pertains.

26 (6) The address of the location where charitable bingo games
27 will be conducted by the organization during the calendar year to
28 which the application pertains.

29 (7) A statement that charitable bingo games will be
30 conducted in accordance with standards of honesty and integrity
31 applicable to licensed bingo games in this state.

32 (8) Any other information the Executive Director deems
33 appropriate.

34 (b) A nonrefundable fee of:

35 (1) For registration, \$10; or

36 (2) For a request for approval, \$25.

37 (c) If the qualified organization requests approval of the
38 Executive Director, it must ~~[submit the]~~ :

39 *(1) Submit a complete set of the* fingerprints of its officers,
40 principals and persons responsible for management of the bingo
41 games, on forms approved by the Executive Director , *which the*
42 *Executive Director may forward to the Central Repository for*
43 *Nevada Records of Criminal History for submission to the Federal*
44 *Bureau of Investigation for its report;* and ~~[must-reimburse]~~



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1 (2) *Reimburse* the Board for its costs incurred in submitting
2 the fingerprints for review.

3 2. A qualified organization shall submit such additional
4 information as necessary to correct or complete any information
5 submitted pursuant to this section that becomes inaccurate or
6 incomplete. The approval of a qualified organization is suspended
7 during the period that any of the information is inaccurate or
8 incomplete. The Executive Director may reinstate the approval of
9 the organization only after all information has been corrected and
10 completed.

11 3. The money collected pursuant to this section must be
12 expended to administer and enforce the provisions of NRS 463.4091
13 to 463.40965, inclusive.

14 **Sec. 11.** NRS 463.520 is hereby amended to read as follows:

15 463.520 A corporation, other than a publicly traded
16 corporation, which applies for a state gaming license shall register
17 as a corporation with the Board, and shall provide the following
18 information to the Board:

19 1. The organization, financial structure and nature of the
20 business to be operated, including ~~{the names,}~~ :

21 (a) *The names and* personal history ~~{and}~~ *of all officers,*
22 *directors and key employees;*

23 (b) *A complete set of the* fingerprints of all officers, directors
24 and key employees ~~{, and the}~~ *which the Board may forward to the*
25 *Central Repository for Nevada Records of Criminal History for*
26 *submission to the Federal Bureau of Investigation for its report;*
27 *and*

28 (c) *The* names, addresses and number of shares held by all
29 stockholders.

30 2. The rights and privileges acquired by the holders of different
31 classes of authorized securities, including debentures.

32 3. The terms on which securities are to be offered.

33 4. The terms and conditions of all outstanding loans,
34 mortgages, trust deeds, pledges or any other indebtedness or security
35 device.

36 5. The extent of the equity security holding in the corporation
37 of all officers, directors and underwriters, and their remuneration as
38 compensation for services, in the form of salary, wages, fees or
39 otherwise.

40 6. Remuneration to persons other than directors and officers
41 exceeding \$30,000 per annum.

42 7. Bonus and profit-sharing arrangements.

43 8. Management and service contracts.

44 9. Options existing, or to be created.



1 10. Balance sheets for at least 3 preceding fiscal years, or, if
2 the corporation has not been incorporated for a period of 3 years,
3 balance sheets from the time of its incorporation. All balance sheets
4 shall be certified by independent public accountants certified or
5 registered in the State of Nevada.

6 11. Profit and loss statements for at least the 3 preceding fiscal
7 years, or, if the corporation has not been incorporated for a period of
8 3 years, profit and loss statements from the time of its incorporation.
9 All profit and loss statements shall be certified by independent
10 public accountants certified or registered in the State of Nevada.

11 12. Any further financial data which the Board may deem
12 necessary or appropriate for the protection of the State of Nevada, or
13 licensed gambling, or both.

14 **Sec. 12.** NRS 463.568 is hereby amended to read as follows:

15 463.568 The limited partnership which applies for a state
16 gaming license shall register as a limited partnership with the Board,
17 and shall provide the following information to the Board:

18 1. The organization, financial structure and nature of the
19 business to be operated, including ~~{the names,}~~ :

20 (a) *The names and* personal history ~~{and}~~ *of all general*
21 *partners and key employees;*

22 (b) *A complete set of the* fingerprints of all general partners and
23 key employees ~~{, and the}~~ *which the Board may forward to the*
24 *Central Repository for Nevada Records of Criminal History for*
25 *submission to the Federal Bureau of Investigation for its report;*
26 *and*

27 (c) *The* name, address and interest of each limited partner.

28 2. The rights, privileges and relative priorities of limited
29 partners as to the return of contributions to capital, and the right to
30 receive income.

31 3. The terms on which limited partnership interests are to be
32 offered.

33 4. The terms and conditions of all outstanding loans,
34 mortgages, trust deeds, pledges or any other indebtedness or security
35 device.

36 5. The extent of the holding in the limited partnership of all
37 underwriters, and their remuneration as compensation for services,
38 in the form of salary, wages, fees or otherwise.

39 6. Remuneration to persons other than general partners
40 exceeding \$30,000 per annum.

41 7. Bonus and profit-sharing arrangements.

42 8. Management and service contracts.

43 9. Options existing, or to be created.

44 10. Balance sheets for at least the 3 preceding fiscal years, or,
45 if the limited partnership has not been in existence for 3 years,



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1 balance sheets from the time of its formation. All balance sheets
2 must be certified by independent public accountants certified or
3 registered in this state.

4 11. Profit and loss statements for at least the 3 preceding fiscal
5 years, or, if the limited partnership has not been in existence for 3
6 years, profit and loss statements from the time of its formation. All
7 profit and loss statements must be certified by independent public
8 accountants certified or registered in this state.

9 12. Any further financial data which the Board may deem
10 necessary or appropriate for the protection of the State of Nevada, or
11 licensed gambling, or both.

12 **Sec. 13.** NRS 463.5734 is hereby amended to read as follows:

13 463.5734 A limited-liability company which applies for a
14 license shall register as a limited-liability company with the Board,
15 and shall provide the following information to the Board:

16 1. The organization, financial structure and nature of the
17 business to be operated, including ~~the names,~~ :

18 *(a) The names and personal history of each director, manager,*
19 *member and key employee; and*

20 *(b) A complete set of the fingerprints of each director, manager,*
21 *member and key employee ~~to~~ which the Board may forward to the*
22 *Central Repository for Nevada Records of Criminal History for*
23 *submission to the Federal Bureau of Investigation for its report.*

24 2. The rights, privileges and relative priorities of the members
25 as to the return of contributions to capital and the right to receive
26 distribution of profits.

27 3. The terms on which interests in the limited-liability
28 company are to be offered.

29 4. The terms and conditions of all outstanding loans,
30 mortgages, trust deeds, pledges and any other indebtedness or
31 security device.

32 5. The extent of the holding in the limited-liability company of
33 all underwriters, and their remuneration as compensation for
34 services, in the form of salary, wages, fees or otherwise.

35 6. Remuneration to persons other than directors and managers
36 exceeding \$30,000 per annum.

37 7. Bonus and profit-sharing arrangements.

38 8. Management and service contracts.

39 9. Options existing, or to be created.

40 10. Balance sheets for at least the 3 preceding fiscal years, or,
41 if the limited-liability company has not been in existence for 3
42 years, balance sheets from the time of its formation. All balance
43 sheets must be certified by independent public accountants certified
44 or registered in this state.



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1 11. Profit and loss statements for at least the 3 preceding fiscal
2 years, or, if the limited-liability company has not been in existence
3 for 3 years, profit and loss statements from the time of its formation.
4 All profit and loss statements must be certified by independent
5 public accountants certified or registered in this state.

6 12. Any further financial data which the Board may deem
7 necessary or appropriate for the protection of the State of Nevada ,
8 or licensed gambling, or both.

9 **Sec. 14.** NRS 463A.030 is hereby amended to read as follows:

10 463A.030 1. Not later than the date on which a labor
11 organization which represents or seeks to represent gaming casino
12 employees in this state begins an organizational activity directed at a
13 gaming casino employee, the labor organization shall file with the
14 Board a list of its personnel who:

15 (a) Adjust or seek to adjust grievances for, negotiate or
16 administer the wages, hours, working conditions or conditions of
17 employment of any gaming casino employee;

18 (b) Solicit, collect or receive , or seek to solicit, collect or
19 receive any dues, assessments, levies, fines, contributions or other
20 charges within this state for or on behalf of the organization from
21 gaming casino employees; or

22 (c) Act as officers, members of the governing body, business
23 agents or in any other policymaking or supervisory position in the
24 organization.

25 2. Each person listed shall file with the Board :

26 (a) *A complete set of* his fingerprints ~~[and complete]~~ *which the*
27 *Board may forward to the Central Repository for Nevada Records*
28 *of Criminal History for submission to the Federal Bureau of*
29 *Investigation for its report;*

30 (b) *Complete* information in writing concerning his labor
31 organization activities, prior performance of the same or similar
32 functions, previous employment or occupational history ~~[, and~~
33 ~~criminal]~~ ; *and*

34 (c) *His criminal* record if any, covering at least a 10-year period
35 unless the Board determines that a shorter period is appropriate.

36 3. The Commission shall by regulation prescribe the frequency
37 or circumstances or both with or under which the list must be
38 revised.

39 4. The Commission may by regulation prescribe:

40 (a) Any further information to be required concerning each
41 person listed or each person performing a particular function.

42 (b) The addition of other personnel to the list whose duties
43 significantly affect the conduct of a gaming operation.



1 5. In adopting regulations pursuant to this section, the
2 Commission shall proceed in the manner prescribed in chapter 463
3 of NRS.

4 6. For the purposes of this section, "organizational activity"
5 means:

- 6 (a) Soliciting membership by direct personal contact;
7 (b) Distributing cards regarding interests or representation; or
8 (c) Distributing or posting a flyer, poster or advertisement.

9 **Sec. 15.** NRS 467.030 is hereby amended to read as follows:
10 467.030 1. The members of the Commission shall elect one
11 of their number as Chairman of the Commission.

12 2. The Commission may purchase and use a seal.

13 3. The Commission may adopt regulations for the
14 administration of this chapter. The regulations must include:

15 (a) Number and qualifications of ring officials required at any
16 exhibition or contest.

17 (b) ~~[Requirements that fingerprints be obtained and criminal~~
18 ~~records be investigated for]~~ *Procedures for obtaining fingerprints*
19 *pursuant to NRS 467.100 to investigate the criminal history of* all
20 ring officials and employees of the Commission ~~[]~~ *and any other*
21 *applicant the Commission wishes to investigate.*

22 (c) Powers, duties and compensation of ring officials.

23 (d) Qualifications of licensees.

24 4. The Commission shall prepare all forms of contracts
25 between sponsors, licensees, promoters and contestants.

26 **Sec. 16.** NRS 467.100 is hereby amended to read as follows:

27 467.100 1. All contestants, promoters, managers, seconds,
28 trainers and ring officials must be licensed by the Commission. No
29 person may participate, directly or indirectly, in any professional
30 contest or exhibition of unarmed combat unless he has first procured
31 a license from the Commission.

32 2. The Commission may deny an application for a license or
33 grant a limited, restricted or conditional license for any cause
34 deemed sufficient by the Commission.

35 3. An application for a license constitutes a request for a
36 determination of the applicant's general suitability, character,
37 integrity, and ability to participate or engage in, or be associated
38 with contests or exhibitions of unarmed combat. The burden of
39 proof is on the applicant to establish to the satisfaction of the
40 Commission that the applicant is qualified to receive a license. By
41 filing an application with the Commission, an applicant accepts the
42 risk of adverse public notice, embarrassment, criticism, financial
43 loss or other action with respect to his application, and expressly
44 waives any claim for damages as a result thereof. Any written or
45 oral statement that is made by any member of the Commission or



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1 any witness testifying under oath which is relevant to the application
2 and investigation of the applicant is absolutely privileged and does
3 not impose liability for defamation or constitute a ground for
4 recovery in a civil action.

5 4. *The Commission shall require:*

6 (a) *Each ring official and employee of the Commission; and*
7 (b) *Any other applicant the Commission wishes to*
8 *investigate,*
9 *to submit to the Commission with the application a complete set of*
10 *his fingerprints which the Commission may forward to the Central*
11 *Repository for Nevada Records of Criminal History for submission*
12 *to the Federal Bureau of Investigation for its report.*

13 5. After an application has been submitted to the Commission,
14 the application may not be withdrawn unless the Commission
15 consents to the withdrawal.

16 ~~5.1~~ 6. The Commission shall fix a uniform scale of license
17 fees.

18 ~~6.1~~ 7. In addition to the license fees required by subsection
19 ~~5.1~~ 6, the Commission may require an applicant for a license to:

20 (a) Pay the costs of the proceedings associated with the issuance
21 of the license, including, without limitation, investigative costs and
22 attorney's fees; and

23 (b) Deposit with the Commission such an amount of money as
24 the Commission deems necessary to pay for those costs. If any
25 amount required to be deposited pursuant to this paragraph exceeds
26 the actual cost of the proceedings, including, without limitation,
27 investigative costs and attorney's fees, the Commission shall refund
28 the excess amount to the applicant upon the completion of the
29 proceedings.

30 ~~7.1~~ 8. It is a violation of this chapter for any person to
31 participate, directly or indirectly, as stated in subsection 1, unless he
32 has been granted a license therefor.

33 **Sec. 17.** NRS 489.321 is hereby amended to read as follows:

34 489.321 1. An application for a manufacturer's, dealer's,
35 rebuilder's, serviceman's or installer's license must be filed upon
36 forms supplied by the Division and include the social security
37 number of the applicant. The applicant must furnish:

38 (a) Any proof the Division may deem necessary that the
39 applicant is a manufacturer, dealer, rebuilder, serviceman or
40 installer.

41 (b) Any proof the Division may require that the applicant has an
42 established place of business.

43 (c) Any proof the Division may require of the applicant's good
44 character and reputation and of his fitness to engage in the activities
45 for which the license is sought.



1 (d) A complete set of his fingerprints and written permission
2 authorizing the Administrator to forward those fingerprints *to the*
3 *Central Repository for Nevada Records of Criminal History for*
4 *submission* to the Federal Bureau of Investigation for its report.
5 The Administrator may exchange with *the Central Repository and*
6 the Federal Bureau of Investigation any information relating to the
7 fingerprints of an applicant under this section.

8 (e) In the case of a dealer in new manufactured homes, an
9 instrument in the form prescribed by the Division executed by or on
10 behalf of the manufacturer certifying that the applicant is an
11 authorized franchise dealer for the make or makes concerned.

12 (f) A reasonable fee fixed by regulation.

13 (g) In the case of a dealer, rebuilder, serviceman or installer,
14 proof of passing the examination required under NRS 489.351.

15 (h) Any additional requirements the Division may from time to
16 time prescribe by regulation.

17 2. Within 60 days after the receipt of a complete application,
18 the Division shall issue or deny the license.

19 3. The Administrator may issue a provisional license pending
20 receipt of the report from the Federal Bureau of Investigation. Upon
21 receipt of the report and a determination by the Administrator that
22 the applicant is qualified, the Division shall issue to the applicant a
23 dealer's, manufacturer's, installer's, rebuilder's or serviceman's
24 license containing the applicant's name and the address of his fixed
25 place of business.

26 4. Each license is valid for a period of 2 years from the date of
27 issuance and may be renewed for like consecutive periods upon
28 application to and approval by the Division.

29 **Sec. 18.** NRS 489.341 is hereby amended to read as follows:

30 489.341 1. A person shall not act as a salesman in this state
31 or as a responsible managing employee for a person who sells,
32 leases, reconstructs, improves, repairs or installs any manufactured
33 home, mobile home or commercial coach subject to the provisions
34 of this chapter without first having received a license from the
35 Division. Before issuing such a license, the Division shall require:

36 (a) An application, signed and verified by the applicant, stating
37 that he desires to act as a salesman or responsible managing
38 employee and providing his residential address, his social security
39 number and the name and address of his employer.

40 (b) Proof of the employment of the applicant at the time the
41 application is filed. An applicant for a license as a responsible
42 managing employee shall submit proof of 2 years' experience within
43 the previous 4 years in the business in which the applicant is seeking
44 to be licensed as a responsible managing employee.



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1 (c) Proof of the applicant's good character and reputation and of
2 his fitness to act as a salesman or responsible managing employee.

3 (d) A complete set of his fingerprints and written permission
4 authorizing the Administrator to forward those fingerprints *to the*
5 *Central Repository for Nevada Records of Criminal History for*
6 *submission* to the Federal Bureau of Investigation for its report. The
7 Administrator may exchange with *the Central Repository and*
8 the Federal Bureau of Investigation any information relating to the
9 fingerprints of an applicant.

10 (e) A statement as to whether any previous application of the
11 applicant has been denied or license revoked.

12 (f) Payment of a reasonable license fee established by
13 regulation.

14 (g) The applicant to have passed the examination required by
15 NRS 489.351.

16 (h) Any other information the Division deems necessary.

17 2. Within 60 days after the receipt of a complete application,
18 the Division shall issue or deny the license.


19 3. The Administrator may issue a provisional license pending
20 receipt of the report from the Federal Bureau of Investigation. Upon
21 receipt of the report and a determination by the Administrator that
22 the applicant is qualified, the Administrator shall issue to the
23 applicant a license as a salesman or a responsible managing
24 employee. The license must contain the licensee's name and the
25 address of his employer's place of business.

26 4. Each license is valid for 2 years from the date of issuance
27 and may be renewed for like consecutive periods upon application
28 to and approval by the Division.

29 5. A person licensed pursuant to this section shall not engage in
30 sales activity other than for the account of, or for and in behalf of, a
31 single employer who is a licensed dealer, rebuilder, serviceman or
32 installer.

33 6. A license issued pursuant to this section may be transferred
34 to another licensed employer upon application and the payment of a
35 transfer fee of \$10. When a salesman or responsible managing
36 employee holding a current license leaves the employment of one
37 dealer, rebuilder, serviceman or installer for that of another, the new
38 employer may employ the salesman or responsible managing
39 employee pending the transfer of the license if the transfer is
40 completed within 10 days.

41 7. A license issued pursuant to this section must be posted in a
42 conspicuous place on the premises of the employer for whom the
43 holder of the license is licensed.

44 8. If a salesman or responsible managing employee ceases to
45 be employed by a licensed dealer, rebuilder, serviceman  or



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1 installer, his license to act as a salesman or responsible managing
2 employee is automatically suspended and his right to act in that
3 capacity immediately ceases, and he shall not engage in such an
4 activity until reemployed by a licensed dealer, rebuilder, serviceman
5 or installer. Every licensed salesman and responsible managing
6 employee shall report in writing to the Division every change in his
7 place of employment ~~[.]~~ or termination of employment within 5 days
8 after the date of making the change.

9 **Sec. 19.** NRS 574.040 is hereby amended to read as follows:

10 574.040 1. Except as otherwise provided in this subsection
11 and NRS 574.350, a member, agent or local or district officer of a
12 society so incorporating, if authorized in writing by the trustees of
13 the society, approved by the district judge of the county, and sworn
14 in the same manner as peace officers are sworn, may make arrests
15 for a violation of the provisions of this chapter in the same manner
16 as is provided for other officers. The provisions of this subsection
17 apply only to a society that, on the date the society submits an
18 application to the district judge for approval for a member, agent or
19 local or district officer of the society to make arrests pursuant to this
20 subsection:

21 (a) Has at least 25 members; and
22 (b) Has been incorporated in accordance with NRS 574.010 for
23 not less than 5 years immediately preceding the submission of the
24 application.

25 2. Before submitting an application specified in subsection 1,
26 the society shall ~~[submit to the sheriff of the county a complete set~~
27 ~~of the fingerprints of the]~~ *require that each* member, agent or local
28 or district officer of the society to whom the application relates ~~[.]~~
29 *submit to the society a complete set of his fingerprints which the*
30 *society shall submit to the sheriff of the county.*

31 **3. The sheriff shall:**

32 (a) Upon receipt of the fingerprints, ~~[the sheriff shall]~~ forward
33 the fingerprints to the Central Repository for Nevada Records of
34 Criminal History for submission to the Federal Bureau of
35 Investigation for a report concerning the criminal history of the
36 member, agent or local or district officer of the society.

37 (b) Upon receipt of the report, ~~[the sheriff shall]~~ forward the
38 report to the society. The society shall include the report in the
39 application submitted pursuant to subsection 1.

40 ~~[3.]~~ **4.** A member, agent or local or district officer who is
41 authorized to make arrests pursuant to subsection 1 shall, when
42 making those arrests, exhibit and expose a suitable badge, to be
43 adopted by the society.



1 ~~[4.]~~ 5. A person who resists such a specially appointed officer
2 shall be punished for that resistance in the same manner as is
3 provided for the punishment of resistance to other officers.

4 **Sec. 20.** NRS 599B.115 is hereby amended to read as follows:

5 599B.115 1. Except as otherwise provided in subsection 5,
6 each applicant for registration as a seller must obtain a work card
7 issued pursuant to subsection 3 by the sheriff of the county in which
8 the business of the applicant is located.

9 2. Except as otherwise provided in subsection 5, each principal
10 officer, director, trustee, shareholder, owner, partner and employee
11 of a seller, and each salesman associated with a seller who is not an
12 employee of the seller, must obtain a work card issued pursuant to
13 subsection 3 by the sheriff of the county in which the business of the
14 seller is located that authorizes his association with the seller.

15 3. The sheriff of a county shall issue a work card to each
16 person who is required by this section to obtain a work card and
17 who complies with the requirements established by the sheriff for
18 the issuance of such a card. A work card issued pursuant to this
19 section must be renewed each year.

20 4. If the sheriff of a county requires an applicant for a work
21 card to *be investigated, the applicant must* submit ~~[a set of his~~
22 ~~fingerprints]~~ with his application ~~[.]~~ *a complete set of his*
23 *fingerprints which* the sheriff may ~~[submit the fingerprints]~~ *forward*
24 *to the Central Repository for Nevada Records of Criminal History*
25 ~~[and]~~ *for submission* to the Federal Bureau of Investigation to
26 determine the criminal history of the applicant.

27 5. A person who is licensed or registered pursuant to chapter
28 119A or 645 of NRS is not required to obtain a work card pursuant
29 to this section.

30 **Sec. 21.** NRS 616B.374 is hereby amended to read as follows:

31 616B.374 1. Except as otherwise provided in this section, a
32 person shall not advertise or offer for sale in this state any policies
33 or memberships or solicit or receive any money, subscriptions,
34 applications, premiums, assessments, memberships or any other fee
35 or charge in connection with a proposed association of self-insured
36 public or private employers unless he has obtained a solicitor's
37 permit from the Commissioner.

38 2. To obtain a solicitor's permit, a person must file a written
39 application with the Commissioner. The application must include:

40 (a) The name, type and purposes of the association formed or
41 proposed to be formed or financed;

42 (b) ~~[The name, residential address, business, professional or~~
43 ~~employment experience for the preceding 10 years and~~
44 ~~qualifications of]~~ *On forms furnished by the Commissioner, for*
45 each person associated or to be associated as director, promoter,



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1 manager, member of the board or in other similar capacity in the
2 association, or in the formation of the proposed association or in the
3 proposed financing ~~[, together with the fingerprints of each person~~
4 ~~so associated or to be associated, on forms furnished by the~~
5 ~~Commissioner;]~~ :

6 (1) *His name, residential address and qualifications;*

7 (2) *His business, professional or employment experience*
8 *for the preceding 10 years; and*

9 (3) *A complete set of his fingerprints which the*
10 *Commissioner may forward to the Central Repository for Nevada*
11 *Records of Criminal History for submission to the Federal Bureau*
12 *of Investigation for its report;*

13 (c) A full disclosure of the terms of all pertinent understandings
14 and agreements existing or proposed among any persons or entities
15 so associated or to be associated, and a copy of each such
16 agreement;

17 (d) A copy of the articles of incorporation and bylaws of a
18 solicitor, if incorporated;

19 (e) The plan according to which solicitations are to be made and
20 a reasonably detailed estimate of all administrative and sales
21 expenses to be incurred;

22 (f) A copy of any certificate proposed to be offered, and a copy
23 of any proposed application therefor;

24 (g) A copy of any prospectus, offering circular, advertising or
25 sales literature or materials proposed to be used;

26 (h) Proof of an escrow account and agreement for the deposit of
27 all funds collected during the formation of the association; and

28 (i) Such additional pertinent information as the Commissioner
29 may reasonably require.

30 3. The application must be accompanied by a fee of \$500 for
31 the filing of the application and for the issuance of the permit, if
32 granted. A solicitor must submit this fee each year thereafter if he
33 continues to recruit new members for an association.

34 4. A person who violates subsection 1 is guilty of a category D
35 felony and shall be punished as provided in NRS 193.130.

36 5. The provisions of this section do not apply to:

37 (a) A bona fide trade association that has been in existence for at
38 least 5 years and solicits members of its trade association; or

39 (b) A person who is employed by:

40 (1) Current members of an association; or

41 (2) Employers that are considering membership in an
42 association,

43 whose primary duties do not include solicitation of potential
44 members of the association.



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1 **Sec. 22.** NRS 631.220 is hereby amended to read as follows:

2 631.220 1. Every applicant for a license to practice dental
3 hygiene or dentistry, or any of its special branches, shall:

4 (a) File an application with the Board 45 days before the date on
5 which the examination is to be given.

6 (b) Accompany the application with a recent photograph of
7 himself together with the required examination fee and such other
8 documentation as the Board may require by regulation.

9 (c) Submit with the application a complete set of fingerprints
10 and written permission authorizing the Board to forward the
11 fingerprints *to the Central Repository for Nevada Records of*
12 *Criminal History for submission* to the Federal Bureau of
13 Investigation for its report.

14 2. An application must include the social security number of
15 the applicant.

16 **Sec. 23.** Chapter 634 of NRS is hereby amended by adding
17 thereto a new section to read as follows:

18 *Each applicant for a license to practice chiropractic or to*
19 *practice as a chiropractor's assistant must submit to the Board a*
20 *complete set of his fingerprints which the Board may forward to*
21 *the Central Repository for Nevada Records of Criminal History*
22 *for submission to the Federal Bureau of Investigation for its*
23 *report.*

24 **Sec. 24.** NRS 634A.110 is hereby amended to read as follows:

25 634A.110 1. An applicant for examination for a license to
26 practice Oriental medicine, or any branch thereof, shall:

27 (a) Submit an application to the Board on forms provided by the
28 Board;

29 (b) Submit satisfactory evidence that he is 21 years or older and
30 meets the appropriate educational requirements;

31 (c) *Submit with the application a complete set of his*
32 *fingerprints which the Board may forward to the Central*
33 *Repository for Nevada Records of Criminal History for submission*
34 *to the Federal Bureau of Investigation for its report;*

35 (d) Pay a fee established by the Board of not more than \$1,000;
36 and

37 ~~[(d)]~~ (e) Pay any fees required by the Board for an investigation
38 of the applicant or for the services of a translator, if the translator is
39 required to enable the applicant to take the examination.

40 2. An application submitted to the Board pursuant to
41 subsection 1 must include the social security number of the
42 applicant.



1 **Sec. 25.** NRS 640.090 is hereby amended to read as follows:
2 640.090 Unless he is entitled to licensure under NRS 640.120
3 or 640.140, a person who desires to be licensed as a physical
4 therapist must:

5 1. Apply to the Board, in writing, on a form furnished by the
6 Board;

7 2. Include in the application his social security number and
8 evidence, under oath, satisfactory to the Board, that he possesses the
9 qualifications required by NRS 640.080 other than having passed
10 the examination;

11 3. Pay to the Board at the time of filing his application a fee set
12 by a regulation of the Board in an amount not to exceed \$300;

13 4. Submit ~~his fingerprints~~ to the Board with his application ~~[-]~~
14 *and a complete set of his fingerprints which the Board may*
15 *forward to the Central Repository for Nevada Records of Criminal*
16 *History for submission to the Federal Bureau of Investigation for*
17 *its report; and*

18 5. Submit other documentation and proof the Board may
19 require.

20 **Sec. 26.** NRS 640.250 is hereby amended to read as follows:

21 640.250 Unless he is entitled to a license under NRS 640.270,
22 a person who desires to be licensed as a physical therapist's assistant
23 must:

24 1. Apply to the Board, in writing, on a form furnished by the
25 Board. The application for licensure as a physical therapist's
26 assistant must also be signed by the supervising physical therapist of
27 the applicant.

28 2. Include in the application his social security number and
29 evidence, under oath, satisfactory to the Board, that he possesses the
30 qualifications required by NRS 640.230 other than having passed
31 the examination.

32 3. Pay to the Board at the time of filing his application a fee set
33 by a regulation of the Board in an amount not to exceed \$200.

34 4. Submit ~~his fingerprints~~ to the Board with his application ~~[-]~~
35 *a complete set of his fingerprints which the Board may forward to*
36 *the Central Repository for Nevada Records of Criminal History*
37 *for submission to the Federal Bureau of Investigation for its*
38 *report.*

39 5. Submit such documentation and proof as the Board may
40 require.

41 6. Pay the fee for examination of the applicant as the Board
42 may establish.



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1 **Sec. 27.** Chapter 641B of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *Each applicant for a license must submit to the Board a*
4 *complete set of his fingerprints which the Board may forward to*
5 *the Central Repository for Nevada Records of Criminal History*
6 *for submission to the Federal Bureau of Investigation for its*
7 *report.*

8 **Sec. 28.** NRS 641C.260 is hereby amended to read as follows:
9 641C.260 Each applicant for a license or certificate must
10 submit to the Board:

11 1. An application on a form provided by the Board; ~~{and}~~

12 2. *A complete set of his fingerprints which the Board may*
13 *forward to the Central Repository for Nevada Records of Criminal*
14 *History for submission to the Federal Bureau of Investigation for*
15 *its report; and*

16 3. The application fee prescribed in NRS 641C.470.

17 **Sec. 29.** NRS 645.355 is hereby amended to read as follows:

18 645.355 **1.** An applicant for a license as a broker, broker-
19 salesman or salesman in this state must, as part of his application, be
20 fingerprinted. Each applicant ~~{shall}~~ **must**, at his own expense, and
21 on a card provided by the Division, arrange to be fingerprinted by
22 any police or sheriff's office and ~~{shall}~~ **must** attach his fingerprint
23 card, after his fingerprints are taken, to his application.

24 **2.** The Division may ~~{mail}~~ **forward** the applicant's fingerprint
25 card to :

26 (a) *The Central Repository for Nevada Records of Criminal*
27 *History for submission to* the Federal Bureau of Investigation ~~{,~~
28 ~~Washington, D.C.,}~~ for its report ~~{, and to such}~~ ; **and**

29 (b) *Such* other law enforcement agencies as the Division may
30 deem necessary.

31 **Sec. 30.** NRS 645.6065 is hereby amended to read as follows:

32 645.6065 **1.** Except as otherwise provided in NRS 645.607, a
33 person shall not act as a qualified intermediary unless he is
34 registered as such with the Division. The Division may adopt such
35 regulations as it deems necessary to carry out the provisions of NRS
36 645.606 to 645.609, inclusive.

37 **2.** A person may apply for registration by paying to the
38 Division a \$100 fee plus the actual cost of a background
39 investigation conducted by the Federal Bureau of Investigation and
40 filing with the Division:

41 (a) The following information on a form provided by the
42 Division:

43 (1) The applicant's name, address and telephone number;

44 (2) The name under which the applicant will hold the money
45 or other property of a client;



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1 (3) The names, residence and business addresses of all
2 persons having an interest in the business as principals, partners,
3 officers, trustees or directors, specifying the capacity and title of
4 each;

5 (4) If the applicant is a natural person, the social security
6 number of the applicant; and

7 (5) The length of time the applicant has been engaged in the
8 business of acting as such an intermediary;

9 (b) If the person is a natural person, the statement required
10 pursuant to NRS 645.6068; and

11 (c) A card provided by the Division upon which *a complete set*
12 *of* the applicant's fingerprints, taken by an agency of law
13 enforcement, are displayed.

14 3. The Division shall:

15 (a) ~~[Mail]~~ *Forward* the card upon which the applicant's
16 fingerprints are displayed to the *Central Repository for submission*
17 *to the* Federal Bureau of Investigation; and

18 (b) Request from the *Central Repository and the Federal*
19 *Bureau of Investigation* such information regarding the applicant's
20 criminal history as the Division deems necessary.

21 4. Registration pursuant to this section must be renewed each
22 year on or before the date of the original registration by providing
23 the information required by the Division for that purpose and paying
24 a renewal fee of \$75.

25 **Sec. 31.** NRS 645B.450 is hereby amended to read as follows:

26 645B.450 1. A person shall not act as or provide any of the
27 services of a mortgage agent or otherwise engage in, carry on or
28 hold himself out as engaging in or carrying on the activities of a
29 mortgage agent if the person:

30 (a) Has been convicted of, or entered a plea of nolo contendere
31 to, a felony or any crime involving fraud, misrepresentation or
32 moral turpitude; or

33 (b) Has had a financial services license or registration suspended
34 or revoked within the immediately preceding 10 years.

35 2. A mortgage agent may not be associated with or employed
36 by more than one mortgage broker at the same time.

37 3. A mortgage broker shall register with the Division each
38 person who will be associated with or employed by the mortgage
39 broker as a mortgage agent. A mortgage broker shall register each
40 such person with the Division when the person begins his
41 association or employment with the mortgage broker and annually
42 thereafter. A registration expires 12 months after its effective date.

43 4. To register a person as a mortgage agent, a mortgage broker
44 must:



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1 (a) Submit to the Division a registration form which is provided
2 by the Division and which:

3 (1) States the name, residence address and business address
4 of the person;

5 (2) Is signed by the person;

6 (3) Includes a provision by which the person gives his
7 written consent to an investigation of his credit history, criminal
8 history and background; ~~and~~

9 (4) *Includes a complete set of his fingerprints which the*
10 *Division may forward to the Central Repository for Nevada*
11 *Records of Criminal History for submission to the Federal Bureau*
12 *of Investigation for its report; and*

13 (5) Includes any other information or supporting materials
14 required by the regulations adopted by the Commissioner. Such
15 information or supporting materials may include, without limitation,
16 ~~a complete set of fingerprints from the person,~~ the social security
17 number of the person and other forms of identification of the person.

18 (b) For each initial registration, pay the actual costs and
19 expenses incurred by the Division to investigate the credit history,
20 criminal history and background of the person. All money received
21 pursuant to this paragraph must be placed in the Investigative
22 Account created by NRS 232.545.

23 (c) For each annual registration, submit to the Division
24 satisfactory proof that the person attended at least 5 hours of
25 certified courses of continuing education during the 12 months
26 immediately preceding the date on which the registration expires.

27 5. Not later than the date on which the mortgage broker
28 submits the information for annual registration required by
29 subsection 4, the person being registered shall pay an annual
30 registration fee of \$125. If the person does not pay the annual
31 registration fee, the person shall be deemed to be unregistered for
32 the purposes of this chapter.

33 6. A mortgage broker shall not employ a person as a mortgage
34 agent or authorize a person to be associated with the mortgage
35 broker as a mortgage agent if the mortgage broker has not registered
36 the person with the Division pursuant to this section or if the person:

37 (a) Has been convicted of, or entered a plea of nolo contendere
38 to, a felony or any crime involving fraud, misrepresentation or
39 moral turpitude; or

40 (b) Has had a financial services license or registration suspended
41 or revoked within the immediately preceding 10 years.

42 7. If a mortgage agent terminates his association or
43 employment with a mortgage broker for any reason, the mortgage
44 broker shall, not later than the third business day following the date
45 of termination:



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1 (a) Deliver to the mortgage agent or send by certified mail to the
2 last known residence address of the mortgage agent a written
3 statement which advises him that his termination is being reported
4 to the Division; and

5 (b) Deliver or send by certified mail to the Division:

6 (1) A written statement of the circumstances surrounding the
7 termination; and

8 (2) A copy of the written statement that the mortgage broker
9 delivers or mails to the mortgage agent pursuant to paragraph (a).

10 8. As used in this section, "certified course of continuing
11 education" has the meaning ascribed to it in NRS 645B.051.

12 **Sec. 32.** NRS 645C.300 is hereby amended to read as follows:

13 645C.300 1. Every application for a certificate, license or
14 registration card must include the social security number of the
15 applicant and be accompanied by the fee for the certificate, license
16 or registration card.

17 2. Each applicant must:

18 (a) At his own expense and on a card provided by the Division,
19 arrange to be fingerprinted by an agency of law enforcement; and

20 (b) Attach the completed card to his application.

21 3. The Division may:

22 (a) ~~Mail~~ *Forward* the *completed* card to :

23 (1) *The Central Repository for Nevada Records of Criminal*
24 *History for submission to* the Federal Bureau of Investigation ~~for~~
25 ~~any~~ *for its report; and*

26 (2) *Any* other agency of law enforcement; and

27 (b) Request from such an agency any information regarding the
28 applicant's criminal history as the Division deems necessary.

29 **Sec. 33.** NRS 645D.180 is hereby amended to read as follows:

30 645D.180 1. Every application for a certificate must be
31 accompanied by the fee for the certificate.

32 2. Each applicant must:

33 (a) At his own expense and on a card provided by the Division,
34 arrange to be fingerprinted by an agency of law enforcement; and

35 (b) Attach the completed card to his application.

36 3. The Division may:

37 (a) Require more than one set of fingerprints;

38 (b) ~~Mail-a~~ *Forward the* completed card to :

39 (1) *The Central Repository for Nevada Records of Criminal*
40 *History for submission to* the Federal Bureau of Investigation ~~for~~
41 ~~any~~ *for its report; and*

42 (2) *Any* other agency of law enforcement; and

43 (c) Request from such an agency any information regarding the
44 applicant's criminal history that the Division deems necessary.



1 **Sec. 34.** NRS 648.080 is hereby amended to read as follows:
2 648.080 Every application for a license must contain:

3 1. A detailed statement of the applicant's personal history on
4 the form specified by the Board. If the applicant is a corporation, the
5 application must include such a statement concerning each officer
6 and director.

7 2. A statement of the applicant's financial condition on the
8 form specified by the Board. If the applicant is a corporation, the
9 application must include such a statement concerning each officer
10 and director.

11 3. A specific description of the location of the principal place
12 of business of the applicant, the business in which he intends to
13 engage and the category of license he desires.

14 4. A ~~full~~ *complete* set of fingerprints ~~and a~~ *which the Board*
15 *may forward to the Central Repository for Nevada Records of*
16 *Criminal History for submission to the Federal Bureau of*
17 *Investigation for its report.*

18 5. A recent photograph of the applicant or, if the applicant is a
19 corporation, of each officer and director.

20 ~~5.~~ 6. Evidence supporting the qualifications of the applicant
21 in meeting the requirements for the license for which he is applying.

22 ~~6.~~ 7. If the applicant is not a natural person, the full name
23 and residence address of each of its partners, officers, directors and
24 manager, and a certificate of filing of a fictitious name.

25 ~~7.~~ 8. Such other facts as may be required by the Board to
26 show the good character, competency and integrity of each
27 signatory.

28 **Sec. 35.** NRS 648.203 is hereby amended to read as follows:

29 648.203 1. Except as otherwise provided in subsection 2, it is
30 unlawful for a person to:

31 (a) Allow an employee, including an independent contractor, to
32 perform any work regulated pursuant to the provisions of this
33 chapter unless the employee holds a work card authorizing his work
34 which is issued by the sheriff of the county in which the work is
35 performed. The provisions of this paragraph do not apply to a
36 person licensed pursuant to this chapter.

37 (b) Work as a security guard unless he holds a work card
38 authorizing his work as a security guard issued in accordance with
39 applicable ordinances by the sheriff of the county in which the work
40 is performed.

41 2. The provisions of subsection 1 do not apply in any county
42 whose population is less than 100,000, but this subsection does not
43 prohibit a board of county commissioners from adopting similar
44 restrictions by ordinance.



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1 3. The sheriff of any county in which such restrictions apply
2 shall ~~submit the fingerprints of~~ *require* any person applying for
3 such a work card to *submit a complete set of his fingerprints to the*
4 *sheriff who may forward the fingerprints to* the Central Repository
5 for Nevada Records of Criminal History ~~and~~ *for submission* to the
6 Federal Bureau of Investigation to determine the applicant's
7 criminal history.

8 **Sec. 36.** NRS 649.196 is hereby amended to read as follows:

9 649.196 1. Each applicant for a manager's certificate must
10 submit proof satisfactory to the Commissioner that he:

11 (a) Is a citizen of the United States or lawfully entitled to remain
12 and work in the United States.

13 (b) Is at least 21 years of age.

14 (c) Has a good reputation for honesty, trustworthiness, integrity
15 and is competent to transact the business of a collection agency in a
16 manner which protects the interests of the general public.

17 (d) Has not committed any of the acts specified in NRS 649.215.

18 (e) Has not had a collection agency license or manager's
19 certificate suspended or revoked within the 10 years immediately
20 preceding the date of filing the application.

21 (f) Has not been convicted of, or entered a plea of nolo
22 contendere to, a felony or any crime involving fraud,
23 misrepresentation or moral turpitude.

24 (g) Has had not less than 2 years' full-time experience with a
25 collection agency in the collection of accounts assigned by creditors
26 who were not affiliated with the collection agency except as
27 assignors of accounts. At least 1 year of the 2 years of experience
28 must have been within the 18-month period preceding the date of
29 filing the application.

30 2. Each applicant must:

31 (a) Pass the examination provided for in NRS 649.205.

32 (b) Pay the required fees.

33 (c) Submit ~~three~~ , *in such form as the Commissioner*
34 *prescribes:*

35 (1) *Three* recent photographs ; and ~~three~~

36 (2) *Three complete* sets of *his* fingerprints ~~in such form as~~
37 *which* the Commissioner ~~prescribes~~ *may forward to the Central*
38 *Repository for Nevada Records of Criminal History for submission*
39 *to the Federal Bureau of Investigation for its report.*

40 (d) Submit such other information reasonably related to his
41 qualifications for the manager's certificate as the Commissioner
42 determines to be necessary.

43 3. The Commissioner may refuse to issue a manager's
44 certificate if the applicant does not meet the requirements of
45 subsections 1 and 2.



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1 4. If the Commissioner refuses to issue a manager's certificate
2 pursuant to this section, he shall notify the applicant in writing by
3 certified mail stating the reasons for the refusal. The applicant may
4 submit a written request for a hearing within 20 days after he
5 receives the notice. If the applicant fails to submit a written request
6 within the prescribed period, the Commissioner shall enter a final
7 order.

8 **Sec. 37.** NRS 654.150 is hereby amended to read as follows:

9 654.150 Each applicant for licensure as a nursing facility
10 administrator pursuant to this chapter must:

11 1. Be of good moral character and physically and emotionally
12 capable of administering a facility for skilled nursing or facility for
13 intermediate care.

14 2. Have satisfactorily completed a course of instruction and
15 training prescribed or approved by the Board, including the study of:

16 (a) The needs which are to be properly served by a facility for
17 skilled nursing or facility for intermediate care;

18 (b) The laws governing the operation of a facility and the
19 protection of the patients' interests; and

20 (c) The elements of good administration of a facility.

21 In lieu of the specific requirements of this subsection, the applicant
22 may present other evidence satisfactory to the Board of sufficient
23 education, training or experience by which he would be qualified to
24 administer, supervise and manage a facility.

25 3. Pass an examination conducted and prescribed by the Board
26 pursuant to the provisions of this chapter.

27 4. Submit with his application:

28 (a) A complete set of his fingerprints and written permission
29 authorizing the Board to forward the fingerprints *to the Central*
30 *Repository for Nevada Records of Criminal History for submission*
31 to the Federal Bureau of Investigation for its report; and

32 (b) A fee to cover the actual cost of obtaining the report from the
33 Federal Bureau of Investigation.

34 5. Submit the statement required pursuant to NRS 654.145.

35 6. Meet such other standards and qualifications as the Board
36 may from time to time establish.

37 **Sec. 38.** NRS 654.155 is hereby amended to read as follows:

38 654.155 Each applicant for licensure as an administrator of a
39 residential facility for groups pursuant to this chapter must:

40 1. Be at least 21 years of age;

41 2. Be a citizen of the United States or lawfully entitled to
42 remain and work in the United States;

43 3. Be of good moral character and physically and emotionally
44 capable of administering a residential facility for groups;



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1 4. Have satisfactorily completed a course of instruction and
2 training prescribed or approved by the Board or be qualified by
3 reason of his education, training or experience to administer,
4 supervise and manage a residential facility for groups;

5 5. Pass an examination conducted and prescribed by the Board;

6 6. Submit with his application:

7 (a) A complete set of his fingerprints and written permission
8 authorizing the Board to forward the fingerprints *to the Central*
9 *Repository for Nevada Records of Criminal History for submission*
10 to the Federal Bureau of Investigation for its report; ~~and~~

11 (b) A fee to cover the actual cost of obtaining the report from the
12 Federal Bureau of Investigation; and

13 (c) The statement required pursuant to NRS 654.145; and

14 7. Comply with such other standards and qualifications as the
15 Board prescribes.

16 **Sec. 39.** NRS 683A.150 is hereby amended to read as follows:

17 683A.150 Written application for a managing general agent's
18 license must be filed with the Commissioner by the applicant . ~~It~~
19 ~~accompanied by the applicable fee.~~

20 **Sec. 40.** NRS 683A.160 is hereby amended to read as follows:

21 683A.160 ~~{Application for a license as a managing general~~
22 ~~agent shall be made in writing by the applicant desiring a license as~~
23 ~~a managing general agent, and filed with the Commissioner. The~~
24 ~~application shall be accompanied by the applicant's fingerprints, by}~~
25 *Each applicant for a license as a managing general agent must*
26 *submit with his application:*

27 1. *A complete set of his fingerprints which the Commissioner*
28 *may forward to the Central Repository for Nevada Records of*
29 *Criminal History for submission to the Federal Bureau of*
30 *Investigation for its report;*

31 2. *The* appointment of the applicant as a managing general
32 agent by each insurer or underwriter department to be so represented
33 ~~{, and by the}~~ ; and

34 3. *The application and* license fee specified in NRS 680B.010
35 ~~. {(fee schedule).}~~

36 **Sec. 41.** NRS 689.175 is hereby amended to read as follows:

37 689.175 1. The proposed seller, or the appropriate corporate
38 officer of the proposed seller, shall apply in writing to the
39 Commissioner for a seller's certificate of authority, showing:

40 (a) The proposed seller's name and address, and his occupations
41 during the preceding 5 years;

42 (b) The name and address of the proposed trustee;

43 (c) The names and addresses of the proposed performers,
44 specifying what particular services, supplies and equipment each
45 performer is to furnish under the proposed prepaid contract; and



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1 (d) Such other pertinent information as the Commissioner may
2 reasonably require.

3 2. The application must be accompanied by:

4 (a) A copy of the proposed trust agreement and a written
5 statement signed by an authorized officer of the proposed trustee to
6 the effect that the proposed trustee understands the nature of the
7 proposed trust fund and accepts it;

8 (b) A copy of each contract or understanding, existing or
9 proposed, between the seller and performers relating to the proposed
10 prepaid contract or items to be supplied under it;

11 (c) A certified copy of the articles of incorporation and the
12 bylaws of any corporate applicant;

13 (d) A copy of any other document relating to the proposed
14 seller, trustee, trust, performer or prepaid contract, as required by
15 the Commissioner;

16 (e) A complete set of his fingerprints and written permission
17 authorizing the Commissioner to forward those fingerprints *to the*
18 *Central Repository for Nevada Records of Criminal History for*
19 *submission* to the Federal Bureau of Investigation for its report;

20 (f) A fee representing the amount charged by the Federal Bureau
21 of Investigation for processing the fingerprints of the applicant; and

22 (g) The applicable fee established in NRS 680B.010, which is
23 not refundable.

24 **Sec. 42.** NRS 689.235 is hereby amended to read as follows:

25 689.235 1. To qualify for an agent's license, the applicant:

26 (a) Must file a written application with the Commissioner on
27 forms prescribed by the Commissioner;

28 (b) Must have a good business and personal reputation; and

29 (c) Must not have been convicted of, or entered a plea of guilty
30 or nolo contendere to, forgery, embezzlement, obtaining money
31 under false pretenses, larceny, extortion, conspiracy to defraud or
32 any crime involving moral turpitude.

33 2. The application must:

34 (a) Contain information concerning the applicant's identity,
35 address, social security number and personal background and
36 business, professional or work history.

37 (b) Contain such other pertinent information as the
38 Commissioner may require.

39 (c) Be accompanied by a complete set of the fingerprints of the
40 applicant and written permission authorizing the Commissioner to
41 forward those fingerprints *to the Central Repository for Nevada*
42 *Records of Criminal History for submission* to the Federal Bureau
43 of Investigation for its report.



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1 (d) Be accompanied by a fee representing the amount charged
2 by the Federal Bureau of Investigation for processing the
3 fingerprints of the applicant.

4 (e) Be accompanied by the statement required pursuant to
5 NRS 689.258.

6 (f) Be accompanied by the applicable fee established in NRS
7 680B.010, which is not refundable.

8 3. A conviction of, or plea of guilty or nolo contendere by, an
9 applicant or licensee for any crime listed in paragraph (c) of
10 subsection 1 is a sufficient ground for the Commissioner to deny a
11 license to the applicant, or to suspend or revoke the agent's license
12 pursuant to NRS 689.265.

13 **Sec. 43.** NRS 689.490 is hereby amended to read as follows:

14 689.490 1. The proposed seller, or the appropriate corporate
15 officer of the seller, shall apply in writing to the Commissioner for a
16 seller's permit, showing:

17 (a) The proposed seller's name and address and his occupations
18 during the preceding 5 years;

19 (b) The name and address of the proposed trustee;

20 (c) The names and addresses of the proposed performers,
21 specifying what particular services, supplies and equipment each
22 performer is to furnish under the proposed prepaid contract; and

23 (d) Such other pertinent information as the Commissioner may
24 reasonably require.

25 2. The application must be accompanied by:

26 (a) A copy of the proposed trust agreement and a written
27 statement signed by an authorized officer of the proposed trustee to
28 the effect that the proposed trustee understands the nature of the
29 proposed trust fund and accepts it;

30 (b) A copy of each contract or understanding, existing or
31 proposed, between the seller and performers relating to the proposed
32 prepaid contract or items to be supplied under it;

33 (c) A certified copy of the articles of incorporation and the
34 bylaws of any corporate applicant;

35 (d) A copy of any other document relating to the proposed
36 seller, trustee, trust, performer or prepaid contract, as required by
37 the Commissioner;

38 (e) A complete set of his fingerprints and written permission
39 authorizing the Commissioner to forward those fingerprints *to the*
40 *Central Repository for Nevada Records of Criminal History for*
41 *submission* to the Federal Bureau of Investigation for its report;

42 (f) A fee representing the amount charged by the Federal Bureau
43 of Investigation for processing the fingerprints of the applicant; and

44 (g) The applicable fee established in NRS 680B.010, which is
45 not refundable.



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1 **Sec. 44.** NRS 689.520 is hereby amended to read as follows:
2 689.520 1. To qualify for an agent's license, the applicant:

3 (a) Must file a written application with the Commissioner on
4 forms prescribed by the Commissioner; and

5 (b) Must not have been convicted of, or entered a plea of guilty
6 or nolo contendere to, forgery, embezzlement, obtaining money
7 under false pretenses, larceny, extortion, conspiracy to defraud or
8 any crime involving moral turpitude.

9 2. The application must:

10 (a) Contain information concerning the applicant's identity,
11 address, social security number, personal background and business,
12 professional or work history.

13 (b) Contain such other pertinent information as the
14 Commissioner may require.

15 (c) Be accompanied by a complete set of fingerprints and
16 written permission authorizing the Commissioner to forward those
17 fingerprints *to the Central Repository for Nevada Records of*
18 *Criminal History for submission* to the Federal Bureau of
19 Investigation for its report.

20 (d) Be accompanied by a fee representing the amount charged
21 by the Federal Bureau of Investigation for processing the
22 fingerprints of the applicant.

23 (e) Be accompanied by the statement required pursuant to
24 NRS 689.258.

25 (f) Be accompanied by the applicable fee established in NRS
26 680B.010, which is not refundable.

27 3. A conviction of, or plea of guilty or nolo contendere by, an
28 applicant or licensee for any crime listed in paragraph (b) of
29 subsection 1 is a sufficient ground for the Commissioner to deny a
30 license to the applicant, or to suspend or revoke the agent's license
31 pursuant to NRS 689.535.

32 **Sec. 45.** NRS 692B.070 is hereby amended to read as follows:

33 692B.070 1. A written application for any permit required
34 under NRS 692B.040 must be filed with the Commissioner. The
35 application must include or be accompanied by:

36 (a) The name, type and purposes of the insurer, corporation,
37 syndicate, association, firm or organization formed or proposed to
38 be formed or financed;

39 (b) ~~{The name, residence address, business background and~~
40 ~~experience for the preceding 10 years and qualifications of}~~ *On*
41 *forms furnished by the Commissioner, for* each person associated
42 or to be associated as incorporator, director, promoter, manager or in
43 other similar capacity in the enterprise, or in the formation of the
44 proposed insurer, corporation, syndicate, association, firm or
45 organization, or in the proposed financing ~~{, together with the~~



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- 1 ~~fingerprints of each individual so associated or to be associated, on~~
2 ~~forms furnished by the Commissioner.} :~~
3 (1) *His name, residential address and qualifications;*
4 (2) *His business background and experience for the*
5 *preceding 10 years; and*
6 (3) *A complete set of his fingerprints which the*
7 *Commissioner may forward to the Central Repository for Nevada*
8 *Records of Criminal History for submission to the Federal Bureau*
9 *of Investigation for its report;*
10 (c) A full disclosure of the terms of all pertinent understandings
11 and agreements existing or proposed among any persons or entities
12 so associated or to be associated, and a copy of each such
13 agreement;
14 (d) Executed quadruplicate originals of the articles of
15 incorporation of a proposed domestic stock or mutual insurer;
16 (e) The original and one copy of the proposed bylaws of a
17 proposed domestic stock or mutual insurer;
18 (f) The plan according to which solicitations are to be made and
19 a reasonably detailed estimate of all organization and sales expenses
20 to be incurred in the proposed organization and offering;
21 (g) A copy of any security, receipt or certificate proposed to be
22 offered, and a copy of any proposed subscription agreement or
23 application therefor;
24 (h) A copy of any prospectus, offering circular, advertising or
25 sales literature or material proposed to be used;
26 (i) A copy of the proposed form of any escrow agreement
27 required;
28 (j) A copy of:
29 (1) The articles of incorporation of any corporation, other
30 than a proposed domestic insurer, proposing to offer its securities,
31 certified by the public officer having custody of the original thereof;
32 (2) Any syndicate, association, firm, organization or other
33 similar agreement, by whatever name called, if funds for any of the
34 purposes referred to in subsection 1 of NRS 692B.040 are to be
35 secured through the sale of any security, interest or right in or
36 relative to such syndicate, association, firm or organization; and
37 (3) If the insurer is, or is to be, a reciprocal insurer, the
38 power of attorney and of other agreements existing or proposed
39 affecting subscribers, investors, the attorney in fact or the insurer;
40 (k) If the applicant is a natural person, the statement required
41 pursuant to NRS 692B.193; and
42 (l) Such additional pertinent information as the Commissioner
43 may reasonably require.



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1 2. The application must be accompanied by a deposit of the
2 fees required under NRS 680B.010 for the filing of the application
3 and for issuance of the permit, if granted.

4 3. If the applicant is a natural person, the application must
5 include the social security number of the applicant.

6 4. In lieu of a special filing thereof of information required by
7 subsection 1, the Commissioner may accept a copy of any pertinent
8 filing made with the Securities and Exchange Commission relative
9 to the same offering.

10 **Sec. 46.** NRS 692B.190 is hereby amended to read as follows:

11 692B.190 1. No person may in this state solicit subscription
12 to or purchase of any security covered by a solicitation permit issued
13 under this chapter, unless then licensed therefor by the
14 Commissioner.

15 2. Such a license may be issued only to natural persons, and the
16 Commissioner shall not license any person found by him to be:

17 (a) Dishonest or untrustworthy;

18 (b) Financially irresponsible;

19 (c) Of unfavorable personal or business history or reputation; or

20 (d) For any other cause, reasonably unsuited for fulfillment of
21 the responsibilities of such a licensee.

22 3. The applicant for such a license must file his written
23 application therefor with the Commissioner, on forms and
24 containing inquiries as designated and required by the
25 Commissioner. The application must include ~~the~~ *or be*
26 *accompanied by:*

27 (a) *The* social security number of the applicant ~~and be~~
28 ~~endorsed~~;

29 (b) *An endorsement* by the holder of the permit under which the
30 securities are proposed to be sold ~~[- The application must be~~
31 ~~accompanied by]~~;

32 (c) *A complete set of* the fingerprints of the applicant on forms
33 furnished by the Commissioner ~~[- and by the]~~ *; and*

34 (d) *The* application fee specified in NRS 680B.010.

35 4. The Commissioner ~~shall~~ *:*

36 (a) *May forward the complete set of fingerprints to the Central*
37 *Repository for Nevada Records of Criminal History for submission*
38 *to the Federal Bureau of Investigation for its report; and*

39 (b) *Shall* promptly cause an investigation to be made of the
40 identity and qualifications of the applicant.

41 ~~4.~~ 5. The license, if issued, must be for the period of the
42 permit, and must automatically be extended if the permit is
43 extended.

44 ~~5.~~ 6. The Commissioner shall revoke the license if at any
45 time after issuance he has found that the license was obtained



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1 through misrepresentation or concealment of facts, or that the
2 licensee is no longer qualified therefor, or that the licensee has
3 misrepresented the securities offered, or has otherwise conducted
4 himself in or with respect to transactions under the license in a
5 manner injurious to the permit holder or to subscribers or prospects
6 or the public.

7 ~~[6-]~~ 7. This section does not apply to securities broker-dealers
8 registered as such under the Securities Exchange Act of 1934, or
9 with respect to securities the sale of which is underwritten, other
10 than on a best efforts basis, by such a broker-dealer.

11 ~~[7-]~~ 8. With respect to solicitation of subscriptions to or
12 purchase of securities covered by a solicitation permit issued by the
13 Commissioner, the license required by this section is in lieu of a
14 license or permit otherwise required of the solicitor under any other
15 law of this state.

16 **Sec. 47.** NRS 697.180 is hereby amended to read as follows:

17 697.180 1. A written application for a license as a bail agent,
18 general agent, bail enforcement agent or bail solicitor must be filed
19 with the Commissioner by the applicant, accompanied by the
20 applicable fees. The application form must ~~[include]~~ :

21 (a) *Include* the social security number of the applicant
22 ~~[and be]~~ ;

23 (b) *Be* accompanied by *a complete set of* the applicant's
24 fingerprints ~~[, and must require]~~ *which the Commissioner may*
25 *forward to the Central Repository for Nevada Records of Criminal*
26 *History for submission to the Federal Bureau of Investigation for*
27 *its report; and*

28 (c) *Require* full answers to questions reasonably necessary to
29 determine the applicant's:

30 ~~[(a)]~~ (1) Identity and residence.

31 ~~[(b)]~~ (2) Business record or occupations for not less than the 2
32 years immediately preceding the date of the application, with the
33 name and address of each employer, if any.

34 ~~[(c)]~~ (3) Prior criminal history, if any.

35 2. The Commissioner may require the submission of such other
36 information as may be required to determine the applicant's
37 qualifications for the license for which he applied.

38 3. The applicant must verify his application. An applicant for a
39 license under this chapter shall not knowingly misrepresent or
40 withhold any fact or information called for in the application form
41 or in connection therewith.

42 **Sec. 48.** NRS 706.8841 is hereby amended to read as follows:

43 706.8841 1. The Administrator shall issue a driver's permit
44 to qualified persons who wish to be employed by certificate holders



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1 as taxicab drivers. Before issuing a driver's permit, the
2 Administrator shall:

3 (a) Require the applicant to submit a *complete* set of his
4 fingerprints ~~[, which must be forwarded]~~ *which the Administrator*
5 *may forward to the Central Repository for Nevada Records of*
6 *Criminal History for submission* to the Federal Bureau of
7 Investigation to ascertain whether the applicant has a criminal
8 record and the nature of any such record, and shall further
9 investigate the applicant's background; and

10 (b) Require proof that the applicant:

11 (1) Has been a resident of the State for 30 days before his
12 application for a permit;

13 (2) Can read and orally communicate in the English
14 language; and

15 (3) Has a valid license issued under NRS 483.325 which
16 authorizes him to drive a taxicab in this state.

17 2. The Administrator may refuse to issue a driver's permit if
18 the applicant has been convicted of:

19 (a) A felony, other than a felony involving any sexual offense,
20 in this state or any other jurisdiction within 5 years before the date
21 of the application;

22 (b) A felony involving any sexual offense in this state or any
23 other jurisdiction at any time before the date of the application; or

24 (c) A violation of NRS 484.379 or 484.3795 or a law of any
25 other jurisdiction that prohibits the same or similar conduct within 3
26 years before the date of the application.

27 3. The Administrator may refuse to issue a driver's permit if
28 the Administrator, after the background investigation of the
29 applicant, determines that the applicant is morally unfit or if the
30 issuance of the driver's permit would be detrimental to public
31 health, welfare or safety.

32 4. A taxicab driver shall pay to the Administrator, in advance,
33 \$20 for an original driver's permit and \$5 for a renewal.

34 **Sec. 49.** This act becomes effective upon passage and
35 approval.

