

ASSEMBLY BILL NO. 379—ASSEMBLYMAN ATKINSON

MARCH 23, 2005

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Provides for regulation of persons who submit certain applications to Department of Wildlife on behalf of another for consideration. (BDR 45-1006)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to wildlife; providing for the regulation of a person who submits an application to the Department of Wildlife on behalf of another for consideration; providing a penalty; and providing other matters properly relating thereto.

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

Section 1. Chapter 502 of NRS is hereby amended by adding thereto a new section to read as follows:

1. It is unlawful for a person to act as a professional licensing service in this State unless the person holds a certificate of registration issued by the Department.

2. The Commission shall adopt regulations establishing:

(a) Reasonable qualifications for the issuance and renewal of a certificate of registration.

(b) The procedures for applying to obtain or renew a certificate of registration.

(c) The standards applicable to a professional licensing service that holds a certificate of registration.



1 3. In addition to the standards adopted by the Commission
2 pursuant to subsection 2, a professional licensing service that
3 holds a certificate of registration is subject to the following:

4 (a) A professional licensing service may only act on behalf of
5 an applicant pursuant to a power of attorney that:

6 (1) Is executed by the applicant for the sole purpose of
7 authorizing the professional licensing service to apply in the State
8 of Nevada on behalf of the applicant for a license, tag or permit
9 for a specific season pursuant to this chapter; and

10 (2) Expires not later than the end of the season specified in
11 the power of attorney.

12 (b) The fee or other consideration charged by a professional
13 licensing service for submitting an application for a license, tag or
14 permit pursuant to this chapter on behalf of the applicant must be
15 stated on the power of attorney and must not exceed 5 percent of
16 the applicable fee set forth in this chapter for the issuance of the
17 license, tag or permit.

18 (c) A professional licensing service shall not request or accept
19 delivery of any license, tag or permit issued to the applicant.

20 4. The Department, after notice and an opportunity for a
21 hearing, may revoke a certificate of registration if the holder fails
22 to comply with any provision of this section or any regulation
23 adopted by the Commission pursuant to subsection 2.

24 5. A certificate of registration expires 1 year after its date of
25 issuance and may be renewed in accordance with the regulations
26 of the Commission.

27 6. As used in this section, unless the context otherwise
28 requires:

29 (a) "Certificate of registration" means a certificate issued by
30 the Department that authorizes a person to act as a professional
31 licensing service in this State.

32 (b) "Professional licensing service" means a person who, for a
33 fee or any other consideration, submits an application for a
34 license, tag or permit pursuant to this chapter on behalf of the
35 applicant. The term does not include a licensed master guide who
36 completes an application for a restricted nonresident deer tag
37 pursuant to NRS 502.148 for another person.

38 Sec. 2. This act becomes effective on July 1, 2005.

