

Amendment No. 494

Assembly Amendment to Assembly Bill No. 290

(BDR 10-951)

Proposed by: Committee on Judiciary**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: No

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
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Amend sec. 3, page 2, line 8, by deleting “**An**” and inserting:

“Except as otherwise provided in NRS 116.31123, an”.

Amend the bill as a whole by renumbering sections 7 through 10 as sections 8 through 11 and adding a new section designated sec. 7, following sec. 6, to read as follows:

“Sec. 7. NRS 116.31123 is hereby amended to read as follows:

116.31123 1. Except as otherwise provided in subsection 2, ~~in a county whose population is 400,000 or more,~~ a person who owns, or directly or indirectly has an interest in, one or more units within a planned community that are restricted to residential use by the declaration, may use that unit or one of those units for a transient commercial use only if:

(a) The governing documents of the association and any master association do not prohibit such use;

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A.B. No. 290—Makes various changes to provisions relating to common-interest communities.



(b) The executive board of the association and any master association approve the transient commercial use of the unit, except that such approval is not required if the planned community and one or more hotels are subject to the governing documents of a master association and those governing documents do not prohibit such use; and

(c) The unit is properly zoned for the transient commercial use and any license required by the local government for the transient commercial use is obtained.

2. ~~[In a county whose population is 400,000 or more, a]~~ A declarant who owns, or directly or indirectly has an interest in, one or more units within a planned community under the governing documents of the association that are restricted to residential use by the declaration, may use that unit or those units for a transient commercial use during the period that the declarant is offering units for sale within the planned community if such use complies with the requirements set forth in paragraphs (a) and (c) of subsection 1.

3. The association and any master association may establish requirements for the transient commercial use of a unit pursuant to the provisions of this section, including, without limitation, the payment of additional fees that are related to any increase in services or other costs associated with the transient commercial use of the unit.

4. As used in this section:

(a) “Remuneration” means any compensation, money, rent or other valuable consideration given in return for the occupancy, possession or use of a unit.

(b) “Transient commercial use” means the use of a unit, for remuneration, as a hostel, hotel, inn, motel, resort, vacation rental or other form of transient lodging if the term of the occupancy, possession or use of the unit is for less than 30 consecutive calendar days.”.

Amend sec. 7, page 4, by deleting lines 5 through 7 and inserting:

“(b) The association shall establish an adequate reserve, funded on a reasonable basis, for the repair,”.

Amend sec. 7, page 4, line 9, by deleting “elements.” and inserting:

“elements ~~[-]~~ *of the association.*”.

Amend sec. 7, page 4, line 11, by deleting “sidewalks,” and inserting:

“sidewalks ~~[-]~~ *of the association,*”.

Amend sec. 9, page 6, line 14, by deleting:

“*at least 5 calendar days*”.

Amend sec. 9, page 6, line 34, after “*owner*” by inserting:

“*or his agent*”.

Amend sec. 9, page 6, line 35, by deleting:

“*prepaid United States*” and inserting:

“*registered or certified*”.

Amend sec. 9, page 6, line 36, by deleting “*owner.*” and inserting:

“*owner or his agent.*”.

Amend the title of the bill by deleting lines 10 through 14 and inserting:

“providing that a purchaser may cancel”.