

## Amendment No. 371

Senate Amendment to Senate Bill No. 332

(BDR 54-230)

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

Adoption of this amendment will MAINTAIN a 2/3s majority vote requirement for final passage of SB332 (§§ 4, 29).

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"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend sec. 2, page 2, line 17, by deleting “*shall*” and inserting “*may*”.

Amend sec. 2, page 2, line 30, after “3.” by inserting:

*“The Division may refuse to issue a license as a real estate broker or broker-salesman pursuant to subsection 2 to a person who has committed any act or offense that would be grounds for denying a license to an applicant or taking disciplinary action against a licensee pursuant to this chapter. 4.”.*

Amend sec. 4, page 3, line 13, by deleting “*shall*” and inserting “*may*”.

Amend sec. 4, page 3, line 14, by deleting “*each*” and inserting “*a*”.

Amend sec. 4, page 3, by deleting lines 17 through 21 and inserting:

*“chapter or any regulations adopted pursuant thereto if:*

SH/KP

Date: 4/15/2005

S.B. No. 332—Revises provisions relating to real estate.

*(a) The Division makes a request during the course of the audit for the real estate broker to produce, provide access to or grant authorization to the Division to inspect or obtain any documentation related to the business of a real estate broker which the broker is required to maintain pursuant to NRS 645.310 and any regulations adopted pursuant to this chapter;*

*(b) The real estate broker fails to comply with the request within a reasonable time established by the Division; and*

*(c) The Division has reasonable cause to believe that the requested documentation will assist it in investigating whether the real estate broker has committed any act or offense that would be grounds for taking disciplinary action against the real estate broker.*

*2. If the Administrator charges a real estate broker for the costs and fees of an audit pursuant to subsection 1, the Administrator shall bill the real estate broker upon the completion of the audit. The costs and fees must be paid within 90 days after the date the real estate broker receives the bill.”.*

Amend sec. 4, page 3, by deleting lines 28 and 29 and inserting:

*“3. The failure of a real estate broker to pay any costs and fees as required by this section”.*

Amend sec. 8, pages 4 and 5, by deleting line 45 on page 4 and lines 1 and 2 on page 5, and inserting:

*“salesman pursuant to subsection 1 unless a licensed real estate broker-salesman who is qualified pursuant to section 5 of this act is associated with the owner-developer as a sales manager to oversee the activities of the real estate”.*

Amend sec. 15, page 11, line 42, by deleting “by” and inserting “[~~by~~] with”.

Amend the title of the bill, fourth line, by deleting “requiring” and inserting:

“authorizing, under certain circumstances,”.