

ASSEMBLY BILL NO. 9—ASSEMBLYMAN PARKS

PREFILED JANUARY 18, 2007

Referred to Committee on Commerce and Labor

SUMMARY—Authorizes the licensure of a mortgage agent on behalf of a corporation or limited-liability company. (BDR 54-729)

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 mortgage agents; authorizing a natural person to be licensed as a mortgage agent on behalf of a corporation or limited-liability company under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 This bill authorizes a natural person who is qualified to be licensed as a
2 mortgage agent under existing law to be issued such a license on behalf of
3 a professional corporation of which he is the sole shareholder or on behalf of a
4 limited-liability company of which he is the manager.

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

- 1 **Section 1.** Chapter 645B of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 ***1. Any natural person who meets the qualifications of a***
4 ***mortgage agent and:***
5 ***(a) Except as otherwise provided in subsection 2, is the sole***
6 ***shareholder of a corporation organized pursuant to the provisions***
7 ***of chapter 89 of NRS; or***
8 ***(b) Is the manager of a limited-liability company organized***
9 ***pursuant to the provisions of chapter 86 of NRS,***



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1 ↪ may be licensed on behalf of the corporation or limited-liability
2 company for the purpose of associating with a licensed mortgage
3 broker in the capacity of a mortgage agent.

4 2. The spouse of the owner of the corporation who has a
5 community interest in any shares of the corporation shall not be
6 deemed a second shareholder of the corporation for the purposes
7 of paragraph (a) of subsection 1, if the spouse does not vote any of
8 those shares.

9 3. A license issued pursuant to this section entitles only the
10 sole shareholder of the corporation or the manager of the limited-
11 liability company to act as a mortgage agent, and only as an
12 officer or agent of the corporation or limited-liability company
13 and not on his own behalf. The licensee shall not do or deal in any
14 act, acts or transactions included within the definition of a
15 mortgage agent in NRS 645B.0125, except as that activity is
16 permitted pursuant to this chapter to licensed mortgage agents.

17 4. The corporation or limited-liability company shall, within
18 30 days after a license is issued on its behalf pursuant to this
19 section and within 30 days after any change in its ownership, file
20 an affidavit with the Division stating:

21 (a) For a corporation, the number of issued and outstanding
22 shares of the corporation and the names of all persons to whom
23 the shares have been issued.

24 (b) For a limited-liability company, the names of members who
25 have an interest in the company.

26 5. A license issued pursuant to this section automatically
27 expires upon:

28 (a) The death of the licensed shareholder in the corporation or
29 the manager of the limited-liability company; or

30 (b) The issuance of shares in the corporation to more than one
31 person other than the spouse.

32 6. This section does not alter any of the rights, duties or
33 liabilities which otherwise arise in the legal relationship between a
34 mortgage broker or mortgage agent and a person who deals with
35 him.

36 **Sec. 2.** NRS 645B.0123 is hereby amended to read as follows:
37 645B.0123 "Licensee" means a person who is licensed as a
38 mortgage broker pursuant to this chapter. The term does not include
39 a person issued a license as a mortgage agent pursuant to NRS
40 645B.410 **H** or section 1 of this act.

41 **Sec. 3.** This act becomes effective on July 1, 2007.

