

Amendment No. 528

Assembly Amendment to Assembly Bill No. 365 (BDR 54-1291)

Proposed by: Assembly Committee on Commerce and Labor**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 365 (§§ 1-7).

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date
Adopted	☐	Lost	☐ _____	Adopted	☐	Lost	☐ _____
Concurred In	☐	Not	☐ _____	Concurred In	☐	Not	☐ _____
Receded	☐	Not	☐ _____	Receded	☐	Not	☐ _____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold*** is newly added transitory language.

SJA/BJE



Date: 4/20/2007

A.B. No. 365—Revises provisions relating to renewal of licenses, permits, certificates and registrations issued by the Real Estate Division of the Department of Business and Industry. (BDR 54-1291)



ASSEMBLY BILL NO. 365—ASSEMBLYMEN WOMACK, PARKS, ALLEN, ANDERSON, ARBERRY, ATKINSON, BEERS, BUCKLEY, COBB, DENIS, GERHARDT, GOICOECHEA, GRADY, HOGAN, HORNE, KIHUEN, KOIVISTO, MANENDO, MCCLAIN, MORTENSON, MUNFORD, OCEGUERA, OHRENSCHALL, PARNELL, PIERCE, SEGERBLOM AND SETTELMAYER

MARCH 15, 2007

JOINT SPONSORS: SENATORS COFFIN, HARDY, HECK, HORSFORD, TITUS, WASHINGTON AND WOODHOUSE

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to renewal of licenses, permits, certificates and registrations issued by the Real Estate Division of the Department of Business and Industry. (BDR 54-1291)

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 real estate; authorizing the Real Estate Division of the Department of Business and Industry to create and maintain ~~a secure website~~ **secure websites** on the Internet for the renewal of licenses, permits, certificates and registrations issued by the Division; authorizing the Division to charge an additional fee for each such renewal under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the expiration and renewal of licenses issued by the Real Estate Division of the Department of Business and Industry. ~~(NRS 645.780)~~ **Chapters 116A and 119A of NRS, NRS 119.165, 119B.200, 645.780, 645C.390, 645D.230** This bill authorizes the Division to create and maintain ~~a~~ secure Internet ~~website~~ **websites** for the renewal of licenses, permits, certificates and registrations issued by the Division. This bill also authorizes the Division to charge, in addition to any other fee, a fee for each renewal made through the use of such a website, not to exceed the cost to the Division for providing that service.

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

Section 1. NRS 645.780 is hereby amended to read as follows:

645.780 1. Each license issued under the provisions of this chapter expires at midnight on the last day of the last month of the applicable license period for the license.

2. The initial license period for an original license as a real estate broker, broker-salesman or salesman is a period of 12 consecutive months beginning on the first day of the first calendar month after the original license is issued by the Division. Thereafter, each subsequent license period is a period of 24 consecutive months beginning on the first day of the first calendar month after a renewal of the license is issued by the Division for the subsequent license period.

3. For all other licenses, the license period is a period of 24 consecutive months beginning on the first day of the first calendar month after the license or any renewal of the license is issued by the Division, unless a specific statute:

(a) Provides for a different license period; or

(b) Expressly authorizes a different license period to be provided for by regulation.

4. The Division may:

(a) Create and maintain a secure website on the Internet through which each license, permit, certificate or registration issued pursuant to the provisions of this chapter may be renewed; and

(b) For each license, permit, certificate or registration renewed through the use of a website created and maintained pursuant to paragraph (a), charge a fee in addition to any other fee provided for pursuant to this chapter which must not exceed the actual cost to the Division for providing that service.

Sec. 2. NRS 645C.390 is hereby amended to read as follows:

645C.390 1. The Division shall issue a certificate, license or registration card to each eligible person in the form and size prescribed by the Commission. A certificate, license or registration card must:

(a) Show the name and address of the appraiser or intern and the location of each place where he transacts business as an appraiser or intern;

(b) Have imprinted thereon the seal of the Commission; and

(c) Contain any additional matter prescribed by the Commission.

2. A certificate, license or registration card is valid for 2 years after the first day of the first calendar month immediately following the date it is issued.

3. If an appraiser fails to apply for the renewal of his certificate or license and pay the fee for renewal before the certificate or license expires, and then applies for renewal:

(a) No later than 1 year after the date of expiration, he must pay a fee equal to 150 percent of the amount otherwise required for renewal.

(b) Later than 1 year after the date of expiration, he must apply in the same manner as for an original certificate or license.

4. The Division may:

(a) Create and maintain a secure website on the Internet through which each certificate, license or registration card issued pursuant to the provisions of this chapter may be renewed; and

(b) For each certificate, license or registration card renewed through the use of a website created and maintained pursuant to paragraph (a), charge a fee in addition to any other fee provided for pursuant to this chapter which must not exceed the actual cost to the Division for providing that service.

Sec. 3. NRS 645D.230 is hereby amended to read as follows:

645D.230 1. The Division shall issue a certificate to each eligible person in the form and size prescribed by the Division. A certificate must:

(a) Indicate the name and address of the inspector and the location of each place where he transacts business as an inspector; and

(b) Contain any additional matter prescribed by the Division.

2. A certificate is valid for 2 years after the first day of the first calendar month immediately following the date it is issued.

3. If an inspector fails to apply for the renewal of his certificate and pay the fee for renewal before the certificate expires, and applies for renewal:

(a) Not later than 1 year after the date of expiration, he must pay a fee equal to 150 percent of the amount otherwise required for renewal.

(b) Later than 1 year after the date of expiration, he must apply in the same manner as for an original certificate.

4. The Division may:

(a) Create and maintain a secure website on the Internet through which each certificate issued pursuant to the provisions of this chapter may be renewed; and

(b) For each certificate renewed through the use of a website created and maintained pursuant to paragraph (a), charge a fee in addition to any other fee provided for pursuant to this chapter which must not exceed the actual cost to the Division for providing that service.

Sec. 4. Chapter 116A of NRS is hereby amended by adding thereto a new section to read as follows:

The Division may:

1. Create and maintain a secure website on the Internet through which each certificate or permit issued pursuant to the provisions of this chapter may be renewed; and

2. For each certificate or permit renewed through the use of a website created and maintained pursuant to subsection 1, charge a fee in addition to any other fee provided for pursuant to this chapter which must not exceed the actual cost to the Division for providing that service.

Sec. 5. Chapter 119 of NRS is hereby amended by adding thereto a new section to read as follows:

The Division may:

1. Create and maintain a secure website on the Internet through which each registered representative's license issued pursuant to the provisions of this chapter may be renewed; and

2. For each registered representative's license renewed through the use of a website created and maintained pursuant to subsection 1, charge a fee in addition to any other fee provided for pursuant to this chapter which must not exceed the actual cost to the Division for providing that service.

Sec. 6. NRS 119.165 is hereby amended to read as follows:

119.165 1. A developer's permit must be renewed annually by the developer by filing an application with and paying the fee for renewal to the Administrator. The application must be filed and the fee paid not later than 30 days before the date on which the permit expires. The application must include any change that has occurred in the information previously provided to the Administrator or in a property report provided to a prospective purchaser pursuant to the provisions of NRS 119.182.

2. The renewal is effective on the 30th day after the filing of the application unless the Administrator:

(a) Denies the renewal pursuant to NRS 119.325 or for any other reason; or

(b) Approves the renewal on an earlier date.

1 3. The Division may:

2 (a) Create and maintain a secure website on the Internet through which each
3 developer's permit issued pursuant to the provisions of this chapter may be
4 renewed; and

5 (b) For each developer's permit renewed through the use of a website created
6 and maintained pursuant to paragraph (a), charge a fee in addition to any other
7 fee provided for pursuant to this chapter which must not exceed the actual cost to
8 the Division for providing that service.

9 Sec. 7. Chapter 119A of NRS is hereby amended by adding thereto a
10 new section to read as follows:

11 The Division may:

12 1. Create and maintain a secure website on the Internet through which
13 each license, permit or registration issued pursuant to the provisions of this
14 chapter may be renewed; and

15 2. For each license, permit or registration renewed through the use of a
16 website created and maintained pursuant to subsection 1, charge a fee in addition
17 to any other fee provided for pursuant to this chapter which must not exceed the
18 actual cost to the Division for providing that service.

19 Sec. 8. NRS 119B.200 is hereby amended to read as follows:

20 119B.200 1. A permit must be renewed annually by the developer by filing
21 the application with and paying the fee for renewal to the Administrator. The
22 application must be filed and the fee paid not later than the 30th day before the date
23 of expiration and must include any change that has occurred in the information
24 previously provided to the Administrator or in a statement of disclosure provided to
25 a prospective member pursuant to the provisions of NRS 119B.270.

26 2. The renewal is effective on the 30th day after the filing of the application
27 unless the Administrator:

- 28 (a) Denies the renewal; or
29 (b) Sooner approves the renewal.

30 3. The Division may:

31 (a) Create and maintain a secure website on the Internet through which each
32 permit issued pursuant to the provisions of this chapter may be renewed; and

33 (b) For each permit renewed through the use of a website created and
34 maintained pursuant to paragraph (a), charge a fee in addition to any other fee
35 provided for pursuant to this chapter which must not exceed the actual cost to the
36 Division for providing that service.

37 ~~[Sec. 2.]~~ Sec. 9. This act becomes effective on July 1, 2007.