

Amendment No. 474

Assembly Amendment to Assembly Bill No. 71	(BDR 10-431)
Proposed by: Assembly Committee on Commerce and Labor	
Amendment Box: Replaces Amendment No. 89.	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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 dashed underlining is newly added transitory language.

DY/WLK



Date: 4/14/2009

A.B. No. 71—Requires the Real Estate Division of the Department of Business and Industry to keep confidential certain records and information obtained in regulating the sale of subdivided land. (BDR 10-431)



ASSEMBLY BILL NO. 71—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE REAL ESTATE DIVISION)

PREFILED DECEMBER 15, 2008

Referred to Committee on Commerce and Labor

SUMMARY—~~{Requires}~~ **Authorizes** the Real Estate Division of the Department of Business and Industry to keep confidential certain records and information obtained in regulating the sale of subdivided land. (BDR 10-431)

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 property; ~~{requiring}~~ **authorizing** the Real Estate Division of the Department of Business and Industry to keep confidential certain records and information obtained by the Division in regulating the sale of subdivided land; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Real Estate Division of the Department of Business and Industry, under certain circumstances, to keep confidential the criminal and financial records obtained by the Division pursuant to chapter 645 of NRS concerning a real estate salesman or other person licensed pursuant to that chapter, an applicant for such a license or an owner-developer. (NRS 645.180) ~~{Section 1 of this bill}~~ **This bill {requires} authorizes** the Division, under certain circumstances, to keep confidential the criminal ~~{records}~~ **and** financial records ~~{and social security number}~~ of each applicant for a license or permit issued pursuant to chapter 119 of NRS which governs the sale of subdivided land, and each person who holds such a license or permit. ~~{Section 2 of this bill allows such records and information to be shared with certain other governmental agencies but not with the public.}~~

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

Section 1. Chapter 119 of NRS is hereby amended by adding thereto a new section to read as follows:

Except as otherwise provided in {subsection 1 of} NRS 119.265, unless otherwise ordered by a court, the Division {shall} may keep confidential, {and} 1. The the criminal and financial records of a licensee, permittee or an applicant for a license or permit issued pursuant to this chapter. {and}

~~2. The social security number of a licensee, permittee or an applicant for a license or permit issued pursuant to this chapter.~~

Sec. 2. ~~{NRS 119.265 is hereby amended to read as follows:~~

~~119.265 1. Except as otherwise provided in this section and NRS 239.0115, a complaint filed with the Division alleging a violation of this chapter, all documents and other information filed with the complaint and all documents and other information compiled as a result of an investigation conducted to determine whether to initiate disciplinary action are confidential and may be disclosed in whole or in part only as necessary in the course of administering this chapter or to a licensing board or agency or any other governmental agency, including, without limitation, a law enforcement agency, that is investigating a person who holds a license or permit issued pursuant to this chapter.~~

~~2. [The] Except as otherwise provided in section 1 of this act, the complaint or other charging documents filed with the Division to initiate disciplinary action and all documents and other information considered by the Division or a hearing officer when determining whether to impose discipline are public records.~~

~~(Deleted by amendment.)~~

Sec. 3. This act becomes effective upon passage and approval.