

SENATE BILL NO. 254—SENATOR NOLAN (BY REQUEST)

MARCH 16, 2009

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes relating to ethical standards in real estate transactions. (BDR 1-31)

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 attorneys; providing that an attorney who performs the functions of a real estate broker in certain transactions must comply with the same ethical standards that apply to real estate brokers; providing that an attorney who violates such standards may be disciplined by the State Bar of Nevada; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, an attorney licensed in this State may act as a real estate
2 broker in real estate transactions. (Chapter 645 of NRS) **Section 1** of this bill
3 provides that an attorney who performs the functions of a real estate broker in a real
4 estate transaction must comply with the same ethical standards that apply to real
5 estate brokers but is not required to be licensed as a real estate broker under chapter
6 645 of NRS. **Section 1** also provides that an attorney who fails to comply with any
7 such standard when he performs the functions of a real estate broker may be
8 disciplined by the State Bar of Nevada.

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

1 **Section 1.** Chapter 7 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. An attorney licensed in this State who performs the*
4 *functions of a real estate broker in a real estate transaction shall*
5 *comply with the standards of business ethics that apply to a real*



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1 *estate broker pursuant to chapter 645 of NRS, including, without*
2 *limitation, such standards set forth in NRS 645.635 and 645.645.*

3 2. *An attorney who performs the functions of a real estate*
4 *broker and who does not comply with the standards of business*
5 *ethics that apply to a real estate broker as required pursuant to*
6 *subsection 1 may be disciplined by the State Bar of Nevada*
7 *pursuant to the rules of the Supreme Court.*

8 3. *The provisions of this section do not require an attorney*
9 *who performs the functions of a real estate broker in a real estate*
10 *transaction to obtain a license to practice as a real estate broker*
11 *pursuant to chapter 645 of NRS.*

