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ASSEMBLY BILL NO. 262—ASSEMBLYMAN GRADY

MARCH 11, 2011

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JOINT SPONSOR: SENATOR SETTELMAYER

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Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to public administrators.  
(BDR 20-1039)

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.

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AN ACT relating to public administrators; making the District Attorney of Storey County the ex officio Public Administrator of Storey County; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

- 1 Under existing law, most counties elect a public administrator every 4 years.
  - 2 For certain other counties (currently Humboldt, Lander, Lincoln and White Pine
  - 3 Counties), the district attorney of the county serves, ex officio, as the public
  - 4 administrator of the county. (NRS 253.010, 253.050) **Sections 1 and 2** of this bill
  - 5 provide for the District Attorney of Storey County to serve, ex officio, as the Public
  - 6 Administrator of that county. **Section 3** of this bill provides that the District
  - 7 Attorney of Storey County shall begin to serve, ex officio, as the Public
  - 8 Administrator of Storey County on July 1, 2011.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 253.010 is hereby amended to read as follows:
- 2 253.010 1. Except as otherwise provided in subsections 4 and
- 3 5 or as altered pursuant to the mechanism set forth in NRS
- 4 244.1507, public administrators must be elected by the qualified
- 5 electors of their respective counties.



\* A B 2 6 2 \*

2. Public administrators must be chosen by the electors of their respective counties at the general election in 1922 and at the general election every 4 years thereafter, and shall enter upon the duties of their office on the first Monday of January after their election.

3. The public administrator of a county must:

(a) Be a qualified elector of the county;

(b) Be at least 21 years of age on the date he or she will take office;

(c) Not have been convicted of a felony for which his or her civil rights have not been restored by a court of competent jurisdiction; and

(d) Not have been found liable in a civil action involving a finding of fraud, misrepresentation, material omission, misappropriation, theft or conversion.

4. The district attorneys of Humboldt, Lander, Lincoln, Storey and White Pine Counties are ex officio public administrators of Humboldt County, Lander County, Lincoln County, Storey County and White Pine County, respectively, unless such an arrangement is altered pursuant to the mechanism set forth in NRS 244.1507. The Clerk of Carson City shall serve as Public Administrator of Carson City.

5. In a county other than Carson City and Humboldt, Lander, Lincoln, Storey and White Pine Counties, if, for any reason, the office of public administrator becomes vacant, the board of county commissioners may appoint a public administrator for the remainder of the unexpired term.

**Sec. 2.** NRS 253.050 is hereby amended to read as follows:

253.050 1. For the administration of the estates of deceased persons, public administrators are entitled to be paid as other administrators or executors are paid, subject to the provisions of NRS 245.043.

2. The district attorneys of Humboldt, Lander, Lincoln, Storey and White Pine Counties as ex officio public administrators and the Clerk of Carson City serving as Public Administrator of Carson City may retain all fees provided by law received by them as public administrators.

3. The public administrator is entitled to compensation from the estate or from beneficiaries for the reasonable value of his or her services performed in preserving the property of an estate of a deceased person before the appointment of an administrator. Compensation must be set by the board of county commissioners.

**Sec. 3.** 1. The term of office of the Public Administrator of Storey County who holds that office on June 30, 2011, expires upon the commencement of service of the District Attorney for Storey



1 County as ex officio Public Administrator of Storey County  
2 pursuant to subsection 2.

3 2. The District Attorney for Storey County shall commence  
4 service as ex officio Public Administrator of Storey County on  
5 July 1, 2011.

6 **Sec. 4.** This act becomes effective on July 1, 2011.

