

Amendment No. 447

Assembly Amendment to Assembly Bill No. 291

(BDR 12-306)

Proposed by: Assembly Committee on Judiciary**Amends:** Summary: No Title: No 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 underlining*** is newly added transitory language.

DP/KEL



Date: 4/17/2011

A.B. No. 291—Makes certain agreements between heir finders and apparent heirs relating to the recovery of property in an estate void and unenforceable under certain circumstances. (BDR 12-306)



ASSEMBLY BILL NO. 291—ASSEMBLYMEN HORNE; AIZLEY, ATKINSON, BUSTAMANTE
ADAMS, CARLTON, CARRILLO, DALY, DONDERO LOOP, FRIERSON,
GOICOECHEA, HOGAN, LIVERMORE, MASTROLUCA, MUNFORD, PIERCE AND
SEGERBLOM

MARCH 16, 2011

Referred to Committee on Judiciary

SUMMARY—Makes certain agreements between heir finders and apparent heirs
relating to the recovery of property in an estate void and
unenforceable under certain circumstances. (BDR 12-306)

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 estates; making certain agreements between an heir finder and
an apparent heir relating to the recovery of property in an estate void
and unenforceable under certain circumstances; and providing other
matters properly relating thereto.

Legislative Counsel's Digest:

This bill provides that an agreement between an heir finder and an apparent heir relating
to the recovery of property in an estate ***for which the public administrator petitioned for
letters of administration*** is void and unenforceable if the agreement is entered into during the
period beginning with the death of the person whose estate is in probate until ~~12~~ 6 months
~~after the filing of a petition for letters of administration~~ ***thereafter***.

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

Section 1. Chapter 139 of NRS is hereby amended by adding thereto a new
section to read as follows:

***1. An agreement between an heir finder and an apparent heir, the primary
purpose of which is to locate, recover or assist in the recovery of an estate ~~for~~ for
which the public administrator has petitioned for letters of administration, is void
and unenforceable if the agreement is entered into during the period beginning
with the death of the person whose estate is in probate until ~~12~~ 6 months ~~after
the filing of a petition for letters of administration~~ thereafter.***

***2. As used in this section, "heir finder" means a person who, for payment of
a fee, assignment of a portion of any interest in a decedent's estate or other
consideration, provides information, assistance, forensic genealogy research or***

1 *other efforts related to another person's right to or interest in a decedent's estate.*
2 *The term does not include:*

3 *(a) A person acting in the capacity of a personal representative or guardian*
4 *ad litem;*

5 *(b) A person appointed to perform services by a probate court in which a*
6 *proceeding in connection with a decedent's estate is pending; or*

7 *(c) An attorney providing legal services to a decedent's family member if the*
8 *attorney has not agreed to pay to any other person a portion of the fees received*
9 *from the family member or the family member's interest in the decedent's estate.*

10 **Sec. 2.** The provisions of this act apply to agreements described in section 1
11 of this act that are entered into on or after July 1, 2011.

12 **Sec. 3.** This act becomes effective on July 1, 2011.