

SENATE BILL NO. 139—SENATOR RHODS

FEBRUARY 10, 2011

Referred to Committee on Judiciary

SUMMARY—Requires assignments of certain interests in property to be recorded. (BDR 9-650)

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 property; requiring assignments of certain interests in property to be recorded; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the assignment of certain interests in property may be
2 recorded. (NRS 106.210) This bill requires such assignments to be recorded within
3 30 days after the assignment under penalty of treble damages and voiding of the
4 assignment.

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

1 **Section 1.** NRS 106.210 is hereby amended to read as follows:
2 106.210 1. Any assignment of a mortgage of real property, or
3 of a mortgage of personal property or crops recorded prior to
4 March 27, 1935, and any assignment of the beneficial interest under
5 a deed of trust ~~may~~ *must* be recorded, and from the time any of the
6 same are so filed for record ~~shall operate~~ *operates* as constructive
7 notice of the contents thereof to all persons.
8 2. Each such filing or recording shall be properly indexed by
9 the recorder.
10 3. *An assignment not recorded pursuant to subsection 1*
11 *within 30 days after the assignment is void, and the purported*
12 *assignee is liable to the mortgagor or trustor, as applicable, in a*
13 *civil action for treble damages.*



* S B 1 3 9 *

1 **Sec. 2.** The amendatory provisions of section 1 of this act
2 apply to assignments made on or after October 1, 2011.

