

SENATE BILL NO. 99—SENATOR HARDY

PREFILED JANUARY 25, 2011

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Makes various changes concerning consumer protection. (BDR 52-127)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 consumer protection; prescribing certain mandatory terms of a contract for grant writing services; providing certain exemptions; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 16** of this bill sets forth requirements applicable to contracts for grant
2 writing services in this State. **Section 7** of this bill defines “grant writing service.”
3 **Section 22** of this bill provides that a violation of the provisions of this bill
4 constitutes a deceptive trade practice. **Section 9** of this bill exempts from the
5 provisions of this bill the providing of certain education and training relating to
6 grants and certain grant writing services that offer services relating to affordable
7 housing and community development projects.

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

1 **Section 1.** Chapter 598 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 23, inclusive, of this
3 act.
4 **Sec. 2.** *As used in sections 2 to 23, inclusive, of this act,*
5 *unless the context otherwise requires, the words and terms defined*
6 *in sections 3 to 8, inclusive, of this act have the meanings ascribed*
7 *to them in those sections.*
8 **Sec. 3.** *“Buyer” means a natural person who is solicited to*
9 *purchase or who purchases the services of a grant writing service.*
10 **Sec. 3.5.** (Deleted by amendment.)



1 **Sec. 4.** (Deleted by amendment.)

2 **Sec. 5.** (Deleted by amendment.)

3 **Sec. 6.** *"Grant" means any money given by a governmental*
4 *entity or any other person or organization to finance a specific or*
5 *general purpose.*

6 **Sec. 7.** *"Grant writing service" means a person who, with*
7 *respect to obtaining any grant or other payment, loan or money,*
8 *advertises, sells, provides or performs, or represents that he or she*
9 *can or will sell, provide or perform, any of the following services*
10 *in return for the payment of money or other valuable*
11 *consideration:*

12 1. *Writing an application for a grant for a buyer.*

13 2. *Obtaining a grant for a buyer.*

14 3. *Providing advice or assistance to a buyer in obtaining a*
15 *grant.*

16 **Sec. 8.** (Deleted by amendment.)

17 **Sec. 9.** *The provisions of sections 2 to 23, inclusive, of this*
18 *act do not apply to:*

19 1. *A grant writing service which provides services relating to*
20 *an affordable housing and community development project which*
21 *is financed, in whole or in part, by tax credits for low-income*
22 *housing, private activity bonds or money provided by a private*
23 *entity, government, governmental agency or political subdivision*
24 *of a government, including, without limitation, any money*
25 *provided pursuant to 12 U.S.C. § 1701q, 26 U.S.C. § 42, 42 U.S.C.*
26 *§ 8013 or 42 U.S.C. §§ 12701 et seq.*

27 2. *The providing of education and training regarding*
28 *procedures for writing, obtaining or managing grants.*

29 **Sec. 10.** (Deleted by amendment.)

30 **Sec. 11.** (Deleted by amendment.)

31 **Sec. 12.** (Deleted by amendment.)

32 **Sec. 13.** (Deleted by amendment.)

33 **Sec. 14.** (Deleted by amendment.)

34 **Sec. 15.** (Deleted by amendment.)

35 **Sec. 16.** *A contract between a buyer and a grant writing*
36 *service for the purchase of the services of the grant writing*
37 *service:*

38 1. *Must be in writing.*

39 2. *Must be signed by the buyer or, if the transaction is*
40 *conducted electronically, otherwise acknowledged by the buyer.*

41 3. *Must be dated.*

42 4. *Must clearly indicate above the signature or*
43 *acknowledgment line that the buyer may cancel the contract*
44 *within 5 days after execution of the contract by giving written*
45 *notice to the grant writing service of his or her intent to cancel the*



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1 *contract. If the notice is mailed, the notice must be postmarked not*
2 *later than 5 days after the execution of the contract.*

3 *5. Must include a detailed description of the services to be*
4 *performed by the grant writing service for the buyer and the total*
5 *amount the buyer is obligated to pay for those services.*

6 *6. Must include a statement in at least 12-point bold type*
7 *informing the buyer of his or her right to file a complaint*
8 *concerning the grant writing service with the Bureau of Consumer*
9 *Protection in the Office of the Attorney General, including the*
10 *physical address and telephone number for the Bureau.*

11 **Sec. 17.** (Deleted by amendment.)

12 **Sec. 18.** (Deleted by amendment.)

13 **Sec. 19.** (Deleted by amendment.)

14 **Sec. 20.** (Deleted by amendment.)

15 **Sec. 21.** (Deleted by amendment.)

16 **Sec. 22.** *Any violation of sections 2 to 23, inclusive, of this*
17 *act constitutes a deceptive trade practice for the purposes of NRS*
18 *598.0903 to 598.0999, inclusive.*

19 **Sec. 23.** (Deleted by amendment.)

20 **Sec. 24.** (Deleted by amendment.)

21 **Sec. 25.** (Deleted by amendment.)

22 **Sec. 25.5.** (Deleted by amendment.)

23 **Sec. 26.** (Deleted by amendment.)

