

ASSEMBLY BILL NO. 395—ASSEMBLYMEN FIORE, ELLISON; AIZLEY,
PAUL ANDERSON, BOBZIEN, DUNCAN, HAMBRICK,
HEALEY, HICKEY, KIRNER, LIVERMORE, MARTIN,
OHRENSCHALL, STEWART, WHEELER AND WOODBURY

MARCH 18, 2013

JOINT SPONSOR: SENATOR GUSTAVSON

Referred to Committee on Judiciary

SUMMARY—Revises provisions regarding common-interest
communities. (BDR 10-1013)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: No.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to common-interest communities; prohibiting
certain persons within a common-interest community
from committing certain acts against another person
within that same common-interest community; providing
a penalty; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

- 1 This bill: (1) prohibits certain persons within a common-interest community
- 2 from committing certain acts against another person within that same common-
- 3 interest community; and (2) provides that committing any such act is a
- 4 misdemeanor.



* A B 3 9 5 R 2 *

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

Section 1. Chapter 116 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A community manager, an agent or employee of the community manager, a member of the executive board, an officer, employee or agent of an association, a unit's owner or a guest or tenant of a unit's owner shall not willfully and without legal authority threaten, harass or otherwise engage in a course of conduct against any other person who is the community manager of his or her common-interest community or an agent or employee of that community manager, a member of the executive board of his or her association, an officer, employee or agent of his or her association, another unit's owner in his or her common-interest community or a guest or tenant of a unit's owner in his or her common-interest community which:

(a) Causes harm or serious emotional distress, or the reasonable apprehension thereof, to that person; or

(b) Creates a hostile environment for that person.

2. A person who violates the provisions of subsection 1 is guilty of a misdemeanor.

Sec. 2. NRS 116.1203 is hereby amended to read as follows:

116.1203 1. Except as otherwise provided in subsections 2 and 3, if a planned community contains no more than 12 units and is not subject to any developmental rights, it is subject only to NRS 116.1106 and 116.1107 unless the declaration provides that this entire chapter is applicable.

2. The provisions of NRS 116.12065 and the definitions set forth in NRS 116.005 to 116.095, inclusive, to the extent that the definitions are necessary to construe any of those provisions, apply to a residential planned community containing more than 6 units.

3. Except for NRS 116.3104, 116.31043, 116.31046 and 116.31138, the provisions of NRS 116.3101 to 116.350, inclusive, *and section 1 of this act* and the definitions set forth in NRS 116.005 to 116.095, inclusive, to the extent that such definitions are necessary in construing any of those provisions, apply to a residential planned community containing more than 6 units.

Sec. 3. NRS 116.745 is hereby amended to read as follows:

116.745 As used in NRS 116.745 to 116.795, inclusive, unless the context otherwise requires, "violation" means a violation of ~~any~~:

1. Any provision of this chapter ~~any~~ except section 1 of this act;



- 1 2. *Any* regulation adopted pursuant ~~thereto~~ *to this chapter*; or
- 2 ~~any~~
- 3 3. *Any* order of the Commission or a hearing panel.

