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FIRST REPRINT

A.B. 478

ASSEMBLY BILL NO. 478—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 23, 2015

Referred to Committee on Ways and Means

SUMMARY—Revises certain fees collected by the Real Estate Division of the Department of Business and Industry and imposes certain new fees to be collected by the Division. (BDR 10-1173)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Executive Budget.

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

AN ACT relating to real property; revising certain fees collected by the Real Estate Division of the Department of Business and Industry and imposing certain new fees to be collected by the Division; revising provisions relating to the disposition of such fees; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law sets forth provisions relating to the sale of subdivided land and
2 time shares. (Chapters 119 and 119A of NRS) This bill increases the various fees
3 relating to the sale of subdivided land and time shares which the Real Estate
4 Division of the Department of Business and Industry may charge and collect and
5 imposes certain new fees. This bill specifically provides for the disposition of such
6 fees.

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

1 **Section 1.** NRS 119.118 is hereby amended to read as follows:
2 119.118 ~~1A11~~ *Except as otherwise provided in paragraph (b)*
3 *of subsection 1 of NRS 119.320, all* fees and charges received by
4 the Division shall be deposited in the General Fund in the State



* A B 4 7 8 R 1 *

Treasury. Funds for the support of the Division shall be provided by direct legislative appropriation, and shall be paid out on claims as other claims against the State are paid.

Sec. 2. NRS 119.320 is hereby amended to read as follows:

119.320 1. Subject to the provisions of this chapter, the Division shall collect the following fees at such times and upon such conditions as it may provide by regulation:

(a) For deposit in the State General Fund:

For each annual registered representative's license to represent a developer	\$85
For each transfer of a registered representative's license to represent a developer	30
For each penalty for a late renewal of a registered representative's license.....	40
For each application for a developer's request for an exemption from any provision of this chapter.....	275
For each application for renewal of an exemption from any provision of this chapter.....	275
For each developer's permit per subdivision.....	500
For each developer's temporary permit for each subdivision	275
For each renewal of a developer's permit	500
For each developer's partial registration pursuant to NRS 119.121	275

(b) For deposit for use by the Division in carrying out the provisions of this chapter:

<i>For each application for a developer's request for an exemption from any provision of this chapter</i>	<i>\$500</i>
<i>For each application for renewal of an exemption from any provision of this chapter</i>	<i>500</i>
<i>For each penalty for a late renewal of a developer's permit</i>	<i>125</i>
For each amendment to a developer's permit.....	150 300
<i>For each penalty for the untimely filing of an amendment to a developer's permit.....</i>	<i>125</i>
<i>For each filing of a Project Registration Form 649 - Statement of Project Broker</i>	<i>25</i>
<i>For each project request for processing within 5 days after a complete filing is made.....</i>	<i>1,000</i>



1 The \$500 fee for a developer's permit per subdivision does not
2 apply to any subdivision having 34 or fewer lots, parcels, interests
3 or units.

4 2. At the time of the original filing, each developer shall pay an
5 additional \$5 for each lot, parcel, interest or unit in any one
6 subdivision in excess of 50, but not exceeding 250 such lots,
7 parcels, interests or units; \$4 for 251 through 500 lots, parcels,
8 interests or units in any one subdivision; \$3 for 501 through 750
9 lots, parcels, interests or units in any one subdivision; and \$2.50 for
10 all lots, parcels, interests or units in excess of 750 in any one
11 subdivision. The developer may designate lots, parcels, interests or
12 units it intends to offer for sale or lease in this state out of the
13 subdivision, and the fee per lot, parcel, interest or unit is only
14 applicable to those lots, parcels, interests or units. The units must be
15 designated in groupings of no less than 5 contiguous units in each
16 group, except that the Division may accept fewer upon request of
17 the developer. If the developer determines to offer additional lots,
18 parcels, interests or units, it shall so certify to the Division and pay
19 the additional fee therefor.

20 3. With the exception of the fees for a registered
21 representative's license or transfer, the fees enumerated in this
22 section must be reduced by the Administrator at such times as, in his
23 or her judgment, the Administrator considers a reduction equitable
24 in relation to the necessary costs of carrying out the administration
25 and enforcement of the provisions of this chapter.

26 **Sec. 3.** NRS 119A.220 is hereby amended to read as follows:

27 119A.220 1. A sales agent may work for only one project
28 broker at any one time at the location designated in the license.

29 2. A project broker shall give written notice to the Division of
30 a change of association of any sales agent associated with the
31 project broker within 10 days after that change.

32 3. The project broker, upon the termination of the employment
33 of any sales agent associated with the project broker, shall submit
34 that agent's license to the Division.

35 4. If a sales agent changes his or her association with any
36 project broker or changes his or her location designated in the
37 license, the sales agent must apply to the Division for the reissuance
38 of his or her license for its unexpired term. The application must be
39 accompanied by a fee of ~~[\$10.]~~ \$25.

40 5. A sales agent may only become associated with a project
41 broker who certifies to the sales agent's honesty, trustworthiness
42 and good reputation.

43 **Sec. 4.** NRS 119A.360 is hereby amended to read as follows:

44 119A.360 1. The Division shall collect the following fees at
45 the time of filing:



1	For each application for the registration of a	
2	representative	\$100
3	For each renewal of the registration of a	
4	representative	100
5	For each transfer of the registration of a	
6	representative to a different developer	25
7	For each penalty for a late renewal of the	
8	registration of a representative	75
9	For each preliminary permit to sell time shares	400
10	For each initial permit to sell time shares.....	1,500
11	For each amendment to a statement of record	
12	after the issuance of the permit to sell time	
13	shares, where no new component sites are	
14	added	200
15	For each amendment to a statement of record	
16	after the issuance of the permit to sell time	
17	shares, where one or more new component	
18	sites are added, not including the addition of	
19	units to a component site previously	
20	permitted	500
21	For each annual renewal of a permit to sell time	
22	shares with only one component site.....	750
23	For each annual renewal of a permit to sell time	
24	shares with more than one component site.....	1,500
25	For each initial registration of a time-share	
26	resale broker	300
27	For each renewal of the registration of a time-	
28	share resale broker.....	150
29	For each original and annual registration of a	
30	manager.....	100
31	For each application for an original license as a	
32	sales agent	200
33	For each renewal of a license as a sales agent.....	200
34	For each penalty for a late renewal of a license	
35	as a sales agent	100
36	<i>For each registration of a time share exchange</i>	
37	<i>company.....</i>	<i>500</i>
38	<i>For each conversion to an abbreviated</i>	
39	<i>registration.....</i>	<i>7,500</i>
40	For each change of name or address of a	
41	licensee or status of a license	25
42	For each duplicate license, permit or registration	
43	where the original is lost or destroyed, and	
44	an affidavit is made thereof.....	25



For each annual approval of a course of instruction offered in preparation for an original license or permit.....	\$150
For each original accreditation of a course of continuing education	150
For each renewal of accreditation of a course of continuing education	75

2. Within 10 days after receipt of written notification from the Administrator of the approval of the application for a permit to sell time shares and before the issuance of the permit to sell time shares, or within 10 days after an amendment that adds time shares to the time-share plan is approved or deemed approved, each developer shall, for each time share that the developer includes in the initial time-share plan or adds to the time-share plan by amendment, pay a one-time fee of:

(a) For each such time share up to and including 1,499 time shares, \$3.

(b) For each such time share over 1,499 time shares, \$1.50.

➤ For the purposes of calculating the amount of the fee payable under this subsection, "time share" means the right to use and occupy a unit for 7 days or more per calendar year.

3. *All fees collected by the Division pursuant to this section must be deposited for use by the Division in carrying out the provisions of this chapter.*

4. Except for the fees relating to the registration of a representative, the Administrator may reduce the fees established by this section if the reduction is equitable in relation to the costs of carrying out the provisions of this chapter.

~~[4.]~~ 5. The Division shall adopt regulations which establish the fees to be charged and collected by the Division to pay the costs of:

(a) Any examination for a license, including any costs which are necessary for the administration of such an examination.

(b) Any investigation of a person's background.

Sec. 5. This act becomes effective on July 1, 2015.

