

ASSEMBLY BILL NO. 310—ASSEMBLYWOMAN TITUS

MARCH 17, 2017

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing public administrators.
(BDR 20-103)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 public administrators; revising provisions governing the payment of compensation for certain public administrators; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides for the election, qualifications and duties of a public
2 administrator in securing and administering the estate of an intestate decedent.
3 (Chapter 253 of NRS) For certain counties, the district attorney of the county
4 serves, ex officio, as the public administrator of the county. In Carson City, the
5 Clerk of Carson City serves as the Public Administrator of Carson City. (NRS
6 253.010) Existing law also provides that public administrators are entitled to be
7 paid as other administrators or executors, subject to certain restrictions on the
8 annual salary of certain public administrators. (NRS 245.043, 253.050) This bill
9 requires the board of county commissioners, in certain counties where the salary of
10 a public administrator is not set by law, to set and pay the annual compensation of a
11 public administrator for certain costs and expenses. This bill also authorizes such
12 public administrators to retain all fees provided by law for public administrators.

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

1 **Section 1.** NRS 253.050 is hereby amended to read as follows:
2 253.050 1. For the administration of the estates of deceased
3 persons, public administrators are entitled to be paid as other



1 administrators or executors are paid, subject to the provisions of
2 NRS 245.043.

3 2. The district attorneys of Humboldt, Lander, Lincoln, Storey
4 and White Pine Counties as ex officio public administrators and the
5 Clerk of Carson City serving as Public Administrator of Carson City
6 may retain all fees provided by law received by them as public
7 administrators.

8 3. The public administrator is entitled to compensation from
9 the estate or from beneficiaries for the reasonable value of his or her
10 services performed in preserving the property of an estate of a
11 deceased person before the appointment of an administrator.
12 Compensation must be set by the board of county commissioners.

13 4. *Except as otherwise provided in subsection 2, a public*
14 *administrator who does not receive a salary pursuant to*
15 *NRS 245.043:*

16 (a) *Is entitled to receive annual compensation, for the costs*
17 *and expenses incident to a public administrator, as set by the*
18 *board of county commissioners and paid out of the county fund;*
19 *and*

20 (b) *May retain all fees provided by law received by him or her*
21 *as public administrator.*

22 **Sec. 2.** The provisions of NRS 354.599 do not apply to any
23 additional expenses of a local government that are related to the
24 provisions of this act.

25 **Sec. 3.** This act becomes effective on July 1, 2018.

