

Amendment No. 682

Assembly Amendment to Senate Bill No. 376	(BDR 12-480)
Proposed by: Assembly Committee on Judiciary	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

MNM/BAW



Date: 5/15/2017

S.B. No. 376—Revises provisions relating to certain agreements between heir finders and apparent heirs. (BDR 12-480)



SENATE BILL NO. 376—COMMITTEE ON JUDICIARY

MARCH 20, 2017

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to certain agreements between heir finders and apparent heirs. (BDR 12-480)

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 estates; revising provisions relating to certain agreements between heir finders and apparent heirs; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that an agreement between an heir finder and an apparent heir, the primary purpose of which is to locate, recover or assist in the recovery of an estate for which the public administrator has petitioned for letters of administration, is void and unenforceable if it is entered into during the period beginning with the death of the person whose estate is in probate until 90 days thereafter. (NRS 139.135) This bill ~~extends~~ authorizes a court, upon a showing of good cause, to extend the period of unenforceability ~~to 1 year~~ until 180 days after the death of such a person.

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

Section 1. NRS 139.135 is hereby amended to read as follows:

139.135 1. An agreement between an heir finder and an apparent heir, the primary purpose of which is to locate, recover or assist in the recovery of an estate for which the public administrator has petitioned for letters of administration, is void and unenforceable if the agreement is entered into during the period beginning with the death of the person whose estate is in probate until 90 days ~~1 year~~ thereafter. Upon a showing of good cause, the court may extend such a period until 180 days after the death of the person.

2. As used in this section, "heir finder" means a person who, for payment of a fee, assignment of a portion of any interest in a decedent's estate or other consideration, provides information, assistance, forensic genealogy research or other efforts related to another person's right to or interest in a decedent's estate. The term does not include:

(a) A person acting in the capacity of a personal representative or guardian ad litem;

1 (b) A person appointed to perform services by a probate court in which a
2 proceeding in connection with a decedent's estate is pending; or

3 (c) An attorney providing legal services to a decedent's family member if the
4 attorney has not agreed to pay to any other person a portion of the fees received
5 from the family member or the family member's interest in the decedent's estate.

6 **Sec. 2.** The amendatory provisions of this act apply to agreements described
7 in this act that are entered into on or after October 1, 2017.