

ASSEMBLY BILL NO. 3—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE NEVADA LEAGUE OF
CITIES AND MUNICIPALITIES)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Government Affairs

SUMMARY—Revises provisions concerning the electronic transmission of certain maps and other documents relating to the approval of divisions of land. (BDR 22-406)

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 land use planning; revising provisions concerning the electronic transmission of certain maps and other documents relating to the approval of divisions of land; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law prescribes various requirements relating to the filing, submission
2 and presentation of maps and related documents for purposes of the division of
3 land. (NRS 278.320-278.5695) Existing law authorizes, but does not require, a
4 county recorder to accept electronic documents for recording. (NRS 111.366-
5 111.3697, 247.115) This bill specifically authorizes the filing, submission and
6 presentation of such maps and related documents electronically subject to certain
7 requirements, except in circumstances relating to the recording of such a document
8 if the county recorder does not accept electronic documents for recording.



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

Section 1. Chapter 278 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in NRS 247.115, if the provisions of NRS 278.320 to 278.5695, inclusive, require that:

(a) A document be an original, be on paper or another tangible medium, or be in writing, the requirement is satisfied by an electronic document if the file containing the document is locked electronically to prevent any changes to the document.

(b) A document be filed, submitted or presented, the requirement is satisfied if the document is filed, submitted or presented electronically and the file containing the document is locked electronically to prevent any changes to the document.

(c) A document be sealed or stamped, the requirement is satisfied if:

(1) The document is sealed or stamped electronically using an electronically prepared seal or stamp; and

(2) Secure encryption methods are in place to prevent the copying, transferring or removing of the seal or stamp, which must comply, without limitation, with any requirements for digital signatures set forth in chapter 720 of NRS and any regulations adopted pursuant thereto and any standards of the county recorder for such electronic documents.

(d) A document be signed, the requirement is satisfied by the use of a digital signature if the digital signature complies with:

(1) Any requirements regarding the use of digital signatures prescribed in chapter 720 of NRS and any regulations adopted pursuant thereto; and

(2) Any standards for the use of digital signatures adopted by the county recorder to whom the document is being submitted.

(e) An affidavit, certificate or acknowledgement be legibly stamped or printed upon a document, the requirement is satisfied if the electronic signature of the person authorized to perform that act, and all other information required to be included, is attached to or logically associated with the document or signature. A physical or electronic image of a stamp, impression or seal need not accompany such an electronic signature.

(f) A copy of a document to be forwarded, furnished or provided, the requirement is satisfied if the copy is forwarded, furnished or provided electronically.

2. Nothing in this section shall be construed to limit the authority of:



1 (a) *The Secretary of State to adopt regulations regarding*
2 *digital signatures pursuant to NRS 720.150.*

3 (b) *A governmental agency to prescribe requirements relating*
4 *to the use of electronic records or electronic signatures pursuant*
5 *to NRS 719.350.*

6 (c) *The State Board of Professional Engineers and Land*
7 *Surveyors to prescribe requirements relating to the signing and*
8 *stamping of documents produced by a professional engineer or*
9 *land surveyor pursuant to NRS 625.565.*

10 (d) *Any other governmental entity authorized by law to*
11 *establish requirements or procedures relating to electronic*
12 *documents or records.*

13 **Sec. 2.** NRS 278.010 is hereby amended to read as follows:

14 278.010 As used in NRS 278.010 to 278.630, inclusive, *and*
15 *section 1 of this act*, unless the context otherwise requires, the
16 words and terms defined in NRS 278.0103 to 278.0195, inclusive,
17 have the meanings ascribed to them in those sections.

18 **Sec. 3.** This act becomes effective on July 1, 2021.

