
SENATE BILL NO. 127—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON SENIOR
CITIZENS, VETERANS AND ADULTS WITH SPECIAL NEEDS)

PREFILED FEBRUARY 4, 2011

Referred to Committee on Judiciary

SUMMARY—Revises provisions concerning guardianships for certain veterans and their dependents. (BDR 13-160)

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 guardianships; requiring, under certain circumstances, a guardian who is appointed for a ward who is a beneficiary of the Department of Veterans Affairs to handle certain other money payable to the ward in the same manner as money payable by the Department of Veterans Affairs; revising provisions relating to the compensation of a guardian of such a ward; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law sets forth the general procedures for the appointment of a guardian
2 for a ward, the powers and duties of a guardian and the allowable compensation for
3 a guardian’s services. (Chapter 159 of NRS) Existing law, the Uniform Veterans’
4 Guardianship Act, sets forth specific procedures for the appointment of a guardian
5 for a ward who is a beneficiary of the Department of Veterans Affairs, the powers
6 and duties of such a guardian and the allowable compensation for such a guardian’s
7 services. (Chapter 160 of NRS)

8 **Section 1** of this bill requires a guardian for a ward who is a beneficiary of the
9 Department of Veterans Affairs to handle any money payable to the ward from a
10 source other than the Department of Veterans Affairs in the same manner as money
11 payable to the ward by the Department of Veterans Affairs unless doing so would
12 be inconsistent with federal law.

13 **Section 2** of this bill decreases the allowable compensation for a guardian of a
14 ward who is a beneficiary of the Department of Veterans Affairs from 5 percent to
15 4 percent of the income of the ward during any year. **Section 2** also removes the



16 authority of the court to authorize the payment of additional compensation to such
17 guardians for extraordinary services.

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

1 **Section 1.** Chapter 159 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *To the extent consistent with federal law, a guardian of a*
4 *ward who is a beneficiary of the Department of Veterans Affairs*
5 *shall handle any money payable to the ward by a source other*
6 *than the Department of Veterans Affairs in the same manner as*
7 *money payable to the ward by the United States through the*
8 *Department of Veterans Affairs. In handling the money pursuant*
9 *to this section, the guardian shall comply with the provisions of*
10 *chapter 160 of NRS and any relevant federal law, including,*
11 *without limitation, the requirements concerning filing an account*
12 *as set forth in NRS 160.100 and compensating the guardian as set*
13 *forth in NRS 160.120.*

14 2. *As used in this section, "Department of Veterans Affairs"*
15 *has the meaning ascribed to it in NRS 160.020.*

16 **Sec. 2.** NRS 160.120 is hereby amended to read as follows:

17 160.120 Compensation payable to a guardian must not exceed
18 ~~[5]~~ 4 percent of the income of the ward during any year. ~~In the~~
19 ~~event of extraordinary services rendered by any guardian, the court~~
20 ~~may, upon petition and after hearing thereon, authorize additional~~
21 ~~compensation therefor payable from the estate of the ward. Notice~~
22 ~~of such petition and hearing must be given to the proper office of the~~
23 ~~Department of Veterans Affairs in the manner provided in NRS~~
24 ~~160.100.]~~ No compensation may be allowed on the corpus of an
25 estate received from a preceding guardian. The guardian may be
26 allowed from the estate of the ward of the guardian reasonable
27 premiums paid by him or her to any corporate surety upon his or her
28 bond.

