

ASSEMBLY BILL NO. 34—COMMITTEE ON NATURAL
RESOURCES, AGRICULTURE, AND MINING

(ON BEHALF OF THE DIVISION OF STATE LANDS
OF THE STATE DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES)

PREFILED NOVEMBER 16, 2016

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Revises provisions relating to government land.
(BDR 26-179)

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 government land; reducing the number of independent appraisals of state land required before such land may be offered for sale or lease; revising certain restrictions on the performance of an appraisal of certain government land by an appraiser; revising provisions relating to the Revolving Account for Land Management; removing an exemption from procedural requirements for the sale or lease of state land for a lease of residential property with a term of 1 year or less; revising provisions relating to the requirement that the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources develop and make certain information useful to land use planning available to cities and counties; repealing obsolete provisions regarding the Lincoln County Pilot Land Development and Disposal Law; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Under existing law, the Division of State Lands of the State Department of
- 2 Conservation and Natural Resources must acquire and hold in the name of the State



* A B 3 4 R 2 *

3 all land and interests in land owned or required by the State, with certain
4 exceptions. (NRS 321.001) The Administrator of the Division is, ex officio, the
5 State Land Registrar. (NRS 321.010)

6 Existing law requires, with certain exceptions, the State Land Registrar to
7 obtain two independent appraisals of any state land before offering the land for sale
8 or lease. (NRS 321.007) **Section 1** of this bill decreases to one the number of
9 independent appraisals that the State Land Registrar is required to obtain before
10 offering state land for sale or lease.

11 Existing law also prohibits an appraiser from appraising state land if the
12 appraiser or a person related to the appraiser within the first degree of
13 consanguinity or affinity has an interest in the land or an adjoining property.
14 **Section 1** expands the prohibited degree of consanguinity or affinity of the
15 appraiser's relative to the third degree of consanguinity or affinity.

16 Existing law creates the Revolving Account for Land Management as a special
17 account in the State General Fund. Money in the Account must be used to pay the
18 expenses relating to the management of land held by the Division of State Lands,
19 including, without limitation, expenses for appraisals and surveys, construction of
20 fences and barriers for vehicles and the cleanup and maintenance of the land. (NRS
21 321.067) **Section 2** of this bill authorizes money in the Account also to be used to
22 pay expenses relating to the acquisition of or interests in land. **Section 2** also
23 provides that the expenses for which money in the Account may be used may
24 include land surveys, required assessments of the land, including surveys of the
25 biological, environmental and cultural conditions and resources of the land, and any
26 required mitigation of the land.

27 Existing law authorizes the State Land Registrar to request an allocation to the
28 Revolving Account from the Contingency Account in the State General Fund if the
29 balance in the Revolving Account is below \$5,000. **Section 2** of this bill raises that
30 amount to \$20,000.

31 Existing law provides procedural requirements for the sale or lease of state land
32 and exempts from those requirements any lease of residential property with a term
33 of 1 year or less. (NRS 321.335) **Section 3** of this bill removes that exemption.

34 Existing law requires the Administrator of the Division of State Lands to: (1)
35 administer the activities of the State Land Use Planning Agency; and (2) develop
36 and distribute information that is useful to land use planning. Existing law also
37 gives priority to the activities of the State Land Use Planning Agency in the
38 provision of technical assistance in areas of this State where such assistance is
39 requested. (NRS 321.710) **Section 3.5** of this bill limits the entities to which
40 priority in the provision of technical assistance must be given to counties and cities.

41 Existing law requires the Administrator of the Division of State Lands to
42 develop and make available to cities and counties certain specified information
43 useful to land use planning. (NRS 321.720) **Section 4** of this bill removes the
44 requirement that the Administrator develop and make available to cities and
45 counties: (1) statewide data relating to population densities and trends, economic
46 and environmental characteristics and trends, and directions and extent of urban
47 and rural growth; (2) projections of the nature and quantity of land needed and
48 suitable for various purposes; and (3) a continuously revised inventory of the
49 environmental, geological and physical conditions which influence the desirability
50 of various uses of land. **Section 4** also requires the Administrator, to the extent
51 practicable, to compile the information developed and make the compilation
52 available to counties and cities.

53 Existing law prohibits an appraiser who appraises any real property that is
54 offered for sale or lease by a board of county commissioners or the governing body
55 of an incorporated city from conducting the appraisal if the appraiser or a person
56 related to the appraiser within the first degree of consanguinity or affinity has an
57 interest in the real property or an adjoining property. (NRS 244.2795, 268.059)



58 **Sections 6 and 7** of this bill expand the prohibited degree of consanguinity or
59 affinity of the person from the first degree of consanguinity or affinity to the third
60 degree of consanguinity or affinity and, in certain circumstances, the second degree
61 of consanguinity or affinity.

62 **Section 9** of this bill repeals obsolete provisions relating to the Lincoln County
63 Pilot Land Development and Disposal Law. (NRS 321.540-321.590)

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

1 **Section 1.** NRS 321.007 is hereby amended to read as follows:
2 321.007 1. Except as otherwise provided in subsection 5,
3 NRS 321.008, 322.061, 322.063, 322.065 or 322.075, except as
4 otherwise required by federal law, except for land that is sold or
5 leased to a public utility, as defined in NRS 704.020, to be used for
6 a public purpose, except for land that is sold or leased to a state or
7 local governmental entity, except for a lease which is part of a
8 contract entered into pursuant to chapter 333 of NRS and except for
9 land that is sold or leased pursuant to an agreement entered into
10 pursuant to NRS 277.080 to 277.170, inclusive, when offering any
11 land for sale or lease, the State Land Registrar shall:

12 (a) ~~Except as otherwise provided in this paragraph, obtain two~~
13 *Obtain an* independent ~~appraisals~~ *appraisal* of the land before
14 selling or leasing it. ~~If the Interim Finance Committee grants its~~
15 ~~approval after discussion of the fair market value of the land, one~~
16 ~~independent appraisal of the land is sufficient before selling or~~
17 ~~leasing it.]~~ The appraisal ~~for appraisals, as applicable,]~~ must have
18 been prepared not more than 6 months before the date on which the
19 land is offered for sale or lease.

20 (b) Notwithstanding the provisions of chapter 333 of NRS,
21 select ~~the one]~~ *an* independent appraiser ~~for two independent~~
22 ~~appraisers, as applicable,]~~ from the list of appraisers established
23 pursuant to subsection 2.

24 (c) Verify the qualifications of ~~each]~~ *an* appraiser selected
25 pursuant to paragraph (b). The determination of the State Land
26 Registrar as to the qualifications of an appraiser is conclusive.

27 2. The State Land Registrar shall adopt regulations for the
28 procedures for creating or amending a list of appraisers qualified to
29 conduct appraisals of land offered for sale or lease by the State Land
30 Registrar. The list must:

31 (a) Contain the names of all persons qualified to act as a general
32 appraiser in the same county as the land that may be appraised; and

33 (b) Be organized at random and rotated from time to time.

34 3. An appraiser chosen pursuant to subsection 1 must provide a
35 disclosure statement which includes, without limitation, all sources



1 of income of the appraiser that may constitute a conflict of interest
2 and any relationship of the appraiser with the owner of the land or
3 the owner of an adjoining property.

4 4. An appraiser shall not perform an appraisal on any land
5 offered for sale or lease by the State Land Registrar if the appraiser
6 or a person related to the appraiser within the ~~first~~ *third* degree of
7 consanguinity or affinity has an interest in the land or an adjoining
8 property.

9 5. If a lease of land is for residential property and the term of
10 the lease is 1 year or less, the State Land Registrar shall obtain an
11 analysis of the market value of similar rental properties prepared by
12 a licensed real estate broker or salesperson when offering such a
13 property for lease.

14 6. If land is sold or leased in violation of the provisions of this
15 section:

16 (a) The sale or lease is void; and

17 (b) Any change to an ordinance or law governing the zoning or
18 use of the land is void if the change takes place within 5 years after
19 the date of the void sale or lease.

20 **Sec. 2.** NRS 321.067 is hereby amended to read as follows:

21 321.067 1. The Revolving Account for Land Management is
22 hereby created as a special account in the State General Fund.

23 2. The State Land Registrar shall use the money in the
24 *Revolving* Account to pay the expenses related to the management
25 of land held by the Division ~~and~~ *and the acquisition of or interests in*
26 *land*, including, without limitation, expenses for:

27 (a) Appraisals and *land* surveys;

28 (b) *Required environmental assessments of the land,*
29 *including, without limitation, surveys of the biological,*
30 *environmental and cultural conditions and resources of the land;*

31 (c) Construction of fences and barriers for vehicles; ~~and~~

32 ~~—(e) (d)~~ (d) The cleanup and maintenance of the land ~~and~~; *and*

33 (e) *Any mitigation required of the land.*

34 3. The State Land Registrar shall:

35 (a) Approve any disbursement from the Revolving Account; and

36 (b) Maintain records of any such disbursement.

37 4. The State Land Registrar shall deposit into the Revolving
38 Account money received by the Division as a donation or as a
39 reimbursement for or advance payment of an expense paid out of the
40 Revolving Account.

41 5. The balance of the Revolving Account must be carried
42 forward at the end of each fiscal year.

43 6. If the balance in the account is below ~~the \$5,000,~~ *\$20,000*, the
44 State Land Registrar may request an allocation from the



1 Contingency Account in the State General Fund pursuant to NRS
2 353.266, 353.268 and 353.269.

3 **Sec. 3.** NRS 321.335 is hereby amended to read as follows:

4 321.335 1. Except as otherwise provided in NRS 321.008,
5 321.125, 322.061, 322.063, 322.065 or 322.075, except as otherwise
6 required by federal law, except for land that is sold or leased to a
7 public utility, as defined in NRS 704.020, to be used for a public
8 purpose, except for land that is sold or leased to a state or local
9 governmental entity, except for a lease which is part of a contract
10 entered into pursuant to chapter 333 of NRS and except for an
11 agreement entered into pursuant to the provisions of NRS 277.080
12 to 277.170, inclusive, ~~for a lease of residential property with a term~~
13 ~~of 1 year or less.~~ after April 1, 1957, all sales or leases of any lands
14 that the Division is required to hold pursuant to NRS 321.001,
15 including lands subject to contracts of sale that have been forfeited,
16 are governed by the provisions of this section.

17 2. Whenever the State Land Registrar deems it to be in the best
18 interests of the State of Nevada that any lands owned by the State
19 and not used or set apart for public purposes be sold or leased, the
20 State Land Registrar may, with the approval of the State Board of
21 Examiners and the Interim Finance Committee, cause those lands to
22 be sold or leased upon sealed bids, or oral offer after the opening of
23 sealed bids for cash or pursuant to a contract of sale or lease, at a
24 price not less than the highest appraised value for the lands plus the
25 costs of appraisal and publication of notice of sale or lease.

26 3. Before offering any land for sale or lease, the State Land
27 Registrar shall comply with the provisions of NRS 321.007.

28 4. After complying with the provisions of NRS 321.007, the
29 State Land Registrar shall cause a notice of sale or lease to be
30 published once a week for 4 consecutive weeks in a newspaper of
31 general circulation published in the county where the land to be sold
32 or leased is situated, and in such other newspapers as the State Land
33 Registrar deems appropriate. If there is no newspaper published in
34 the county where the land to be sold or leased is situated, the notice
35 must be so published in a newspaper published in this State having a
36 general circulation in the county where the land is situated.

37 5. The notice must contain:

38 (a) A description of the land to be sold or leased;

39 (b) A statement of the terms of sale or lease;

40 (c) A statement that the land will be sold pursuant to subsection
41 6; and

42 (d) The place where the sealed bids will be accepted, the first
43 and last days on which the sealed bids will be accepted, and the time
44 when and place where the sealed bids will be opened and oral offers
45 submitted pursuant to subsection 6 will be accepted.



1 6. At the time and place fixed in the notice published pursuant
2 to subsection 4, all sealed bids which have been received must, in
3 public session, be opened, examined and declared by the State Land
4 Registrar. Of the proposals submitted which conform to all terms
5 and conditions specified in the notice published pursuant to
6 subsection 4 and which are made by responsible bidders, the bid
7 which is the highest must be finally accepted, unless a higher oral
8 offer is accepted or the State Land Registrar rejects all bids and
9 offers. Before finally accepting any written bid, the State Land
10 Registrar shall call for oral offers. If, upon the call for oral offers,
11 any responsible person offers to buy or lease the land upon the terms
12 and conditions specified in the notice, for a price exceeding by at
13 least 5 percent the highest written bid, then the highest oral offer
14 which is made by a responsible person must be finally accepted.

15 7. The State Land Registrar may reject any bid or oral offer to
16 purchase or lease submitted pursuant to subsection 6, if the State
17 Land Registrar deems the bid or offer to be:

18 (a) Contrary to the public interest.

19 (b) For a lesser amount than is reasonable for the land involved.

20 (c) On lands which it may be more beneficial for the State to
21 reserve.

22 (d) On lands which are requested by the State of Nevada or any
23 department, agency or institution thereof.

24 8. Upon acceptance of any bid or oral offer and payment to the
25 State Land Registrar in accordance with the terms of sale specified
26 in the notice of sale, the State Land Registrar shall convey title by
27 quitclaim or cause a patent to be issued as provided in NRS 321.320
28 and 321.330.

29 9. Upon acceptance of any bid or oral offer and payment to the
30 State Land Registrar in accordance with the terms of lease specified
31 in the notice of lease, the State Land Registrar shall enter into a
32 lease agreement with the person submitting the accepted bid or oral
33 offer pursuant to the terms of lease specified in the notice of lease.

34 10. The State Land Registrar may require any person
35 requesting that state land be sold pursuant to the provisions of this
36 section to deposit a sufficient amount of money to pay the costs to
37 be incurred by the State Land Registrar in acting upon the
38 application, including the costs of publication and the expenses of
39 appraisal. This deposit must be refunded whenever the person
40 making the deposit is not the successful bidder. The costs of acting
41 upon the application, including the costs of publication and the
42 expenses of appraisal, must be borne by the successful bidder.

43 11. If land that is offered for sale or lease pursuant to this
44 section is not sold or leased at the initial offering of the contract for
45 the sale or lease of the land, the State Land Registrar may offer the



1 land for sale or lease a second time pursuant to this section. If there
2 is a material change relating to the title, zoning or an ordinance
3 governing the use of the land, the State Land Registrar must ~~[-as~~
4 ~~applicable,]~~ obtain a new appraisal ~~[or new appraisals]~~ of the land
5 pursuant to the provisions of NRS 321.007 before offering the land
6 for sale or lease a second time. If land that is offered for sale or
7 lease pursuant to this section is not sold or leased at the second
8 offering of the contract for the sale or lease of the land, the State
9 Land Registrar may list the land for sale or lease at the appraised
10 value with a licensed real estate broker, provided that the broker or a
11 person related to the broker within the first degree of consanguinity
12 or affinity does not have an interest in the land or an adjoining
13 property.

14 **Sec. 3.5.** NRS 321.710 is hereby amended to read as follows:

15 321.710 1. The Administrator shall administer the activities
16 of the State Land Use Planning Agency. The Administrator has
17 authority and responsibility for the development and distribution of
18 information useful to land use planning.

19 2. The activities of the State Land Use Planning Agency which
20 have priority are:

21 (a) Provision of technical assistance *to a county or city* in areas
22 where such assistance is requested;

23 (b) Activities relating to federal lands in this State; and

24 (c) Investigation and review of proposals for designation of
25 areas of critical environmental concern and the development of
26 standards and plans therefor.

27 3. In addition to the assistant provided by subsection 3 of NRS
28 321.010 the Administrator may appoint, subject to the availability of
29 money, such professional, technical, administrative, clerical and
30 other persons as the Administrator may require for assistance in
31 performing his or her land use planning duties.

32 **Sec. 4.** NRS 321.720 is hereby amended to read as follows:

33 321.720 1. The Administrator shall develop and make
34 available to cities and counties information useful to land use
35 planning, including:

36 ~~[-]~~ (a) Preparation and continuing revision of a statewide
37 inventory of the land and natural resources of the State;

38 ~~[-]~~ 2. ~~Compilation and continuing revision of data, on a statewide~~
39 ~~basis, related to population densities and trends, economic~~
40 ~~characteristics and projections, environmental conditions and trends,~~
41 ~~and directions and extent of urban and rural growth;~~

42 ~~[-]~~ 3. ~~Projections of the nature and quantity of land needed and~~
43 ~~suitable for:~~

44 ~~[-]~~ (a) ~~Recreation and esthetic appreciation;~~



- 1 ~~—(b) Conservation and preservation of natural resources,~~
2 ~~agriculture, mineral development and forestry;~~
3 ~~—(c) Industry and commerce, including the development,~~
4 ~~generation and transmission of energy;~~
5 ~~—(d) Transportation;~~
6 ~~—(e) Urban development, including the revitalization of existing~~
7 ~~communities, the development of new towns, and the economic~~
8 ~~diversification of existing communities which possess a narrow~~
9 ~~economic base;~~
10 ~~—(f) Rural development, taking into consideration future demands~~
11 ~~for and limitations upon products of the land; and~~
12 ~~—(g) Health, educational, and other state and local governmental~~
13 ~~services;~~
14 ~~—4. Preparation and continuing revision of an inventory of~~
15 ~~environmental, geological and physical conditions, including types~~
16 ~~of soil, which influence the desirability of various uses of land;~~
17 ~~—5.† (b) Preparation and continuing revision of an inventory of~~
18 ~~state, local government and private needs and priorities concerning~~
19 ~~the acquisition and use of federal lands within the State;~~
20 ~~†6.† (c) Preparation and continuing revision of an inventory of~~
21 ~~public and private institutional and financial resources available for~~
22 ~~land use planning and management within the State and of state and~~
23 ~~local programs and activities which have a land use impact of more~~
24 ~~than local concern;~~
25 ~~†7.† (d) Provision, where appropriate, of technical assistance~~
26 ~~and training programs for state and local agency personnel~~
27 ~~concerned with the development and implementation of state and~~
28 ~~local land use programs;~~
29 ~~†8.† (e) Coordination and exchange of land use planning~~
30 ~~information and data among state agencies and local governments,~~
31 ~~with the Federal Government, among the several states and~~
32 ~~interstate agencies, and with members of the public, including~~
33 ~~conducting of public hearings, preparation of reports and soliciting~~
34 ~~of comments on reports concerning information useful to land use~~
35 ~~planning;~~
36 ~~†9.† (f) Coordination of planning for state and local acquisition~~
37 ~~and use of federal lands within the State, except that in the case of a~~
38 ~~plan which utilizes both federal and private lands the governing~~
39 ~~body of the area where private lands are to be utilized has final~~
40 ~~authority to approve the proposal;~~
41 ~~†10.† (g) Provision of assistance to counties to develop~~
42 ~~programs to increase the responsibility of local governments for the~~
43 ~~management of lands in the State of Nevada that are under federal~~
44 ~~management; and~~



1 ~~HH~~ (h) Consideration of, and consultation with, the relevant
2 states on the interstate aspects of land use issues of more than local
3 concern.

4 **2. To the extent practicable, the Administrator shall:**

5 **(a) Compile any information developed pursuant to subsection**
6 **I; and**

7 **(b) Make the compilation available to cities and counties.**

8 **Sec. 5.** (Deleted by amendment.)

9 **Sec. 6.** NRS 244.2795 is hereby amended to read as follows:

10 244.2795 1. Except as otherwise provided in NRS 244.189,
11 244.276, 244.279, 244.2815, 244.2825, 244.2833, 244.2835,
12 244.284, 244.287, 244.290, 278.479 to 278.4965, inclusive, and
13 subsection 3 of NRS 496.080, except as otherwise required by
14 federal law, except as otherwise required pursuant to a cooperative
15 agreement entered into pursuant to NRS 277.050 or 277.053 or an
16 interlocal agreement in existence on or before October 1, 2004,
17 except if the board of county commissioners is entering into a joint
18 development agreement for real property owned by the county to
19 which the board of county commissioners is a party, except for a
20 lease of residential property with a term of 1 year or less, except for
21 the sale or lease of real property to a public utility, as defined in
22 NRS 704.020, to be used for a public purpose, except for the sale or
23 lease of real property to the State or another governmental entity and
24 except for the sale or lease of real property larger than 1 acre which
25 is approved by the voters at a primary or general election or special
26 election, the board of county commissioners shall, when offering
27 any real property for sale or lease:

28 (a) Except as otherwise provided in this paragraph, obtain two
29 independent appraisals of the real property before selling or leasing
30 it. If the board of county commissioners holds a public hearing on
31 the matter of the fair market value of the real property, one
32 independent appraisal of the real property is sufficient before selling
33 or leasing it. The appraisal or appraisals, as applicable, must have
34 been prepared not more than 6 months before the date on which the
35 real property is offered for sale or lease.

36 (b) Select the one independent appraiser or two independent
37 appraisers, as applicable, from the list of appraisers established
38 pursuant to subsection 2.

39 (c) Verify the qualifications of each appraiser selected pursuant
40 to paragraph (b). The determination of the board of county
41 commissioners as to the qualifications of the appraiser is conclusive.

42 2. The board of county commissioners shall adopt by ordinance
43 the procedures for creating or amending a list of appraisers qualified
44 to conduct appraisals of real property offered for sale or lease by the
45 board. The list must:



1 (a) Contain the names of all persons qualified to act as a general
2 appraiser in the same county as the real property that may be
3 appraised; and

4 (b) Be organized at random and rotated from time to time.

5 3. An appraiser chosen pursuant to subsection 1 must provide a
6 disclosure statement which includes, without limitation, all sources
7 of income that may constitute a conflict of interest and any
8 relationship with the real property owner or the owner of an
9 adjoining real property.

10 4. An appraiser shall not perform an appraisal on any real
11 property for sale or lease by the board of county commissioners if
12 ~~that~~ :

13 (a) ~~The appraiser [for a person related to the appraiser within the~~
14 ~~first degree of consanguinity or affinity]~~ has an interest in the real
15 property or an adjoining property ~~+~~;

16 (b) *The real property is located in a county whose population*
17 *is 45,000 or more and any person who is related to the appraiser*
18 *has an interest in the real property or an adjoining property and*
19 *the relationship between the appraiser and the person is within the*
20 *third degree of consanguinity or affinity; or*

21 (c) *The real property is located in a county whose population is*
22 *less than 45,000 and any person who is related to the appraiser*
23 *has an interest in the real property or an adjoining property and*
24 *the relationship between the appraiser and the person is within the*
25 *second degree of consanguinity or affinity.*

26 5. If real property is sold or leased in violation of the
27 provisions of this section:

28 (a) The sale or lease is void; and

29 (b) Any change to an ordinance or law governing the zoning or
30 use of the real property is void if the change takes place within 5
31 years after the date of the void sale or lease.

32 **Sec. 7.** NRS 268.059 is hereby amended to read as follows:

33 268.059 1. Except as otherwise provided in NRS 268.048 to
34 268.058, inclusive, 268.064, 278.479 to 278.4965, inclusive, and
35 subsection 4 of NRS 496.080, except as otherwise required by
36 federal law, except as otherwise required pursuant to a cooperative
37 agreement entered into pursuant to NRS 277.050 or 277.053 or an
38 interlocal agreement in existence on October 1, 2004, except if the
39 governing body is entering into a joint development agreement for
40 real property owned by the city to which the governing body is a
41 party, except for a lease of residential property with a term of 1 year
42 or less, except for the sale or lease of real property to a public
43 utility, as defined in NRS 704.020, to be used for a public purpose,
44 except for the sale or lease of real property to the State or another
45 governmental entity and except for the sale or lease of real property



1 larger than 1 acre which is approved by the voters at a primary or
2 general election, primary or general city election or special election,
3 the governing body shall, when offering any real property for sale or
4 lease:

5 (a) Except as otherwise provided in this paragraph, obtain two
6 independent appraisals of the real property before selling or leasing
7 it. If the governing body holds a public hearing on the matter of the
8 fair market value of the real property, one independent appraisal of
9 the real property is sufficient before selling or leasing it. The
10 appraisal or appraisals, as applicable, must be based on the zoning
11 of the real property as set forth in the master plan for the city and
12 must have been prepared not more than 6 months before the date on
13 which real property is offered for sale or lease.

14 (b) Select the one independent appraiser or two independent
15 appraisers, as applicable, from the list of appraisers established
16 pursuant to subsection 2.

17 (c) Verify the qualifications of each appraiser selected pursuant
18 to paragraph (b). The determination of the governing body as to the
19 qualifications of the appraiser is conclusive.

20 2. The governing body shall adopt by ordinance the procedures
21 for creating or amending a list of appraisers qualified to conduct
22 appraisals of real property offered for sale or lease by the governing
23 body. The list must:

24 (a) Contain the names of all persons qualified to act as a general
25 appraiser in the same county as the real property that may be
26 appraised; and

27 (b) Be organized at random and rotated from time to time.

28 3. An appraiser chosen pursuant to subsection 1 must provide a
29 disclosure statement which includes, without limitation, all sources
30 of income of the appraiser that may constitute a conflict of interest
31 and any relationship of the appraiser with the property owner or the
32 owner of an adjoining property.

33 4. An appraiser shall not perform an appraisal on any real
34 property offered for sale or lease by the governing body if ~~the~~ :

35 (a) ~~The appraiser for a person related to the appraiser within the~~
36 ~~first degree of consanguinity or affinity~~ has an interest in the real
37 property or an adjoining property ~~†~~ ;

38 (b) *The real property is located in a city in a county whose*
39 *population is 45,000 or more and any person who is related to the*
40 *appraiser has an interest in the real property or an adjoining*
41 *property and the relationship between the appraiser and the*
42 *person is within the third degree of consanguinity or affinity; or*

43 (c) *The real property is located in a city in a county whose*
44 *population is less than 45,000 and any person who is related to the*
45 *appraiser has an interest in the real property or an adjoining*



1 *property and the relationship between the appraiser and the*
2 *person is within the second degree of consanguinity or affinity.*

3 5. If real property is sold or leased in violation of the
4 provisions of this section:

5 (a) The sale or lease is void; and

6 (b) Any change to an ordinance or law governing the zoning or
7 use of the real property is void if the change takes place within 5
8 years after the date of the void sale or lease.

9 **Sec. 8.** The amendatory provisions of NRS 244.2795, 268.059
10 and 321.007, as amended by sections 6, 7 and 1, respectively, of this
11 act do not apply to an appraisal specified in those sections which is
12 conducted before July 1, 2017.

13 **Sec. 9.** NRS 321.540, 321.550, 321.560, 321.570, 321.580 and
14 321.590 are hereby repealed.

15 **Sec. 10.** This act becomes effective on July 1, 2017.

LEADLINES OF REPEALED SECTIONS

321.540 Short title.

321.550 "Department" defined.

321.560 Acquisition of lands by State Department of
Conservation and Natural Resources authorized.

321.570 Powers of State Department of Conservation and
Natural Resources concerning development of Lincoln County
lands; sale of lands.

321.580 Lincoln County Pilot Land Development and
Disposal Fund: Creation; use.

321.590 Lincoln County Pilot Land Development and
Disposal Fund: Receipts to be credited; reimbursement of State
General Fund.

