

DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or library@lcb.state.nv.us.

Amendment No. 744

Assembly Amendment to Senate Bill No. 100 First Reprint 10-29)		(BDR
Proposed by: Committee on Judiciary		
Amendment Box: Resolves Conflicts with: N/A		
Amends:	Summary:	Title: Preamble: Joint Sponsorship:

Adoption of this amendment will MAINTAIN a 2/3s majority vote requirement for final passage of SB100 R1 (§§ 16, 24, 30, 35).

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>	_____	Adopted <input checked="" type="checkbox"/>	Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/>	Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/>	Not <input type="checkbox"/>	_____

Amend sec. 35, page 13, line 1, after "section," by inserting:

"unless the respondent has knowingly and willfully committed a violation,"

Amend sec. 46, page 17, between lines 31 and 32, by inserting:

"4. Notwithstanding any provision in the declaration, the election of any delegate or representative must be conducted by secret written ballot.

5. When an election of a delegate or representative is conducted by secret written ballot:

(a) The secretary or other officer of the association specified in the bylaws of the association shall cause a secret written ballot and a return envelope to be sent, prepaid by United States mail, to the mailing address of each unit within the common-interest community or to any other mailing address designated in writing by the unit's owner.

(b) Each unit's owner must be provided with at least 15 days after the date the secret written ballot is mailed to the unit's owner to return the secret written ballot to the association.

(c) Only the secret written ballots that are returned to the association in the manner prescribed on the ballot may be counted to determine the outcome of the election.

(d) The secret written ballots must be opened and counted at a meeting called for the purpose of electing delegates or representatives. A quorum is not required to be present when the secret written ballots are opened and counted at the meeting.

(e) A candidate for delegate or representative may not possess, be given access to or participate in the opening or counting of the secret written ballots that are returned to the association in the manner prescribed on the ballot before those secret written ballots have been opened and counted at a meeting called for that purpose.”.

Amend the bill as whole by adding a new section designated sec. 47.5, following sec. 47, to read as follows:

“Sec. 47.5. In conducting any meetings, a rural agricultural residential common-interest community must comply with the provisions set forth in chapter 241 of NRS concerning open meetings which are generally applicable to public bodies.”.

Amend sec. 48, page 18, by deleting lines 15 and 16 and inserting:

“by chapter 78 of NRS, NRS 81.010 to 81.160, inclusive, or chapter 82 of NRS and there is a conflict between the provisions of this chapter and the provisions of chapter 78 of NRS, NRS 81.010 to 81.160, inclusive, or chapter 82 of NRS,”.

Amend sec. 54, page 21, line 10, by deleting “A” and inserting:

“~~A~~ Except as otherwise provided in section 47.5 of this act, a”.

Amend sec. 58, page 24, between lines 14 and 15, by inserting:

“(c) With regard to approving or disapproving any improvement or alteration made to a unit, act in violation of any state or federal law.”.

Amend sec. 61, pages 27 and 28, by deleting lines 40 through 45 on page 27 and lines 1 through 11 on page 28, and inserting:

“to exceed the legal rate per annum.

(b) May include any costs of collecting the past due fine at a rate established by the association. If the past due fine is for a violation that does not threaten the health, safety or welfare of the residents of the common-interest community, the rate established by the association for the costs of collecting the past due fine:

E-2

- (1) May not exceed \$20, if the outstanding balance is less than \$200.*
- (2) May not exceed \$50, if the outstanding balance is \$200 or more, but is less than \$500.*
- (3) May not exceed \$100, if the outstanding balance is \$500 or more, but is less than \$1,000.*
- (4) May not exceed \$250, if the outstanding balance is \$1,000 or more, but is less than \$5,000.*
- (5) May not exceed \$500, if the outstanding balance is \$5,000 or more.*

(c) May include any costs incurred by the association during a”.

Amend sec. 61, page 28, by deleting lines 16 through 18 and inserting:

“or delivery, and any other fee or cost that an association may reasonably charge to the unit’s owner for”.

Amend sec. 62, page 30, by deleting line 10 and inserting:

“the election of any member of the executive board is conducted by secret written ballot:

(a) The secretary or”.

Amend sec. 62, page 30, by deleting lines 16 through 19 and inserting:

“6.† (b) Each unit’s owner must be provided with at least 15 days after the date the secret written ballot is mailed to the unit’s owner to return the secret written ballot to the association.

(c) A quorum is not required for the election of any member of the executive board.

(d) Only the secret written ballots that are returned to the”.

Amend sec. 62, page 30, line 22, by deleting “(b)” and inserting “(e)”.

Amend sec. 62, page 30, line 26, by deleting “(c)” and inserting “(f)”.

Amend sec. 63, page 31, by deleting line 10 and inserting:

“secret written ballot:

(a) The secretary or other officer specified in the”.

Amend sec. 63, page 31, by deleting lines 16 through 18 and inserting:

“(b) Each unit’s owner must be provided with at least 15 days after the date the secret written ballot is mailed to the unit’s owner to return the secret written ballot to the association.

(c) Only the secret written ballots that are returned to the”.

Amend sec. 63, page 31, line 20, by deleting “(b)” and inserting “(d)”.

Amend sec. 63, page 31, line 24, by deleting “(c)” and inserting “(e)”.

E-3

Amend sec. 66, page 36, by deleting lines 21 and 22 and inserting:

“at the meeting;

(d) A record of each member’s vote on any matter decided by”.

Amend sec. 66, page 36, line 24, by deleting “(d)” and inserting “(e)”.

Amend sec. 67, page 37, by deleting lines 12 through 17 and inserting:

“2. An executive board may not meet in executive session to enter into, renew, modify, terminate or take any other action regarding a contract, unless it is a contract between the association and an attorney.”.

Amend sec. 67, page 37, by deleting lines 22 through 25 and inserting:

“NRS 49.035 to 49.115, inclusive ~~†~~, or to enter into, renew, modify, terminate or take any other action regarding a contract between the association and the attorney.”.

Amend sec. 79, page 50, line 2, after “all” by inserting:

“contracts to which the association is a party and all”.

Amend sec. 79, page 50, by deleting lines 5 through 7 and inserting:

“(a) The personnel records of the employees of the association ~~† and~~, except for those records relating to the number of hours worked and the salaries and benefits of those employees;”.

Amend sec. 79, page 50, line 9, by deleting “2.” and inserting:

“2; and

(c) A contract between the association and an attorney.”.

Amend sec. 79, page 50, after line 42, by inserting:

“5. The executive board shall not require a unit’s owner to pay an amount in excess of \$10 per hour to review any books, records, contracts or other papers of the association pursuant to the provisions of this section.”.

E-4