
ASSEMBLY BILL NO. 155—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE ATTORNEY GENERAL)

FEBRUARY 18, 2003

Referred to Committee on Judiciary

SUMMARY—Makes various changes regarding authorizing background checks to ensure compliance with federal law authorizing Federal Bureau of Investigation to exchange records of criminal history with officials of state and local government for purposes of employment and licensing. (BDR 14-430)

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 records of criminal history; making various changes regarding authorizing background checks to ensure compliance with the federal law that authorizes the Federal Bureau of Investigation to exchange records of criminal history with officials of state and local government for purposes of employment and licensing; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 179A.075 is hereby amended to read as
2 follows:
3 179A.075 1. The Central Repository for Nevada Records of
4 Criminal History is hereby created within the Nevada Highway
5 Patrol Division of the Department.
6 2. Each agency of criminal justice and any other agency
7 dealing with crime or delinquency of children shall:



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- 1 (a) Collect and maintain records, reports and compilations of
- 2 statistical data required by the Department; and
- 3 (b) Submit the information collected to the Central Repository
- 4 in the manner recommended by the Advisory Committee and
- 5 approved by the Director of the Department.
- 6 3. Each agency of criminal justice shall submit the information
- 7 relating to sexual offenses and other records of criminal history that
- 8 it creates or issues, and any information in its possession relating to
- 9 the genetic markers of a biological specimen of a person who is
- 10 convicted of an offense listed in subsection 4 of NRS 176.0913, to
- 11 the Division in the manner prescribed by the Director of the
- 12 Department. The information must be submitted to the Division:
- 13 (a) Through an electronic network;
- 14 (b) On a medium of magnetic storage; or
- 15 (c) In the manner prescribed by the Director of the
- 16 Department,
- 17 within the period prescribed by the Director of the Department. If an
- 18 agency has submitted a record regarding the arrest of a person who
- 19 is later determined by the agency not to be the person who
- 20 committed the particular crime, the agency shall, immediately upon
- 21 making that determination, so notify the Division. The Division
- 22 shall delete all references in the Central Repository relating to that
- 23 particular arrest.
- 24 4. The Division shall, in the manner prescribed by the Director
- 25 of the Department:
- 26 (a) Collect, maintain and arrange all information submitted to it
- 27 relating to:
- 28 (1) Sexual offenses and other records of criminal history; and
- 29 (2) The genetic markers of a biological specimen of a person
- 30 who is convicted of an offense listed in subsection 4 of
- 31 NRS 176.0913.
- 32 (b) When practicable, use a record of the personal identifying
- 33 information of a subject as the basis for any records maintained
- 34 regarding him.
- 35 (c) Upon request, provide the information that is contained in
- 36 the Central Repository to the State Disaster Identification Team of
- 37 the Division of Emergency Management of the Department.
- 38 5. The Division may:
- 39 (a) Disseminate any information which is contained in the
- 40 Central Repository to any other agency of criminal justice;
- 41 (b) Enter into cooperative agreements with federal and state
- 42 repositories to facilitate exchanges of information that may be
- 43 disseminated pursuant to paragraph (a); and
- 44 (c) Request of and receive from the Federal Bureau of
- 45 Investigation information on the background and personal history of



1 any person whose record of fingerprints the Central Repository
2 submits to the Federal Bureau of Investigation and:

3 (1) Who has applied to any agency of the State of Nevada or
4 any political subdivision thereof for a license which it has the power
5 to grant or deny;

6 (2) With whom any agency of the State of Nevada or any
7 political subdivision thereof intends to enter into a relationship of
8 employment or a contract for personal services;

9 (3) About whom any agency of the State of Nevada or any
10 political subdivision thereof has a legitimate need to have accurate
11 personal information for the protection of the agency or the persons
12 within its jurisdiction; or

13 (4) For whom such information is required to be obtained
14 pursuant to NRS 449.179.

15 *To request and receive information from the Federal Bureau of*
16 *Investigation concerning a person pursuant to this subsection, the*
17 *Central Repository must receive the person's complete set of*
18 *fingerprints and written permission authorizing the agency or*
19 *political subdivision to forward the fingerprints to the Central*
20 *Repository for submission to the Federal Bureau of Investigation*
21 *for its report.*

22 6. The Central Repository shall:

23 (a) Collect and maintain records, reports and compilations of
24 statistical data submitted by any agency pursuant to subsection 2.

25 (b) Tabulate and analyze all records, reports and compilations of
26 statistical data received pursuant to this section.

27 (c) Disseminate to federal agencies engaged in the collection of
28 statistical data relating to crime information which is contained in
29 the Central Repository.

30 (d) Investigate the criminal history of any person who:

31 (1) Has applied to the superintendent of public instruction for
32 a license;

33 (2) Has applied to a county school district for employment;
34 or

35 (3) Is employed by a county school district,
36 and notify the superintendent of each county school district and the
37 Superintendent of Public Instruction if the investigation of the
38 Central Repository indicates that the person has been convicted of a
39 violation of NRS 200.508, 201.230, 453.3385, 453.339 or 453.3395,
40 or convicted of a felony or any offense involving moral turpitude.

41 (e) Upon discovery, notify the superintendent of each county
42 school district by providing him with a list of all persons:

43 (1) Investigated pursuant to paragraph (d); or



1 (2) Employed by a county school district whose fingerprints
2 were sent previously to the Central Repository for
3 investigation,
4 who the Central Repository's records indicate have been convicted
5 of a violation of NRS 200.508, 201.230, 453.3385, 453.339 or
6 453.3395, or convicted of a felony or any offense involving moral
7 turpitude since the Central Repository's initial investigation. The
8 superintendent of each county school district shall determine
9 whether further investigation or action by the district is appropriate.

10 (f) Investigate the criminal history of each person who submits
11 fingerprints or has his fingerprints submitted pursuant to NRS
12 449.176 or 449.179.

13 (g) On or before July 1 of each year, prepare and present to the
14 Governor a printed annual report containing the statistical data
15 relating to crime received during the preceding calendar year.
16 Additional reports may be presented to the Governor throughout the
17 year regarding specific areas of crime if they are recommended by
18 the Advisory Committee and approved by the Director of the
19 Department.

20 (h) On or before July 1 of each year, prepare and submit to the
21 Director of the Legislative Counsel Bureau, for submission to the
22 Legislature, or the Legislative Commission when the Legislature is
23 not in regular session, a report containing statistical data about
24 domestic violence in this state.

25 (i) Identify and review the collection and processing of
26 statistical data relating to criminal justice and the delinquency of
27 children by any agency identified in subsection 2, and make
28 recommendations for any necessary changes in the manner of
29 collecting and processing statistical data by any such agency.

30 7. The Central Repository may:

31 (a) At the recommendation of the Advisory Committee and in
32 the manner prescribed by the Director of the Department,
33 disseminate compilations of statistical data and publish statistical
34 reports relating to crime or the delinquency of children.

35 (b) Charge a reasonable fee for any publication or special report
36 it distributes relating to data collected pursuant to this section. The
37 Central Repository may not collect such a fee from an agency of
38 criminal justice, any other agency dealing with crime or the
39 delinquency of children which is required to submit information
40 pursuant to subsection 2 or the State Disaster Identification Team of
41 the Division of Emergency Management of the Department. All
42 money collected pursuant to this paragraph must be used to pay for
43 the cost of operating the Central Repository.

44 (c) In the manner prescribed by the Director of the Department,
45 use electronic means to receive and disseminate information



1 contained in the Central Repository that it is authorized to
2 disseminate pursuant to the provisions of this chapter.

3 8. As used in this section:

4 (a) "Advisory Committee" means the committee established by
5 the Director of the Department pursuant to NRS 179A.078.

6 (b) "Personal identifying information" means any information
7 designed, commonly used or capable of being used, alone or in
8 conjunction with any other information, to identify a person,
9 including, without limitation:

10 (1) The name, driver's license number, social security
11 number, date of birth and photograph or computer generated image
12 of a person; and

13 (2) The fingerprints, voiceprint, retina image and iris image
14 of a person.

15 **Sec. 2.** NRS 179A.200 is hereby amended to read as follows:

16 179A.200 1. An employer may request from the Central
17 Repository notice of information relating to sexual offenses
18 concerning an employee.

19 2. A request for notice of information relating to sexual
20 offenses from an employer must conform to the requirements of the
21 Central Repository. The request must include:

22 (a) The name and address of the employer, and the name and
23 signature of the person requesting the notice on behalf of the
24 employer;

25 (b) The name and address of the employer's facility in which the
26 employee is employed or seeking to become employed;

27 (c) The name, *a complete set of* fingerprints and other
28 identifying information of the employee;

29 (d) Signed consent by the employee ~~to a~~ *authorizing:*

30 *(1) The employer to forward the fingerprints of the*
31 *employee to the Central Repository for submission to the Federal*
32 *Bureau of Investigation for its report;*

33 *(2) A search of information relating to sexual offenses*
34 *concerning ~~him, and for~~ the employee; and*

35 *(3) The release of a notice concerning that information;*

36 (e) The mailing address of the employee or a signed waiver of
37 the right of the employee to be sent a copy of the information
38 disseminated to the employer as a result of the search of the records
39 of criminal history; and

40 (f) The signature of the employee indicating that he has been
41 notified of:

42 (1) The types of information for which notice is subject to
43 dissemination pursuant to NRS 179A.210, or a description of the
44 information;



1 (2) The employer's right to require a check of the records of
2 criminal history as a condition of employment; and

3 (3) The employee's right, pursuant to NRS 179A.150, to
4 challenge the accuracy or sufficiency of any information
5 disseminated to the employer.

6 **Sec. 3.** NRS 202.3657 is hereby amended to read as follows:

7 202.3657 1. Any person who is a resident of this state may
8 apply to the sheriff of the county in which he resides for a permit on
9 a form prescribed by regulation of the Department. Any person who
10 is not a resident of this state may apply to the sheriff of any county
11 in this state for a permit on a form prescribed by regulation of the
12 Department. Application forms for permits must be furnished by the
13 sheriff of each county upon request.

14 2. Except as otherwise provided in this section, the sheriff shall
15 issue a permit for one or more specific firearms to any person who is
16 qualified to possess each firearm under state and federal law, who
17 submits an application in accordance with the provisions of this
18 section and who:

19 (a) Is 21 years of age or older;

20 (b) Is not prohibited from possessing a firearm pursuant to NRS
21 202.360; and

22 (c) Demonstrates competence with each firearm by presenting a
23 certificate or other documentation to the sheriff which shows that he:

24 (1) Successfully completed a course in firearm safety
25 approved by a sheriff in this state; or

26 (2) Successfully completed a course in firearm safety offered
27 by a federal, state or local law enforcement agency, community
28 college, university or national organization that certifies instructors
29 in firearm safety.

30 Such a course must include instruction in the use of each firearm to
31 which the application pertains and in the laws of this state relating to
32 the use of a firearm. A sheriff may not approve a course in firearm
33 safety pursuant to subparagraph (1) unless he determines that the
34 course meets any standards that are established by the Nevada
35 Sheriffs and Chiefs Association or, if the Nevada Sheriffs and Chiefs
36 Association ceases to exist, its legal successor.

37 3. The sheriff shall deny an application or revoke a permit if he
38 determines that the applicant or permittee:

39 (a) Has an outstanding warrant for his arrest.

40 (b) Has been judicially declared incompetent or insane.

41 (c) Has been voluntarily or involuntarily admitted to a mental
42 health facility during the immediately preceding 5 years.

43 (d) Has habitually used intoxicating liquor or a controlled
44 substance to the extent that his normal faculties are impaired. For the
45 purposes of this paragraph, it is presumed that a person has so used



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1 intoxicating liquor or a controlled substance if, during the
2 immediately preceding 5 years, he has been:

- 3 (1) Convicted of violating the provisions of NRS 484.379; or
- 4 (2) Committed for treatment pursuant to NRS 458.290 to
5 458.350, inclusive.

6 (e) Has been convicted of a crime involving the use or threatened
7 use of force or violence punishable as a misdemeanor under the laws
8 of this or any other state, or a territory or possession of the United
9 States at any time during the immediately preceding 3 years.

10 (f) Has been convicted of a felony in this state or under the laws
11 of any state, territory or possession of the United States.

12 (g) Has been convicted of a crime involving domestic violence
13 or stalking, or is currently subject to a restraining order, injunction or
14 other order for protection against domestic violence.

15 (h) Is currently on parole or probation from a conviction
16 obtained in this state or in any other state or territory or possession of
17 the United States.

18 (i) Has, within the immediately preceding 5 years, been subject
19 to any requirements imposed by a court of this state or of any other
20 state or territory or possession of the United States, as a condition to
21 the court's:

22 (1) Withholding of the entry of judgment for his conviction of
23 a felony; or

24 (2) Suspension of his sentence for the conviction of a felony.

25 (j) Has made a false statement on any application for a permit or
26 for the renewal of a permit.

27 4. The sheriff may deny an application or revoke a permit if he
28 receives a sworn affidavit stating articulable facts based upon
29 personal knowledge from any natural person who is 18 years of age
30 or older that the applicant or permittee has or may have committed
31 an offense or engaged in any other activity specified in subsection 3
32 which would preclude the issuance of a permit to the applicant or
33 require the revocation of a permit pursuant to this section.

34 5. If the sheriff receives notification submitted by a court or law
35 enforcement agency of this or any other state, the United States or a
36 territory or possession of the United States that a permittee or an
37 applicant for a permit has been charged with a crime involving the
38 use or threatened use of force or violence, the conviction for which
39 would require the revocation of a permit or preclude the issuance of
40 a permit to the applicant pursuant to this section, the sheriff shall
41 suspend the person's permit or the processing of his application until
42 the final disposition of the charges against him. If a permittee is
43 acquitted of the charges against him, or if the charges are dropped,
44 the sheriff shall restore his permit without imposing a fee.



1 6. An application submitted pursuant to this section must be
2 completed and signed under oath by the applicant. The applicant's
3 signature must be witnessed by an employee of the sheriff or
4 notarized by a notary public. The application must include:

5 (a) The name, address, place and date of birth, social security
6 number, occupation and employer of the applicant and any other
7 names used by the applicant;

8 (b) A complete set of the applicant's fingerprints taken by the
9 sheriff or his agent ~~{a}~~ *and written permission authorizing the*
10 *sheriff to forward the fingerprints to the Central Repository for*
11 *Nevada Records of Criminal History for submission to the Federal*
12 *Bureau of Investigation for its report;*

13 (c) A front-view colored photograph of the applicant taken by
14 the sheriff or his agent;

15 (d) If the applicant is a resident of this state, the driver's license
16 number or identification card number of the applicant issued by the
17 Department of Motor Vehicles;

18 (e) If the applicant is not a resident of this state, the driver's
19 license number or identification card number of the applicant issued
20 by another state or jurisdiction;

21 (f) The make, model and caliber of each firearm to which the
22 application pertains;

23 (g) A nonrefundable fee in the amount necessary to obtain the
24 report required pursuant to subsection 1 of NRS 202.366; and

25 (h) A nonrefundable fee set by the sheriff not to exceed \$60.

26 **Sec. 4.** NRS 202.366 is hereby amended to read as follows:

27 202.366 1. Upon receipt by a sheriff of an application for a
28 permit, the sheriff shall conduct an investigation of the applicant to
29 determine if he is eligible for a permit. In conducting the
30 investigation, the sheriff shall forward a complete set of the
31 applicant's fingerprints to the Central Repository for Nevada
32 Records of Criminal History ~~and~~ *for submission to* the Federal
33 Bureau of Investigation for ~~its~~ *its* report concerning the criminal
34 history of the applicant. The sheriff shall issue a permit to the
35 applicant unless he is not qualified to possess a handgun pursuant to
36 state or federal law or is not otherwise qualified to obtain a permit
37 pursuant to NRS 202.3653 to 202.369, inclusive, or the regulations
38 adopted pursuant thereto.

39 2. To assist the sheriff in conducting his investigation, any
40 local law enforcement agency, including the sheriff of any county,
41 may voluntarily submit to the sheriff a report or other information
42 concerning the criminal history of an applicant.

43 3. Within 120 days after a complete application for a permit is
44 submitted, the sheriff to whom the application is submitted shall
45 grant or deny the application. If the application is denied, the sheriff



1 shall send the applicant written notification setting forth the reasons
2 for the denial. If the application is granted, the sheriff shall provide
3 the applicant with a permit containing a colored photograph of the
4 applicant and containing such other information as may be
5 prescribed by the department. The permit must be in substantially
6 the following form:

7
8 NEVADA CONCEALED FIREARM PERMIT
9

10	County	Permit Number.....
11	Expires.....	Date of Birth
12	Height.....	Weight.....
13	Name	Address
14	City.....	Zip.....
15		Photograph
16	Signature	
17	Issued by.....	
18	Date of Issue.....	
19	Make, model and caliber of each authorized firearm.....	

20
21 4. Unless suspended or revoked by the sheriff who issued the
22 permit, a permit expires:

23 (a) If the permittee was a resident of this state at the time the
24 permit was issued, on the fifth anniversary of the permittee's
25 birthday, measured from the birthday nearest the date of issuance or
26 renewal.

27 (b) If the permittee was not a resident of this state at the time the
28 permit was issued, on the third anniversary of the permittee's
29 birthday, measured from the birthday nearest the date of issuance or
30 renewal.

31 5. If the date of birth of a permittee is on February 29 in a leap
32 year, for the purposes of NRS 202.3653 to 202.369, inclusive, his
33 date of birth shall be deemed to be on February 28.

34 **Sec. 5.** NRS 239B.010 is hereby amended to read as follows:
35 239B.010 **1.** Any agency of the State or any political
36 subdivision may request of and receive from the Federal Bureau of
37 Investigation information on the background and personal history of
38 any person:

39 ~~(1)~~ (a) Who has applied to it for a license which it has the
40 power to grant or deny;

41 ~~(2)~~ (b) With whom it intends to enter into a relationship of
42 employment or a contract for personal services; or

43 ~~(3)~~ (c) About whom it has a legitimate need to have accurate
44 personal information for the protection of the agency or the people
45 within its jurisdiction.



1 2. *To request and receive information from the Federal*
2 *Bureau of Investigation concerning a person pursuant to*
3 *subsection 1, the agency or political subdivision shall require the*
4 *person to submit a complete set of his fingerprints and written*
5 *permission authorizing the agency or political subdivision to*
6 *forward the fingerprints to the Central Repository for Nevada*
7 *Records of Criminal History for submission to the Federal Bureau*
8 *of Investigation for its report.*

9 **Sec. 6.** NRS 391.033 is hereby amended to read as follows:
10 391.033 1. All licenses for teachers and other educational
11 personnel are granted by the Superintendent of Public Instruction
12 pursuant to regulations adopted by the Commission and as
13 otherwise provided by law.

14 2. An application for the issuance of a license must include the
15 social security number of the applicant.

16 3. Every applicant for a license must submit with his
17 application a complete set of his fingerprints and written permission
18 authorizing the Superintendent to forward the fingerprints *to the*
19 *Central Repository for Nevada Records of Criminal History for its*
20 *report on the criminal history of the applicant and for submission*
21 *to the Federal Bureau of Investigation* ~~and to the Central~~
22 ~~Repository for Nevada Records of Criminal History for their~~
23 ~~reports~~ *for its report* on the criminal history of the applicant.

24 4. The Superintendent may issue a provisional license pending
25 receipt of the reports of the Federal Bureau of Investigation and the
26 Central Repository for Nevada Records of Criminal History if he
27 determines that the applicant is otherwise qualified.

28 5. A license must be issued to an applicant if:

29 (a) The Superintendent determines that the applicant is
30 qualified;

31 (b) The reports on the criminal history of the applicant from the
32 Federal Bureau of Investigation and the Central Repository for
33 Nevada Records of Criminal History:

34 (1) Do not indicate that the applicant has been convicted of a
35 felony or any offense involving moral turpitude; or

36 (2) Indicate that the applicant has been convicted of a felony
37 or an offense involving moral turpitude but the Superintendent
38 determines that the conviction is unrelated to the position within the
39 county school district for which the applicant applied; and

40 (c) The applicant submits the statement required pursuant to
41 NRS 391.034.

42 **Sec. 7.** NRS 391.100 is hereby amended to read as follows:

43 391.100 1. The board of trustees of a school district may
44 employ a superintendent of schools, teachers and all other necessary
45 employees.



- 1 2. The board of trustees of a school district:
- 2 (a) May employ teacher aides and other auxiliary,
- 3 nonprofessional personnel to assist licensed personnel in the
- 4 instruction or supervision of children, either in the classroom or at
- 5 any other place in the school or on the grounds thereof; and
- 6 (b) Shall establish policies governing the duties and
- 7 performance of teacher aides.
- 8 3. Each applicant for employment pursuant to this section,
- 9 except a teacher or other person licensed by the Superintendent of
- 10 Public Instruction, must, as a condition to employment, submit to
- 11 the school district a full set of his fingerprints and written
- 12 permission authorizing the school district to forward the fingerprints
- 13 *to the Central Repository for Nevada Records of Criminal History*
- 14 *for its report on the criminal history of the applicant and for*
- 15 *submission to the Federal Bureau of Investigation [and the Central*
- 16 *Repository for Nevada Records of Criminal History for their*
- 17 *reports] for its report on the criminal history of the applicant.*
- 18 4. Except as otherwise provided in subsection 5, the board of
- 19 trustees of a school district shall not require a licensed teacher or
- 20 other person licensed by the Superintendent of Public Instruction
- 21 pursuant to NRS 391.033 who has taken a leave of absence from
- 22 employment authorized by the school district, including, without
- 23 limitation:
- 24 (a) Sick leave;
- 25 (b) Sabbatical leave;
- 26 (c) Personal leave;
- 27 (d) Leave for attendance at a regular or special session of the
- 28 Legislature of this state if the employee is a member thereof;
- 29 (e) Maternity leave; and
- 30 (f) Leave permitted by the Family and Medical Leave Act of
- 31 1993, 29 U.S.C. §§ 2601 et seq.,
- 32 to submit a set of his fingerprints as a condition of return to or
- 33 continued employment with the school district if the employee is in
- 34 good standing when the employee began the leave.
- 35 5. A board of trustees of a school district may ask the
- 36 Superintendent of Public Instruction to require a person licensed by
- 37 the Superintendent of Public Instruction pursuant to NRS 391.033
- 38 who has taken a leave of absence from employment authorized by
- 39 the school district to submit a set of his fingerprints as a condition of
- 40 return to or continued employment with the school district if the
- 41 board of trustees has probable cause to believe that the person has
- 42 committed a felony or an offense involving moral turpitude during
- 43 the period of his leave of absence.
- 44 6. The board of trustees of a school district may employ or
- 45 appoint persons to serve as school police officers. If the board of



1 trustees of a school district employs or appoints persons to serve as
2 school police officers, the board of trustees shall employ a law
3 enforcement officer to serve as the chief of school police who is
4 supervised by the superintendent of schools of the school district.
5 The chief of school police shall supervise each person appointed or
6 employed by the board of trustees as a school police officer. In
7 addition, persons who provide police services pursuant to subsection
8 7 or 8 shall be deemed school police officers.

9 7. The board of trustees of a school district in a county that has
10 a metropolitan police department created pursuant to chapter 280 of
11 NRS ~~4~~ may contract with the metropolitan police department for
12 the provision and supervision of police services in the public
13 schools within the jurisdiction of the metropolitan police department
14 and on property therein that is owned by the school district. If a
15 contract is entered into pursuant to this subsection, the contract must
16 make provision for the transfer of each school police officer
17 employed by the board of trustees to the metropolitan police
18 department. If the board of trustees of a school district contracts
19 with a metropolitan police department pursuant to this subsection,
20 the board of trustees shall, if applicable, cooperate with appropriate
21 local law enforcement agencies within the school district for the
22 provision and supervision of police services in the public schools
23 within the school district and on property owned by the school
24 district, but outside the jurisdiction of the metropolitan police
25 department.

26 8. The board of trustees of a school district in a county that
27 does not have a metropolitan police department created pursuant to
28 chapter 280 of NRS may contract with the sheriff of that county for
29 the provision of police services in the public schools within the
30 school district and on property therein that is owned by the school
31 district.

32 **Sec. 8.** NRS 394.465 is hereby amended to read as follows:

33 394.465 1. Except as otherwise provided in subsection 4,
34 before a postsecondary educational institution employs or contracts
35 with a person:

- 36 (a) To occupy an instructional position;
37 (b) To occupy an administrative or financial position, including
38 a position as school director, personnel officer, counselor, admission
39 representative, solicitor, canvasser, surveyor, financial aid officer or
40 any similar position; or
41 (c) To act as an agent for the institution,
42 the applicant must submit to the Administrator completed
43 fingerprint cards and a form authorizing an investigation of the
44 applicant's background and the submission of *a complete set of* his
45 fingerprints to the Central Repository for Nevada Records of



1 Criminal History ~~and~~ *for its report and for submission to* the
2 Federal Bureau of Investigation ~~and~~ *for its report.* The fingerprint
3 cards and authorization form submitted must be those which are
4 provided to the applicant by the Administrator. The applicant's
5 fingerprints must be taken by an agency of law enforcement.

6 2. The Administrator shall keep the results of the investigation
7 confidential, except that if the investigation discloses that the
8 applicant has been convicted of any felony, the Administrator shall
9 notify the applicant and the hiring institution of the conviction and
10 the nature of the offense.

11 3. The applicant shall pay the cost of the investigation.

12 4. An applicant is not required to satisfy the requirements of
13 subsection 1 if he:

14 (a) Is licensed by the Superintendent of Public Instruction;

15 (b) Is an employee of the United States Department of Defense;

16 (c) Is a member of the faculty of an accredited postsecondary
17 educational institution in another state who is domiciled in a state
18 other than Nevada and is present in Nevada for a temporary period
19 to teach at a branch of that accredited institution; or

20 (d) Has satisfied the requirements of subsection 1 within the
21 immediately preceding 5 years.

22 **Sec. 9.** NRS 450B.800 is hereby amended to read as follows:

23 450B.800 An applicant for any permit, license or certificate
24 issued pursuant to this chapter shall furnish to the health authority a
25 complete set of his fingerprints and written permission authorizing
26 the health authority to forward those fingerprints *to the Central*
27 *Repository for Nevada Records of Criminal History for submission*
28 to the Federal Bureau of Investigation for its report. The health
29 authority may exchange with the Federal Bureau of Investigation
30 any information respecting the fingerprints of an applicant.

31 **Sec. 10.** NRS 463.4095 is hereby amended to read as follows:

32 463.4095 1. To register with or request the approval of the
33 Executive Director, a qualified organization must submit to him:

34 (a) A written application containing:

35 (1) The name, address and nature of the organization.

36 (2) Proof that the organization is a qualified organization.

37 (3) The names of the officers or principals of the
38 organization, and of any person responsible for the management,
39 administration or supervision of the organization's charitable bingo
40 games and any activities related to those bingo games.

41 (4) A description of all the prizes to be offered in charitable
42 bingo games operated by the organization during the calendar year
43 to which the application pertains and, if the approval of the
44 Executive Director is required, a summary of the anticipated
45 expenses of conducting those bingo games, including copies of any



1 proposed agreements between the organization and any suppliers of
2 material for the operation of those bingo games.

3 (5) A description of the intended use of the net proceeds of
4 charitable bingo games operated by the organization during the
5 calendar year to which the application pertains.

6 (6) The address of the location where charitable bingo games
7 will be conducted by the organization during the calendar year to
8 which the application pertains.

9 (7) A statement that charitable bingo games will be
10 conducted in accordance with standards of honesty and integrity
11 applicable to licensed bingo games in this state.

12 (8) Any other information the Executive Director deems
13 appropriate.

14 (b) A nonrefundable fee of:

15 (1) For registration, \$10; or

16 (2) For a request for approval, \$25.

17 (c) If the qualified organization requests approval of the
18 Executive Director, it must ~~submit the~~ :

19 (1) *Submit a complete set of the* fingerprints of its officers,
20 principals and persons responsible for management of the bingo
21 games ~~in~~ on forms approved by the Executive Director ;

22 (2) *Submit written permission of each officer, principal and*
23 *person responsible for management of the bingo games*
24 *authorizing the Executive Director to forward the fingerprints to*
25 *the Central Repository for Nevada Records of Criminal History*
26 *for submission to the Federal Bureau of Investigation for its*
27 *report; and ~~must reimburse~~*

28 (3) *Reimburse* the Board for its costs incurred in submitting
29 the fingerprints for review.

30 2. A qualified organization shall submit such additional
31 information as necessary to correct or complete any information
32 submitted pursuant to this section that becomes inaccurate or
33 incomplete. The approval of a qualified organization is suspended
34 during the period that any of the information is inaccurate or
35 incomplete. The Executive Director may reinstate the approval of
36 the organization only after all information has been corrected and
37 completed.

38 3. The money collected pursuant to this section must be
39 expended to administer and enforce the provisions of NRS 463.4091
40 to 463.40965, inclusive.

41 **Sec. 11.** NRS 463.520 is hereby amended to read as follows:

42 463.520 A corporation, other than a publicly traded
43 corporation, which applies for a state gaming license shall register
44 as a corporation with the Board, and shall provide the following
45 information to the Board:



- 1 1. The organization, financial structure and nature of the
2 business to be operated, including the names, personal history and *a*
3 *complete set of* fingerprints of all officers, directors and key
4 employees, *written permission of each officer, director and key*
5 *employee authorizing the Board to forward the fingerprints to the*
6 *Central Repository for Nevada Records of Criminal History for*
7 *submission to the Federal Bureau of Investigation for its report,*
8 and the names, addresses and number of shares held by all
9 stockholders.
 - 10 2. The rights and privileges acquired by the holders of different
11 classes of authorized securities, including debentures.
 - 12 3. The terms on which securities are to be offered.
 - 13 4. The terms and conditions of all outstanding loans,
14 mortgages, trust deeds, pledges or any other indebtedness or security
15 device.
 - 16 5. The extent of the equity security holding in the corporation
17 of all officers, directors and underwriters, and their remuneration as
18 compensation for services, in the form of salary, wages, fees or
19 otherwise.
 - 20 6. Remuneration to persons other than directors and officers
21 exceeding \$30,000 per annum.
 - 22 7. Bonus and profit-sharing arrangements.
 - 23 8. Management and service contracts.
 - 24 9. Options existing, or to be created.
 - 25 10. Balance sheets for at least 3 preceding fiscal years, or, if
26 the corporation has not been incorporated for a period of 3 years,
27 balance sheets from the time of its incorporation. All balance sheets
28 shall be certified by independent public accountants certified or
29 registered in the State of Nevada.
 - 30 11. Profit and loss statements for at least the 3 preceding fiscal
31 years, or, if the corporation has not been incorporated for a period of
32 3 years, profit and loss statements from the time of its incorporation.
33 All profit and loss statements shall be certified by independent
34 public accountants certified or registered in the State of Nevada.
 - 35 12. Any further financial data which the Board may deem
36 necessary or appropriate for the protection of the State of Nevada, or
37 licensed gambling, or both.
- 38 **Sec. 12.** NRS 463.568 is hereby amended to read as follows:
39 463.568 The limited partnership which applies for a state
40 gaming license shall register as a limited partnership with the Board,
41 and shall provide the following information to the Board:
- 42 1. The organization, financial structure and nature of the
43 business to be operated, including the names, personal history and *a*
44 *complete set of the* fingerprints of all general partners and key
45 employees, *written permission of each general partner and key*



1 *employee authorizing the Board to forward the fingerprints to the*
2 *Central Repository for Nevada Records of Criminal History for*
3 *submission to the Federal Bureau of Investigation for its report,*
4 and the name, address and interest of each limited partner.

5 2. The rights, privileges and relative priorities of limited
6 partners as to the return of contributions to capital, and the right to
7 receive income.

8 3. The terms on which limited partnership interests are to be
9 offered.

10 4. The terms and conditions of all outstanding loans,
11 mortgages, trust deeds, pledges or any other indebtedness or security
12 device.

13 5. The extent of the holding in the limited partnership of all
14 underwriters, and their remuneration as compensation for services,
15 in the form of salary, wages, fees or otherwise.

16 6. Remuneration to persons other than general partners
17 exceeding \$30,000 per annum.

18 7. Bonus and profit-sharing arrangements.

19 8. Management and service contracts.

20 9. Options existing, or to be created.

21 10. Balance sheets for at least the 3 preceding fiscal years, or,
22 if the limited partnership has not been in existence for 3 years,
23 balance sheets from the time of its formation. All balance sheets
24 must be certified by independent public accountants certified or
25 registered in this state.

26 11. Profit and loss statements for at least the 3 preceding fiscal
27 years, or, if the limited partnership has not been in existence for 3
28 years, profit and loss statements from the time of its formation. All
29 profit and loss statements must be certified by independent public
30 accountants certified or registered in this state.

31 12. Any further financial data which the Board may deem
32 necessary or appropriate for the protection of the State of Nevada, or
33 licensed gambling, or both.

34 **Sec. 13.** NRS 463.5734 is hereby amended to read as follows:

35 463.5734 A limited-liability company which applies for a
36 license shall register as a limited-liability company with the Board,
37 and shall provide the following information to the Board:

38 1. The organization, financial structure and nature of the
39 business to be operated, including the names, personal history and *a*
40 *complete set of the* fingerprints of each director, manager, member
41 and key employee ~~and~~ *and written permission of each director,*
42 *manager, member and key employee authorizing the Board to*
43 *forward the fingerprints to the Central Repository for Nevada*
44 *Records of Criminal History for submission to the Federal Bureau*
45 *of Investigation for its report.*



1 2. The rights, privileges and relative priorities of the members
2 as to the return of contributions to capital and the right to receive
3 distribution of profits.

4 3. The terms on which interests in the limited-liability
5 company are to be offered.

6 4. The terms and conditions of all outstanding loans,
7 mortgages, trust deeds, pledges and any other indebtedness or
8 security device.

9 5. The extent of the holding in the limited-liability company of
10 all underwriters, and their remuneration as compensation for
11 services, in the form of salary, wages, fees or otherwise.

12 6. Remuneration to persons other than directors and managers
13 exceeding \$30,000 per annum.

14 7. Bonus and profit-sharing arrangements.

15 8. Management and service contracts.

16 9. Options existing, or to be created.

17 10. Balance sheets for at least the 3 preceding fiscal years, or,
18 if the limited-liability company has not been in existence for 3
19 years, balance sheets from the time of its formation. All balance
20 sheets must be certified by independent public accountants certified
21 or registered in this state.

22 11. Profit and loss statements for at least the 3 preceding fiscal
23 years, or, if the limited-liability company has not been in existence
24 for 3 years, profit and loss statements from the time of its formation.
25 All profit and loss statements must be certified by independent
26 public accountants certified or registered in this state.

27 12. Any further financial data which the Board may deem
28 necessary or appropriate for the protection of the State of Nevada,
29 or licensed gambling, or both.

30 **Sec. 14.** NRS 463A.030 is hereby amended to read as follows:

31 463A.030 1. Not later than the date on which a labor
32 organization which represents or seeks to represent gaming casino
33 employees in this state begins an organizational activity directed at a
34 gaming casino employee, the labor organization shall file with the
35 Board a list of its personnel who:

36 (a) Adjust or seek to adjust grievances for, negotiate or
37 administer the wages, hours, working conditions or conditions of
38 employment of any gaming casino employee;

39 (b) Solicit, collect or receive, or seek to solicit, collect or
40 receive any dues, assessments, levies, fines, contributions or other
41 charges within this state for or on behalf of the organization from
42 gaming casino employees; or

43 (c) Act as officers, members of the governing body, business
44 agents or in any other policymaking or supervisory position in the
45 organization.



- 1 2. Each person listed shall file with the Board :
- 2 (a) *A complete set of* his fingerprints ~~[and complete]~~ *and*
3 *written permission authorizing the Board to forward the*
4 *fingerprints to the Central Repository for Nevada Records of*
5 *Criminal History for submission to the Federal Bureau of*
6 *Investigation for its report;*
- 7 (b) *Complete* information in writing concerning his labor
8 organization activities, prior performance of the same or similar
9 functions, previous employment or occupational history ~~[, and~~
10 ~~criminal]~~; *and*
- 11 (c) *His criminal* record if any, covering at least a 10-year period
12 unless the Board determines that a shorter period is appropriate.
- 13 3. The Commission shall by regulation prescribe the frequency
14 or circumstances or both with or under which the list must be
15 revised.
- 16 4. The Commission may by regulation prescribe:
- 17 (a) Any further information to be required concerning each
18 person listed or each person performing a particular function.
- 19 (b) The addition of other personnel to the list whose duties
20 significantly affect the conduct of a gaming operation.
- 21 5. In adopting regulations pursuant to this section, the
22 Commission shall proceed in the manner prescribed in chapter 463
23 of NRS.
- 24 6. For the purposes of this section, “organizational activity”
25 means:
- 26 (a) Soliciting membership by direct personal contact;
27 (b) Distributing cards regarding interests or representation; or
28 (c) Distributing or posting a flyer, poster or advertisement.
- 29 **Sec. 15.** NRS 467.030 is hereby amended to read as follows:
- 30 467.030 1. The members of the Commission shall elect one
31 of their number as Chairman of the Commission.
- 32 2. The Commission may purchase and use a seal.
- 33 3. The Commission may adopt regulations for the
34 administration of this chapter. The regulations must include:
- 35 (a) Number and qualifications of ring officials required at any
36 exhibition or contest.
- 37 (b) ~~[Requirements that fingerprints be obtained and criminal~~
38 ~~records be investigated for]~~ *Procedures for obtaining fingerprints*
39 *and written permission pursuant to NRS 467.100 to investigate the*
40 *criminal history of* all ring officials and employees of the
41 Commission ~~[,]~~ *and any other applicant the Commission wishes to*
42 *investigate.*
- 43 (c) Powers, duties and compensation of ring officials.
- 44 (d) Qualifications of licensees.



1 4. The Commission shall prepare all forms of contracts
2 between sponsors, licensees, promoters and contestants.

3 **Sec. 16.** NRS 467.100 is hereby amended to read as follows:

4 467.100 1. All contestants, promoters, managers, seconds,
5 trainers and ring officials must be licensed by the Commission. No
6 person may participate, directly or indirectly, in any professional
7 contest or exhibition of unarmed combat unless he has first procured
8 a license from the Commission.

9 2. The Commission may deny an application for a license or
10 grant a limited, restricted or conditional license for any cause
11 deemed sufficient by the Commission.

12 3. An application for a license constitutes a request for a
13 determination of the applicant's general suitability, character,
14 integrity, and ability to participate or engage in, or be associated
15 with contests or exhibitions of unarmed combat. The burden of
16 proof is on the applicant to establish to the satisfaction of the
17 Commission that the applicant is qualified to receive a license. By
18 filing an application with the Commission, an applicant accepts the
19 risk of adverse public notice, embarrassment, criticism, financial
20 loss or other action with respect to his application, and expressly
21 waives any claim for damages as a result thereof. Any written or
22 oral statement that is made by any member of the Commission or
23 any witness testifying under oath which is relevant to the application
24 and investigation of the applicant is absolutely privileged and does
25 not impose liability for defamation or constitute a ground for
26 recovery in a civil action.

27 4. *The Commission shall require:*

28 (a) *Each ring official and employee of the Commission; and*

29 (b) *Any other applicant the Commission wishes to*
30 *investigate,*

31 *to submit to the Commission with the application a complete set of*
32 *his fingerprints and written permission authorizing the*
33 *Commission to forward the fingerprints to the Central Repository*
34 *for Nevada Records of Criminal History for submission to the*
35 *Federal Bureau of Investigation for its report.*

36 5. After an application has been submitted to the Commission,
37 the application may not be withdrawn unless the Commission
38 consents to the withdrawal.

39 ~~5.~~ 6. The Commission shall fix a uniform scale of license
40 fees.

41 ~~6.~~ 7. In addition to the license fees required by subsection
42 ~~5.~~ 6, the Commission may require an applicant for a license to:

43 (a) Pay the costs of the proceedings associated with the issuance
44 of the license, including, without limitation, investigative costs and
45 attorney's fees; and



1 (b) Deposit with the Commission such an amount of money as
2 the Commission deems necessary to pay for those costs. If any
3 amount required to be deposited pursuant to this paragraph exceeds
4 the actual cost of the proceedings, including, without limitation,
5 investigative costs and attorney's fees, the Commission shall refund
6 the excess amount to the applicant upon the completion of the
7 proceedings.

8 ~~7.1~~ 8. It is a violation of this chapter for any person to
9 participate, directly or indirectly, as stated in subsection 1, unless he
10 has been granted a license therefor.

11 **Sec. 17.** NRS 489.321 is hereby amended to read as follows:

12 489.321 1. An application for a manufacturer's, dealer's,
13 rebuilder's, serviceman's or installer's license must be filed upon
14 forms supplied by the Division and include the social security
15 number of the applicant. The applicant must furnish:

16 (a) Any proof the Division may deem necessary that the
17 applicant is a manufacturer, dealer, rebuilder, serviceman or
18 installer.

19 (b) Any proof the Division may require that the applicant has an
20 established place of business.

21 (c) Any proof the Division may require of the applicant's good
22 character and reputation and of his fitness to engage in the activities
23 for which the license is sought.

24 (d) A complete set of his fingerprints and written permission
25 authorizing the Administrator to forward those fingerprints *to the*
26 *Central Repository for Nevada Records of Criminal History for*
27 *submission* to the Federal Bureau of Investigation for its report.
28 The Administrator may exchange with *the Central Repository and*
29 the Federal Bureau of Investigation any information relating to the
30 fingerprints of an applicant under this section.

31 (e) In the case of a dealer in new manufactured homes, an
32 instrument in the form prescribed by the Division executed by or on
33 behalf of the manufacturer certifying that the applicant is an
34 authorized franchise dealer for the make or makes concerned.

35 (f) A reasonable fee fixed by regulation.

36 (g) In the case of a dealer, rebuilder, serviceman or installer,
37 proof of passing the examination required under NRS 489.351.

38 (h) Any additional requirements the Division may from time to
39 time prescribe by regulation.

40 2. Within 60 days after the receipt of a complete application,
41 the Division shall issue or deny the license.

42 3. The Administrator may issue a provisional license pending
43 receipt of the report from the Federal Bureau of Investigation. Upon
44 receipt of the report and a determination by the Administrator that
45 the applicant is qualified, the Division shall issue to the applicant a



1 dealer's, manufacturer's, installer's, rebuilder's or serviceman's
2 license containing the applicant's name and the address of his fixed
3 place of business.

4 4. Each license is valid for a period of 2 years from the date of
5 issuance and may be renewed for like consecutive periods upon
6 application to and approval by the Division.

7 **Sec. 18.** NRS 489.341 is hereby amended to read as follows:

8 489.341 1. A person shall not act as a salesman in this state
9 or as a responsible managing employee for a person who sells,
10 leases, reconstructs, improves, repairs or installs any manufactured
11 home, mobile home or commercial coach subject to the provisions
12 of this chapter without first having received a license from the
13 Division. Before issuing such a license, the Division shall require:

14 (a) An application, signed and verified by the applicant, stating
15 that he desires to act as a salesman or responsible managing
16 employee and providing his residential address, his social security
17 number and the name and address of his employer.

18 (b) Proof of the employment of the applicant at the time the
19 application is filed. An applicant for a license as a responsible
20 managing employee shall submit proof of 2 years' experience within
21 the previous 4 years in the business in which the applicant is seeking
22 to be licensed as a responsible managing employee.

23 (c) Proof of the applicant's good character and reputation and of
24 his fitness to act as a salesman or responsible managing employee.

25 (d) A complete set of his fingerprints and written permission
26 authorizing the Administrator to forward those fingerprints *to the*
27 *Central Repository for Nevada Records of Criminal History for*
28 *submission* to the Federal Bureau of Investigation for its report. The
29 Administrator may exchange with *the Central Repository and*
30 the Federal Bureau of Investigation any information relating to the
31 fingerprints of an applicant.

32 (e) A statement as to whether any previous application of the
33 applicant has been denied or license revoked.

34 (f) Payment of a reasonable license fee established by
35 regulation.

36 (g) The applicant to have passed the examination required by
37 NRS 489.351.

38 (h) Any other information the Division deems necessary.

39 2. Within 60 days after the receipt of a complete application,
40 the Division shall issue or deny the license.

41 3. The Administrator may issue a provisional license pending
42 receipt of the report from the Federal Bureau of Investigation. Upon
43 receipt of the report and a determination by the Administrator that
44 the applicant is qualified, the Administrator shall issue to the
45 applicant a license as a salesman or a responsible managing



1 employee. The license must contain the licensee's name and the
2 address of his employer's place of business.

3 4. Each license is valid for 2 years from the date of issuance
4 and may be renewed for like consecutive periods upon application
5 to and approval by the Division.

6 5. A person licensed pursuant to this section shall not engage in
7 sales activity other than for the account of, or for and in behalf of, a
8 single employer who is a licensed dealer, rebuilder, serviceman or
9 installer.

10 6. A license issued pursuant to this section may be transferred
11 to another licensed employer upon application and the payment of a
12 transfer fee of \$10. When a salesman or responsible managing
13 employee holding a current license leaves the employment of one
14 dealer, rebuilder, serviceman or installer for that of another, the new
15 employer may employ the salesman or responsible managing
16 employee pending the transfer of the license if the transfer is
17 completed within 10 days.

18 7. A license issued pursuant to this section must be posted in a
19 conspicuous place on the premises of the employer for whom the
20 holder of the license is licensed.

21 8. If a salesman or responsible managing employee ceases to
22 be employed by a licensed dealer, rebuilder, serviceman ~~or~~ or
23 installer, his license to act as a salesman or responsible managing
24 employee is automatically suspended and his right to act in that
25 capacity immediately ceases, and he shall not engage in such an
26 activity until reemployed by a licensed dealer, rebuilder, serviceman
27 or installer. Every licensed salesman and responsible managing
28 employee shall report in writing to the Division every change in his
29 place of employment ~~or~~ or termination of employment within 5 days
30 after the date of making the change.

31 **Sec. 19.** NRS 574.040 is hereby amended to read as follows:

32 574.040 1. Except as otherwise provided in this subsection
33 and NRS 574.350, a member, agent or local or district officer of a
34 society so incorporating, if authorized in writing by the trustees of
35 the society, approved by the district judge of the county, and sworn
36 in the same manner as peace officers are sworn, may make arrests
37 for a violation of the provisions of this chapter in the same manner
38 as is provided for other officers. The provisions of this subsection
39 apply only to a society that, on the date the society submits an
40 application to the district judge for approval for a member, agent or
41 local or district officer of the society to make arrests pursuant to this
42 subsection:

43 (a) Has at least 25 members; and



1 (b) Has been incorporated in accordance with NRS 574.010 for
2 not less than 5 years immediately preceding the submission of the
3 application.

4 2. Before submitting an application specified in subsection 1,
5 the society shall ~~submit~~:

6 (a) *Require that each member, agent or local or district officer*
7 *of the society to whom the application relates submit to the society*
8 *a complete set of his fingerprints and written permission*
9 *authorizing the society to forward the fingerprints to the Central*
10 *Repository for Nevada Records of Criminal History for submission*
11 *to the Federal Bureau of Investigation for its report; and*

12 (b) *Submit* to the sheriff of the county a complete set of the
13 fingerprints ~~of the member, agent or local or district officer of the~~
14 ~~society to whom the application relates.~~ *obtained pursuant to this*
15 *subsection.*

16 **3. The sheriff shall:**

17 (a) Upon receipt of the fingerprints, ~~the sheriff shall~~ forward
18 the fingerprints to the Central Repository for Nevada Records of
19 Criminal History for submission to the Federal Bureau of
20 Investigation for a report concerning the criminal history of the
21 member, agent or local or district officer of the society.

22 (b) Upon receipt of the report, ~~the sheriff shall~~ forward the
23 report to the society. The society shall include the report in the
24 application submitted pursuant to subsection 1.

25 ~~3.~~ 4. A member, agent or local or district officer who is
26 authorized to make arrests pursuant to subsection 1 shall, when
27 making those arrests, exhibit and expose a suitable badge, to be
28 adopted by the society.

29 ~~4.~~ 5. A person who resists such a specially appointed officer
30 shall be punished for that resistance in the same manner as is
31 provided for the punishment of resistance to other officers.

32 **Sec. 20.** NRS 599B.115 is hereby amended to read as follows:

33 599B.115 1. Except as otherwise provided in subsection 5,
34 each applicant for registration as a seller must obtain a work card
35 issued pursuant to subsection 3 by the sheriff of the county in which
36 the business of the applicant is located.

37 2. Except as otherwise provided in subsection 5, each principal
38 officer, director, trustee, shareholder, owner, partner and employee
39 of a seller, and each salesman associated with a seller who is not an
40 employee of the seller, must obtain a work card issued pursuant to
41 subsection 3 by the sheriff of the county in which the business of the
42 seller is located that authorizes his association with the seller.

43 3. The sheriff of a county shall issue a work card to each
44 person who is required by this section to obtain a work card and
45 who complies with the requirements established by the sheriff for



1 the issuance of such a card. A work card issued pursuant to this
2 section must be renewed each year.

3 4. If the sheriff of a county requires an applicant for a work
4 card to *be investigated*:

5 (a) *The applicant must submit ~~[a set of his fingerprints]~~ with his*
6 *application ~~[, the] a complete set of his fingerprints and written~~*
7 *permission authorizing the sheriff to forward the fingerprints to*
8 *the Central Repository for Nevada Records of Criminal History*
9 *for submission to the Federal Bureau of Investigation for its*
10 *report.*

11 (b) *The* sheriff may submit the fingerprints to the Central
12 Repository for Nevada Records of Criminal History ~~[and] for~~
13 *submission* to the Federal Bureau of Investigation to determine the
14 criminal history of the applicant.

15 5. A person who is licensed or registered pursuant to chapter
16 119A or 645 of NRS is not required to obtain a work card pursuant
17 to this section.

18 **Sec. 21.** NRS 616B.374 is hereby amended to read as follows:

19 616B.374 1. Except as otherwise provided in this section, a
20 person shall not advertise or offer for sale in this state any policies
21 or memberships or solicit or receive any money, subscriptions,
22 applications, premiums, assessments, memberships or any other fee
23 or charge in connection with a proposed association of self-insured
24 public or private employers unless he has obtained a solicitor's
25 permit from the Commissioner.

26 2. To obtain a solicitor's permit, a person must file a written
27 application with the Commissioner. The application must include:

28 (a) The name, type and purposes of the association formed or
29 proposed to be formed or financed;

30 (b) ~~[The name, residential address, business, professional or~~
31 ~~employment experience for the preceding 10 years and~~
32 ~~qualifications of]~~ *On forms furnished by the Commissioner, for*
33 *each person associated or to be associated as director, promoter,*
34 *manager, member of the board or in other similar capacity in the*
35 *association, or in the formation of the proposed association or in the*
36 *proposed financing ~~[, together with the fingerprints of each person~~*
37 *~~so associated or to be associated, on forms furnished by the~~*
38 *Commissioner.];*

39 (1) *His name, residential address and qualifications;*

40 (2) *His business, professional or employment experience*
41 *for the preceding 10 years; and*

42 (3) *A complete set of fingerprints and written permission*
43 *authorizing the Commissioner to forward the fingerprints to the*
44 *Central Repository for Nevada Records of Criminal History for*
45 *submission to the Federal Bureau of Investigation for its report;*



1 (c) A full disclosure of the terms of all pertinent understandings
2 and agreements existing or proposed among any persons or entities
3 so associated or to be associated, and a copy of each such
4 agreement;

5 (d) A copy of the articles of incorporation and bylaws of a
6 solicitor, if incorporated;

7 (e) The plan according to which solicitations are to be made and
8 a reasonably detailed estimate of all administrative and sales
9 expenses to be incurred;

10 (f) A copy of any certificate proposed to be offered, and a copy
11 of any proposed application therefor;

12 (g) A copy of any prospectus, offering circular, advertising or
13 sales literature or materials proposed to be used;

14 (h) Proof of an escrow account and agreement for the deposit of
15 all funds collected during the formation of the association; and

16 (i) Such additional pertinent information as the Commissioner
17 may reasonably require.

18 3. The application must be accompanied by a fee of \$500 for
19 the filing of the application and for the issuance of the permit, if
20 granted. A solicitor must submit this fee each year thereafter if he
21 continues to recruit new members for an association.

22 4. A person who violates subsection 1 is guilty of a category D
23 felony and shall be punished as provided in NRS 193.130.

24 5. The provisions of this section do not apply to:

25 (a) A bona fide trade association that has been in existence for at
26 least 5 years and solicits members of its trade association; or

27 (b) A person who is employed by:

28 (1) Current members of an association; or

29 (2) Employers that are considering membership in an
30 association,

31 whose primary duties do not include solicitation of potential
32 members of the association.

33 **Sec. 22.** NRS 631.220 is hereby amended to read as follows:

34 631.220 1. Every applicant for a license to practice dental
35 hygiene or dentistry, or any of its special branches, shall:

36 (a) File an application with the Board 45 days before the date on
37 which the examination is to be given.

38 (b) Accompany the application with a recent photograph of
39 himself together with the required examination fee and such other
40 documentation as the Board may require by regulation.

41 (c) Submit with the application a complete set of fingerprints
42 and written permission authorizing the Board to forward the
43 fingerprints *to the Central Repository for Nevada Records of*
44 *Criminal History for submission* to the Federal Bureau of
45 Investigation for its report.



1 2. An application must include the social security number of
2 the applicant.

3 **Sec. 23.** Chapter 634 of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 *Each applicant for a license to practice chiropractic or to*
6 *practice as a chiropractor's assistant must submit to the Board a*
7 *complete set of his fingerprints and written permission authorizing*
8 *the Board to forward the fingerprints to the Central Repository for*
9 *Nevada Records of Criminal History for submission to the Federal*
10 *Bureau of Investigation for its report.*

11 **Sec. 24.** NRS 634A.110 is hereby amended to read as follows:

12 634A.110 1. An applicant for examination for a license to
13 practice Oriental medicine, or any branch thereof, shall:

14 (a) Submit an application to the Board on forms provided by the
15 Board;

16 (b) Submit satisfactory evidence that he is 21 years or older and
17 meets the appropriate educational requirements;

18 (c) *Submit with the application a complete set of his*
19 *fingerprints and written permission authorizing the Board to*
20 *forward the fingerprints to the Central Repository for Nevada*
21 *Records of Criminal History for submission to the Federal Bureau*
22 *of Investigation for its report;*

23 (d) Pay a fee established by the Board of not more than \$1,000;
24 and

25 ~~(d)~~ (e) Pay any fees required by the Board for an investigation
26 of the applicant or for the services of a translator, if the translator is
27 required to enable the applicant to take the examination.

28 2. An application submitted to the Board pursuant to
29 subsection 1 must include the social security number of the
30 applicant.

31 **Sec. 25.** NRS 640.090 is hereby amended to read as follows:

32 640.090 Unless he is entitled to licensure under NRS 640.120
33 or 640.140, a person who desires to be licensed as a physical
34 therapist must:

35 1. Apply to the Board, in writing, on a form furnished by the
36 Board;

37 2. Include in the application his social security number and
38 evidence, under oath, satisfactory to the Board, that he possesses the
39 qualifications required by NRS 640.080 other than having passed
40 the examination;

41 3. Pay to the Board at the time of filing his application a fee set
42 by a regulation of the Board in an amount not to exceed \$300;

43 4. Submit ~~his fingerprints~~ to the Board with his application ~~;~~
44 ~~and~~ *a complete set of his fingerprints and written permission*
45 *authorizing the Board to forward the fingerprints to the Central*



1 *Repository for Nevada Records of Criminal History for submission*
2 *to the Federal Bureau of Investigation for its report; and*

3 5. Submit other documentation and proof the Board may
4 require.

5 **Sec. 26.** NRS 640.250 is hereby amended to read as follows:
6 640.250 Unless he is entitled to a license under NRS 640.270,
7 a person who desires to be licensed as a physical therapist's assistant
8 must:

9 1. Apply to the Board, in writing, on a form furnished by the
10 Board. The application for licensure as a physical therapist's
11 assistant must also be signed by the supervising physical therapist of
12 the applicant.

13 2. Include in the application his social security number and
14 evidence, under oath, satisfactory to the Board, that he possesses the
15 qualifications required by NRS 640.230 other than having passed
16 the examination.

17 3. Pay to the Board at the time of filing his application a fee set
18 by a regulation of the Board in an amount not to exceed \$200.

19 4. Submit ~~his fingerprints~~ to the Board with his application ~~[-]~~
20 *a complete set of fingerprints and written permission authorizing*
21 *the Board to forward the fingerprints to the Central Repository for*
22 *Nevada Records of Criminal History for submission to the Federal*
23 *Bureau of Investigation for its report.*

24 5. Submit such documentation and proof as the Board may
25 require.

26 6. Pay the fee for examination of the applicant as the Board
27 may establish.

28 **Sec. 27.** Chapter 641B of NRS is hereby amended by adding
29 thereto a new section to read as follows:

30 *Each applicant for a license must submit to the Board a*
31 *complete set of his fingerprints and written permission authorizing*
32 *the Board to forward the fingerprints to the Central Repository for*
33 *Nevada Records of Criminal History for submission to the Federal*
34 *Bureau of Investigation for its report.*

35 **Sec. 28.** NRS 641C.260 is hereby amended to read as follows:
36 641C.260 Each applicant for a license or certificate must
37 submit to the Board:

38 1. An application on a form provided by the Board; ~~and~~

39 2. *A complete set of his fingerprints and written permission*
40 *authorizing the Board to forward the fingerprints to the Central*
41 *Repository for Nevada Records of Criminal History for submission*
42 *to the Federal Bureau of Investigation for its report; and*

43 3. The application fee prescribed in NRS 641C.470.



1 **Sec. 29.** NRS 645.355 is hereby amended to read as follows:
2 645.355 **1.** An applicant for a license as a broker, broker-
3 salesman or salesman in this state must, as part of his application, be
4 fingerprinted. Each applicant ~~{shall, at}~~ **must:**

5 **(a)** At his own expense, and on a card provided by the Division,
6 arrange to be fingerprinted by any police or sheriff's office ~~{and~~
7 ~~shall attach}~~ ;

8 **(b)** Attach his fingerprint card ~~{, after his fingerprints are taken,}~~
9 to his application ~~{,}~~ ; and

10 **(c)** *Submit with his application written permission authorizing*
11 *the Division to forward the fingerprints to the Central Repository*
12 *for Nevada Records of Criminal History for submission to the*
13 *Federal Bureau of Investigation for its report.*

14 **2.** The Division may ~~{mail}~~ submit the applicant's fingerprint
15 card ~~{to the Federal Bureau of Investigation, Washington, D.C., for~~
16 ~~its report,}~~ *to the Central Repository for Nevada Records of*
17 *Criminal History for submission to the Federal Bureau of*
18 *Investigation* and to such other law enforcement agencies as the
19 Division may deem necessary.

20 **Sec. 30.** NRS 645.6065 is hereby amended to read as follows:

21 645.6065 **1.** Except as otherwise provided in NRS 645.607, a
22 person shall not act as a qualified intermediary unless he is
23 registered as such with the Division. The Division may adopt such
24 regulations as it deems necessary to carry out the provisions of NRS
25 645.606 to 645.609, inclusive.

26 **2.** A person may apply for registration by paying to the
27 Division a \$100 fee plus the actual cost of a background
28 investigation conducted by the Federal Bureau of Investigation and
29 filing with the Division:

30 **(a)** The following information on a form provided by the
31 Division:

- 32 (1) The applicant's name, address and telephone number;
33 (2) The name under which the applicant will hold the money
34 or other property of a client;
35 (3) The names, residence and business addresses of all
36 persons having an interest in the business as principals, partners,
37 officers, trustees or directors, specifying the capacity and title of
38 each;
39 (4) If the applicant is a natural person, the social security
40 number of the applicant; and

41 (5) The length of time the applicant has been engaged in the
42 business of acting as such an intermediary;

43 **(b)** If the person is a natural person, the statement required
44 pursuant to NRS 645.6068; ~~{and}~~



1 (c) A card provided by the Division upon which *a complete set*
2 *of* the applicant's fingerprints, taken by an agency of law
3 enforcement, are displayed ~~[H]~~; and

4 *(d) Written permission authorizing the Division to forward the*
5 *fingerprints to the Central Repository for Nevada Records of*
6 *Criminal History for submission to the Federal Bureau of*
7 *Investigation for its report.*

8 3. The Division shall:

9 (a) ~~[Mail]~~ *Submit* the card upon which the applicant's
10 fingerprints are displayed to the *Central Repository for submission*
11 *to the* Federal Bureau of Investigation; and

12 (b) Request from the *Central Repository and the Federal*
13 *Bureau of Investigation* such information regarding the applicant's
14 criminal history as the Division deems necessary.

15 4. Registration pursuant to this section must be renewed each
16 year on or before the date of the original registration by providing
17 the information required by the Division for that purpose and paying
18 a renewal fee of \$75.

19 **Sec. 31.** NRS 645B.450 is hereby amended to read as follows:

20 645B.450 1. A person shall not act as or provide any of the
21 services of a mortgage agent or otherwise engage in, carry on or
22 hold himself out as engaging in or carrying on the activities of a
23 mortgage agent if the person:

24 (a) Has been convicted of, or entered a plea of nolo contendere
25 to, a felony or any crime involving fraud, misrepresentation or
26 moral turpitude; or

27 (b) Has had a financial services license or registration suspended
28 or revoked within the immediately preceding 10 years.

29 2. A mortgage agent may not be associated with or employed
30 by more than one mortgage broker at the same time.

31 3. A mortgage broker shall register with the Division each
32 person who will be associated with or employed by the mortgage
33 broker as a mortgage agent. A mortgage broker shall register each
34 such person with the Division when the person begins his
35 association or employment with the mortgage broker and annually
36 thereafter. A registration expires 12 months after its effective date.

37 4. To register a person as a mortgage agent, a mortgage broker
38 must:

39 (a) Submit to the Division a registration form which is provided
40 by the Division and which:

41 (1) States the name, residence address and business address
42 of the person;

43 (2) Is signed by the person;



1 (3) Includes a provision by which the person gives his
2 written consent to an investigation of his credit history, criminal
3 history and background; ~~and~~

4 (4) *Includes a complete set of his fingerprints and written*
5 *permission authorizing the Division to forward the fingerprints to*
6 *the Central Repository for Nevada Records of Criminal History*
7 *for submission to the Federal Bureau of Investigation for its*
8 *report; and*

9 (5) Includes any other information or supporting materials
10 required by the regulations adopted by the Commissioner. Such
11 information or supporting materials may include, without limitation,
12 ~~a complete set of fingerprints from the person,~~ the social security
13 number of the person and other forms of identification of the person.

14 (b) For each initial registration, pay the actual costs and
15 expenses incurred by the Division to investigate the credit history,
16 criminal history and background of the person. All money received
17 pursuant to this paragraph must be placed in the Investigative
18 Account created by NRS 232.545.

19 (c) For each annual registration, submit to the Division
20 satisfactory proof that the person attended at least 5 hours of
21 certified courses of continuing education during the 12 months
22 immediately preceding the date on which the registration expires.

23 5. Not later than the date on which the mortgage broker
24 submits the information for annual registration required by
25 subsection 4, the person being registered shall pay an annual
26 registration fee of \$125. If the person does not pay the annual
27 registration fee, the person shall be deemed to be unregistered for
28 the purposes of this chapter.

29 6. A mortgage broker shall not employ a person as a mortgage
30 agent or authorize a person to be associated with the mortgage
31 broker as a mortgage agent if the mortgage broker has not registered
32 the person with the Division pursuant to this section or if the person:

33 (a) Has been convicted of, or entered a plea of nolo contendere
34 to, a felony or any crime involving fraud, misrepresentation or
35 moral turpitude; or

36 (b) Has had a financial services license or registration suspended
37 or revoked within the immediately preceding 10 years.

38 7. If a mortgage agent terminates his association or
39 employment with a mortgage broker for any reason, the mortgage
40 broker shall, not later than the third business day following the date
41 of termination:

42 (a) Deliver to the mortgage agent or send by certified mail to the
43 last known residence address of the mortgage agent a written
44 statement which advises him that his termination is being reported
45 to the Division; and



* A B 1 5 5 *

1 (b) Deliver or send by certified mail to the Division:
2 (1) A written statement of the circumstances surrounding the
3 termination; and

4 (2) A copy of the written statement that the mortgage broker
5 delivers or mails to the mortgage agent pursuant to paragraph (a).

6 8. As used in this section, "certified course of continuing
7 education" has the meaning ascribed to it in NRS 645B.051.

8 **Sec. 32.** NRS 645C.300 is hereby amended to read as follows:
9 645C.300 1. Every application for a certificate, license or
10 registration card must include the social security number of the
11 applicant and be accompanied by the fee for the certificate, license
12 or registration card.

13 2. Each applicant must:

14 (a) At his own expense and on a card provided by the Division,
15 arrange to be fingerprinted by an agency of law enforcement; ~~and~~

16 (b) Attach the completed card to his application ~~and~~; and

17 (c) *Submit with his application written permission authorizing*
18 *the Division to forward the fingerprints to the Central Repository*
19 *for Nevada Records of Criminal History for submission to the*
20 *Federal Bureau of Investigation for its report.*

21 3. The Division may:

22 (a) ~~Mail~~ *Submit* the card to the Federal Bureau of
23 Investigation or any other agency of law enforcement; and

24 (b) Request from such an agency any information regarding the
25 applicant's criminal history as the Division deems necessary.

26 **Sec. 33.** NRS 645D.180 is hereby amended to read as follows:
27 645D.180 1. Every application for a certificate must be
28 accompanied by the fee for the certificate.

29 2. Each applicant must:

30 (a) At his own expense and on a card provided by the Division,
31 arrange to be fingerprinted by an agency of law enforcement; ~~and~~

32 (b) Attach the completed card to his application ~~and~~; and

33 (c) *Submit with his application written permission authorizing*
34 *the Division to forward the fingerprints to the Central Repository*
35 *for Nevada Records of Criminal History for submission to the*
36 *Federal Bureau of Investigation for its report.*

37 3. The Division may:

38 (a) Require more than one set of fingerprints;

39 (b) ~~Mail~~ *Submit* a completed card to the *Central Repository*
40 *for submission to the* Federal Bureau of Investigation or *submit a*
41 *completed card to* any other agency of law enforcement; and

42 (c) Request from such an agency any information regarding the
43 applicant's criminal history that the Division deems necessary.

44 **Sec. 34.** NRS 648.080 is hereby amended to read as follows:

45 648.080 Every application for a license must contain:



- 1 1. A detailed statement of the applicant's personal history on
2 the form specified by the Board. If the applicant is a corporation, the
3 application must include such a statement concerning each officer
4 and director.
- 5 2. A statement of the applicant's financial condition on the
6 form specified by the Board. If the applicant is a corporation, the
7 application must include such a statement concerning each officer
8 and director.
- 9 3. A specific description of the location of the principal place
10 of business of the applicant, the business in which he intends to
11 engage and the category of license he desires.
- 12 4. A ~~full~~ *complete* set of fingerprints and ~~a~~ *written*
13 *permission authorizing the Board to forward the fingerprints to*
14 *the Central Repository for Nevada Records of Criminal History*
15 *for submission to the Federal Bureau of Investigation for its*
16 *report.*
- 17 5. A recent photograph of the applicant or, if the applicant is a
18 corporation, of each officer and director.
- 19 ~~5.~~ 6. Evidence supporting the qualifications of the applicant
20 in meeting the requirements for the license for which he is applying.
- 21 ~~6.~~ 7. If the applicant is not a natural person, the full name
22 and residence address of each of its partners, officers, directors and
23 manager, and a certificate of filing of a fictitious name.
- 24 ~~7.~~ 8. Such other facts as may be required by the Board to
25 show the good character, competency and integrity of each
26 signatory.
- 27 **Sec. 35.** NRS 648.203 is hereby amended to read as follows:
28 648.203 1. Except as otherwise provided in subsection 2, it is
29 unlawful for a person to:
- 30 (a) Allow an employee, including an independent contractor, to
31 perform any work regulated pursuant to the provisions of this
32 chapter unless the employee holds a work card authorizing his work
33 which is issued by the sheriff of the county in which the work is
34 performed. The provisions of this paragraph do not apply to a
35 person licensed pursuant to this chapter.
- 36 (b) Work as a security guard unless he holds a work card
37 authorizing his work as a security guard issued in accordance with
38 applicable ordinances by the sheriff of the county in which the work
39 is performed.
- 40 2. The provisions of subsection 1 do not apply in any county
41 whose population is less than 100,000, but this subsection does not
42 prohibit a board of county commissioners from adopting similar
43 restrictions by ordinance.
- 44 3. The sheriff of any county in which such restrictions apply
45 shall ~~submit the fingerprints of~~ :



1 (a) *Require* any person applying for such a work card to *submit*
2 *a complete set of his fingerprints and written permission*
3 *authorizing the sheriff to forward the fingerprints to* the Central
4 Repository for Nevada Records of Criminal History ~~and~~ *for*
5 *submission* to the Federal Bureau of Investigation to determine the
6 applicant's criminal history ~~and~~; *and*

7 (b) *Submit to the Central Repository for Nevada Records of*
8 *Criminal History the fingerprints obtained pursuant to this*
9 *subsection.*

10 **Sec. 36.** NRS 649.196 is hereby amended to read as follows:

11 649.196 1. Each applicant for a manager's certificate must
12 submit proof satisfactory to the Commissioner that he:

13 (a) Is a citizen of the United States or lawfully entitled to remain
14 and work in the United States.

15 (b) Is at least 21 years of age.

16 (c) Has a good reputation for honesty, trustworthiness, integrity
17 and is competent to transact the business of a collection agency in a
18 manner which protects the interests of the general public.

19 (d) Has not committed any of the acts specified in NRS 649.215.

20 (e) Has not had a collection agency license or manager's
21 certificate suspended or revoked within the 10 years immediately
22 preceding the date of filing the application.

23 (f) Has not been convicted of, or entered a plea of nolo
24 contendere to, a felony or any crime involving fraud,
25 misrepresentation or moral turpitude.

26 (g) Has had not less than 2 years' full-time experience with a
27 collection agency in the collection of accounts assigned by creditors
28 who were not affiliated with the collection agency except as
29 assignors of accounts. At least 1 year of the 2 years of experience
30 must have been within the 18-month period preceding the date of
31 filing the application.

32 2. Each applicant must:

33 (a) Pass the examination provided for in NRS 649.205.

34 (b) Pay the required fees.

35 (c) Submit three recent photographs and three *complete* sets of
36 fingerprints in such form as the Commissioner prescribes.

37 (d) *Submit written permission authorizing the Commissioner*
38 *to forward a complete set of fingerprints to the Central Repository*
39 *for Nevada Records of Criminal History for submission to the*
40 *Federal Bureau of Investigation for its report.*

41 (e) Submit such other information reasonably related to his
42 qualifications for the manager's certificate as the Commissioner
43 determines to be necessary.



1 3. The Commissioner may refuse to issue a manager's
2 certificate if the applicant does not meet the requirements of
3 subsections 1 and 2.

4 4. If the Commissioner refuses to issue a manager's certificate
5 pursuant to this section, he shall notify the applicant in writing by
6 certified mail stating the reasons for the refusal. The applicant may
7 submit a written request for a hearing within 20 days after he
8 receives the notice. If the applicant fails to submit a written request
9 within the prescribed period, the Commissioner shall enter a final
10 order.

11 **Sec. 37.** NRS 654.150 is hereby amended to read as follows:

12 654.150 Each applicant for licensure as a nursing facility
13 administrator pursuant to this chapter must:

14 1. Be of good moral character and physically and emotionally
15 capable of administering a facility for skilled nursing or facility for
16 intermediate care.

17 2. Have satisfactorily completed a course of instruction and
18 training prescribed or approved by the Board, including the study of:

19 (a) The needs which are to be properly served by a facility for
20 skilled nursing or facility for intermediate care;

21 (b) The laws governing the operation of a facility and the
22 protection of the patients' interests; and

23 (c) The elements of good administration of a facility.

24 In lieu of the specific requirements of this subsection, the applicant
25 may present other evidence satisfactory to the Board of sufficient
26 education, training or experience by which he would be qualified to
27 administer, supervise and manage a facility.

28 3. Pass an examination conducted and prescribed by the Board
29 pursuant to the provisions of this chapter.

30 4. Submit with his application:

31 (a) A complete set of his fingerprints and written permission
32 authorizing the Board to forward the fingerprints *to the Central*
33 *Repository for Nevada Records of Criminal History for submission*
34 to the Federal Bureau of Investigation for its report; and

35 (b) A fee to cover the actual cost of obtaining the report from the
36 Federal Bureau of Investigation.

37 5. Submit the statement required pursuant to NRS 654.145.

38 6. Meet such other standards and qualifications as the Board
39 may from time to time establish.

40 **Sec. 38.** NRS 654.155 is hereby amended to read as follows:

41 654.155 Each applicant for licensure as an administrator of a
42 residential facility for groups pursuant to this chapter must:

43 1. Be at least 21 years of age;

44 2. Be a citizen of the United States or lawfully entitled to
45 remain and work in the United States;



- 1 3. Be of good moral character and physically and emotionally
- 2 capable of administering a residential facility for groups;
- 3 4. Have satisfactorily completed a course of instruction and
- 4 training prescribed or approved by the Board or be qualified by
- 5 reason of his education, training or experience to administer,
- 6 supervise and manage a residential facility for groups;
- 7 5. Pass an examination conducted and prescribed by the Board;
- 8 6. Submit with his application:
- 9 (a) A complete set of his fingerprints and written permission
- 10 authorizing the Board to forward the fingerprints *to the Central*
- 11 *Repository for Nevada Records of Criminal History for submission*
- 12 *to the Federal Bureau of Investigation for its report; ~~and~~*
- 13 (b) A fee to cover the actual cost of obtaining the report from the
- 14 Federal Bureau of Investigation; and
- 15 (c) The statement required pursuant to NRS 654.145; and
- 16 7. Comply with such other standards and qualifications as the
- 17 Board prescribes.

18 **Sec. 39.** NRS 683A.150 is hereby amended to read as follows:
19 683A.150 Written application for a managing general agent's
20 license must be filed with the Commissioner by the applicant . ~~to~~
21 ~~accompanied by the applicable fee.~~

22 **Sec. 40.** NRS 683A.160 is hereby amended to read as follows:
23 683A.160 ~~[Application for a license as a managing general~~
24 ~~agent shall be made in writing by the applicant desiring a license as~~
25 ~~a managing general agent, and filed with the Commissioner. The~~
26 ~~application shall be accompanied by the applicant's fingerprints, by]~~
27 *Each applicant for a license as a managing general agent must*
28 *submit with his application:*

29 *1. A complete set of his fingerprints and written permission*
30 *authorizing the Commissioner to forward the fingerprints to the*
31 *Central Repository for Nevada Records of Criminal History for*
32 *submission to the Federal Bureau of Investigation for its report;*

33 *2. The appointment of the applicant as a managing general*
34 *agent by each insurer or underwriter department to be so represented*
35 ~~[, and by the]; and~~

36 *3. The application and license fee specified in NRS 680B.010*
37 ~~. [(fee schedule).]~~

38 **Sec. 41.** NRS 689.175 is hereby amended to read as follows:
39 689.175 1. The proposed seller, or the appropriate corporate
40 officer of the proposed seller, shall apply in writing to the
41 Commissioner for a seller's certificate of authority, showing:

42 (a) The proposed seller's name and address, and his occupations
43 during the preceding 5 years;

44 (b) The name and address of the proposed trustee;



1 (c) The names and addresses of the proposed performers,
2 specifying what particular services, supplies and equipment each
3 performer is to furnish under the proposed prepaid contract; and

4 (d) Such other pertinent information as the Commissioner may
5 reasonably require.

6 2. The application must be accompanied by:

7 (a) A copy of the proposed trust agreement and a written
8 statement signed by an authorized officer of the proposed trustee to
9 the effect that the proposed trustee understands the nature of the
10 proposed trust fund and accepts it;

11 (b) A copy of each contract or understanding, existing or
12 proposed, between the seller and performers relating to the proposed
13 prepaid contract or items to be supplied under it;

14 (c) A certified copy of the articles of incorporation and the
15 bylaws of any corporate applicant;

16 (d) A copy of any other document relating to the proposed
17 seller, trustee, trust, performer or prepaid contract, as required by
18 the Commissioner;

19 (e) A complete set of his fingerprints and written permission
20 authorizing the Commissioner to forward those fingerprints *to the*
21 *Central Repository for Nevada Records of Criminal History for*
22 *submission* to the Federal Bureau of Investigation for its report;

23 (f) A fee representing the amount charged by the Federal Bureau
24 of Investigation for processing the fingerprints of the applicant; and

25 (g) The applicable fee established in NRS 680B.010, which is
26 not refundable.

27 **Sec. 42.** NRS 689.235 is hereby amended to read as follows:

28 689.235 1. To qualify for an agent's license, the applicant:

29 (a) Must file a written application with the Commissioner on
30 forms prescribed by the Commissioner;

31 (b) Must have a good business and personal reputation; and

32 (c) Must not have been convicted of, or entered a plea of guilty
33 or nolo contendere to, forgery, embezzlement, obtaining money
34 under false pretenses, larceny, extortion, conspiracy to defraud or
35 any crime involving moral turpitude.

36 2. The application must:

37 (a) Contain information concerning the applicant's identity,
38 address, social security number and personal background and
39 business, professional or work history.

40 (b) Contain such other pertinent information as the
41 Commissioner may require.

42 (c) Be accompanied by a complete set of the fingerprints of the
43 applicant and written permission authorizing the Commissioner to
44 forward those fingerprints *to the Central Repository for Nevada*



1 *Records of Criminal History for submission* to the Federal Bureau
2 of Investigation for its report.

3 (d) Be accompanied by a fee representing the amount charged
4 by the Federal Bureau of Investigation for processing the
5 fingerprints of the applicant.

6 (e) Be accompanied by the statement required pursuant to
7 NRS 689.258.

8 (f) Be accompanied by the applicable fee established in NRS
9 680B.010, which is not refundable.

10 3. A conviction of, or plea of guilty or nolo contendere by, an
11 applicant or licensee for any crime listed in paragraph (c) of
12 subsection 1 is a sufficient ground for the Commissioner to deny a
13 license to the applicant, or to suspend or revoke the agent's license
14 pursuant to NRS 689.265.

15 **Sec. 43.** NRS 689.490 is hereby amended to read as follows:

16 689.490 1. The proposed seller, or the appropriate corporate
17 officer of the seller, shall apply in writing to the Commissioner for a
18 seller's permit, showing:

19 (a) The proposed seller's name and address and his occupations
20 during the preceding 5 years;

21 (b) The name and address of the proposed trustee;

22 (c) The names and addresses of the proposed performers,
23 specifying what particular services, supplies and equipment each
24 performer is to furnish under the proposed prepaid contract; and

25 (d) Such other pertinent information as the Commissioner may
26 reasonably require.

27 2. The application must be accompanied by:

28 (a) A copy of the proposed trust agreement and a written
29 statement signed by an authorized officer of the proposed trustee to
30 the effect that the proposed trustee understands the nature of the
31 proposed trust fund and accepts it;

32 (b) A copy of each contract or understanding, existing or
33 proposed, between the seller and performers relating to the proposed
34 prepaid contract or items to be supplied under it;

35 (c) A certified copy of the articles of incorporation and the
36 bylaws of any corporate applicant;

37 (d) A copy of any other document relating to the proposed
38 seller, trustee, trust, performer or prepaid contract, as required by
39 the Commissioner;

40 (e) A complete set of his fingerprints and written permission
41 authorizing the Commissioner to forward those fingerprints *to the*
42 *Central Repository for Nevada Records of Criminal History for*
43 *submission* to the Federal Bureau of Investigation for its report;

44 (f) A fee representing the amount charged by the Federal Bureau
45 of Investigation for processing the fingerprints of the applicant; and



1 (g) The applicable fee established in NRS 680B.010, which is
2 not refundable.

3 **Sec. 44.** NRS 689.520 is hereby amended to read as follows:
4 689.520 1. To qualify for an agent's license, the applicant:

5 (a) Must file a written application with the Commissioner on
6 forms prescribed by the Commissioner; and

7 (b) Must not have been convicted of, or entered a plea of guilty
8 or nolo contendere to, forgery, embezzlement, obtaining money
9 under false pretenses, larceny, extortion, conspiracy to defraud or
10 any crime involving moral turpitude.

11 2. The application must:

12 (a) Contain information concerning the applicant's identity,
13 address, social security number, personal background and business,
14 professional or work history.

15 (b) Contain such other pertinent information as the
16 Commissioner may require.

17 (c) Be accompanied by a complete set of fingerprints and
18 written permission authorizing the Commissioner to forward those
19 fingerprints *to the Central Repository for Nevada Records of*
20 *Criminal History for submission* to the Federal Bureau of
21 Investigation for its report.

22 (d) Be accompanied by a fee representing the amount charged
23 by the Federal Bureau of Investigation for processing the
24 fingerprints of the applicant.

25 (e) Be accompanied by the statement required pursuant to
26 NRS 689.258.

27 (f) Be accompanied by the applicable fee established in NRS
28 680B.010, which is not refundable.

29 3. A conviction of, or plea of guilty or nolo contendere by, an
30 applicant or licensee for any crime listed in paragraph (b) of
31 subsection 1 is a sufficient ground for the Commissioner to deny a
32 license to the applicant, or to suspend or revoke the agent's license
33 pursuant to NRS 689.535.

34 **Sec. 45.** NRS 692B.070 is hereby amended to read as follows:

35 692B.070 1. A written application for any permit required
36 under NRS 692B.040 must be filed with the Commissioner. The
37 application must include or be accompanied by:

38 (a) The name, type and purposes of the insurer, corporation,
39 syndicate, association, firm or organization formed or proposed to
40 be formed or financed;

41 (b) ~~{The name, residence address, business background and~~
42 ~~experience for the preceding 10 years and qualifications of}~~ *On*
43 *forms furnished by the Commissioner, for* each person associated
44 or to be associated as incorporator, director, promoter, manager or in
45 other similar capacity in the enterprise, or in the formation of the



1 proposed insurer, corporation, syndicate, association, firm or
2 organization, or in the proposed financing ~~[, together with the~~
3 ~~fingerprints of each individual so associated or to be associated, on~~
4 ~~forms furnished by the Commissioner ;]~~ :

5 (1) *His name, residential address and qualifications;*
6 (2) *His business background and experience for the*
7 *preceding 10 years; and*

8 (3) *A complete set of fingerprints and written permission*
9 *authorizing the Commissioner to forward the fingerprints to the*
10 *Central Repository for Nevada Records of Criminal History for*
11 *submission to the Federal Bureau of Investigation for its report;*

12 (c) A full disclosure of the terms of all pertinent understandings
13 and agreements existing or proposed among any persons or entities
14 so associated or to be associated, and a copy of each such
15 agreement;

16 (d) Executed quadruplicate originals of the articles of
17 incorporation of a proposed domestic stock or mutual insurer;

18 (e) The original and one copy of the proposed bylaws of a
19 proposed domestic stock or mutual insurer;

20 (f) The plan according to which solicitations are to be made and
21 a reasonably detailed estimate of all organization and sales expenses
22 to be incurred in the proposed organization and offering;

23 (g) A copy of any security, receipt or certificate proposed to be
24 offered, and a copy of any proposed subscription agreement or
25 application therefor;

26 (h) A copy of any prospectus, offering circular, advertising or
27 sales literature or material proposed to be used;

28 (i) A copy of the proposed form of any escrow agreement
29 required;

30 (j) A copy of:

31 (1) The articles of incorporation of any corporation, other
32 than a proposed domestic insurer, proposing to offer its securities,
33 certified by the public officer having custody of the original thereof;

34 (2) Any syndicate, association, firm, organization or other
35 similar agreement, by whatever name called, if funds for any of the
36 purposes referred to in subsection 1 of NRS 692B.040 are to be
37 secured through the sale of any security, interest or right in or
38 relative to such syndicate, association, firm or organization; and

39 (3) If the insurer is, or is to be, a reciprocal insurer, the
40 power of attorney and of other agreements existing or proposed
41 affecting subscribers, investors, the attorney in fact or the insurer;

42 (k) If the applicant is a natural person, the statement required
43 pursuant to NRS 692B.193; and

44 (l) Such additional pertinent information as the Commissioner
45 may reasonably require.



1 2. The application must be accompanied by a deposit of the
2 fees required under NRS 680B.010 for the filing of the application
3 and for issuance of the permit, if granted.

4 3. If the applicant is a natural person, the application must
5 include the social security number of the applicant.

6 4. In lieu of a special filing thereof of information required by
7 subsection 1, the Commissioner may accept a copy of any pertinent
8 filing made with the Securities and Exchange Commission relative
9 to the same offering.

10 **Sec. 46.** NRS 692B.190 is hereby amended to read as follows:

11 692B.190 1. No person may in this state solicit subscription
12 to or purchase of any security covered by a solicitation permit issued
13 under this chapter, unless then licensed therefor by the
14 Commissioner.

15 2. Such a license may be issued only to natural persons, and the
16 Commissioner shall not license any person found by him to be:

- 17 (a) Dishonest or untrustworthy;
18 (b) Financially irresponsible;
19 (c) Of unfavorable personal or business history or reputation; or
20 (d) For any other cause, reasonably unsuited for fulfillment of
21 the responsibilities of such a licensee.

22 3. The applicant for such a license must file his written
23 application therefor with the Commissioner, on forms and
24 containing inquiries as designated and required by the
25 Commissioner. The application must include ~~the~~ *or be*
26 *accompanied by:*

27 (a) *The* social security number of the applicant ~~and be~~
28 ~~endorsed~~;

29 (b) *An endorsement* by the holder of the permit under which the
30 securities are proposed to be sold ~~The application must be~~
31 ~~accompanied by~~;

32 (c) *A complete set of* the fingerprints of the applicant on forms
33 furnished by the Commissioner ~~and by the~~ *and written*
34 *permission authorizing the Commissioner to forward the*
35 *fingerprints to the Central Repository for Nevada Records of*
36 *Criminal History for submission to the Federal Bureau of*
37 *Investigation for its report; and*

38 (d) *The* application fee specified in NRS 680B.010.

39 4. The Commissioner shall promptly cause an investigation to
40 be made of the identity and qualifications of the applicant.

41 ~~4.~~ 5. The license, if issued, must be for the period of the
42 permit, and must automatically be extended if the permit is
43 extended.

44 ~~5.~~ 6. The Commissioner shall revoke the license if at any
45 time after issuance he has found that the license was obtained



1 through misrepresentation or concealment of facts, or that the
2 licensee is no longer qualified therefor, or that the licensee has
3 misrepresented the securities offered, or has otherwise conducted
4 himself in or with respect to transactions under the license in a
5 manner injurious to the permit holder or to subscribers or prospects
6 or the public.

7 ~~6.~~ 7. This section does not apply to securities broker-dealers
8 registered as such under the Securities Exchange Act of 1934, or
9 with respect to securities the sale of which is underwritten, other
10 than on a best efforts basis, by such a broker-dealer.

11 ~~7.~~ 8. With respect to solicitation of subscriptions to or
12 purchase of securities covered by a solicitation permit issued by the
13 Commissioner, the license required by this section is in lieu of a
14 license or permit otherwise required of the solicitor under any other
15 law of this state.

16 **Sec. 47.** NRS 697.180 is hereby amended to read as follows:

17 697.180 1. A written application for a license as a bail agent,
18 general agent, bail enforcement agent or bail solicitor must be filed
19 with the Commissioner by the applicant, accompanied by the
20 applicable fees. The application form must ~~include~~ :

21 (a) *Include* the social security number of the applicant
22 ~~and be~~ ;

23 (b) *Be* accompanied by *a complete set of* the applicant's
24 fingerprints ~~and must require~~ *and written permission*
25 *authorizing the Commissioner to forward the fingerprints to the*
26 *Central Repository for Nevada Records of Criminal History for*
27 *submission to the Federal Bureau of Investigation for its report;*
28 *and*

29 (c) *Require* full answers to questions reasonably necessary to
30 determine the applicant's:

31 ~~(a)~~ (1) Identity and residence.

32 ~~(b)~~ (2) Business record or occupations for not less than the 2
33 years immediately preceding the date of the application, with the
34 name and address of each employer, if any.

35 ~~(c)~~ (3) Prior criminal history, if any.

36 2. The Commissioner may require the submission of such other
37 information as may be required to determine the applicant's
38 qualifications for the license for which he applied.

39 3. The applicant must verify his application. An applicant for a
40 license under this chapter shall not knowingly misrepresent or
41 withhold any fact or information called for in the application form
42 or in connection therewith.

43 **Sec. 48.** NRS 706.8841 is hereby amended to read as follows:

44 706.8841 1. The Administrator shall issue a driver's permit
45 to qualified persons who wish to be employed by certificate holders



1 as taxicab drivers. Before issuing a driver's permit, the
2 Administrator shall:

3 (a) Require the applicant to submit a *complete* set of his
4 fingerprints [~~which must be forwarded~~] and *written permission*
5 *authorizing the Administrator to forward the fingerprints to the*
6 *Central Repository for Nevada Records of Criminal History for*
7 *submission* to the Federal Bureau of Investigation to ascertain
8 whether the applicant has a criminal record and the nature of any
9 such record, and shall further investigate the applicant's
10 background; and

11 (b) Require proof that the applicant:

12 (1) Has been a resident of the State for 30 days before his
13 application for a permit;

14 (2) Can read and orally communicate in the English
15 language; and

16 (3) Has a valid license issued under NRS 483.325 which
17 authorizes him to drive a taxicab in this state.

18 2. The Administrator may refuse to issue a driver's permit if
19 the applicant has been convicted of:

20 (a) A felony, other than a felony involving any sexual offense,
21 in this state or any other jurisdiction within 5 years before the date
22 of the application;

23 (b) A felony involving any sexual offense in this state or any
24 other jurisdiction at any time before the date of the application; or

25 (c) A violation of NRS 484.379 or 484.3795 or a law of any
26 other jurisdiction that prohibits the same or similar conduct within 3
27 years before the date of the application.

28 3. The Administrator may refuse to issue a driver's permit if
29 the Administrator, after the background investigation of the
30 applicant, determines that the applicant is morally unfit or if the
31 issuance of the driver's permit would be detrimental to public
32 health, welfare or safety.

33 4. A taxicab driver shall pay to the Administrator, in advance,
34 \$20 for an original driver's permit and \$5 for a renewal.

35 **Sec. 49.** This act becomes effective upon passage and
36 approval.

