

ASSEMBLY BILL NO. 321—ASSEMBLYMEN LESLIE AND GEDDES

MARCH 14, 2003

Referred to Committee on Natural Resources,  
Agriculture, and Mining

SUMMARY—Limits types of surety that may be filed for permit to engage in exploration project or mining operation. (BDR 46-358)

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 mining; limiting the types of surety that may be filed for a permit to engage in an exploration project or mining operation; 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 519A.130 is hereby amended to read as  
2 follows:

3 519A.130 “Surety” means ~~[, but is not limited to,]~~ a trust fund,  
4 surety bonds that guarantee performance or payment into a trust  
5 fund, letters of credit, *or* insurance, ~~[corporate or other guarantees~~  
6 ~~of performance,]~~ or any combination ~~[of these or other forms of~~  
7 ~~security approved by the Director of the State Department of~~  
8 ~~Conservation and Natural Resources and]~~ *thereof*, used to ensure  
9 that reclamation will be completed.

10 **Sec. 2.** 1. A form of security used as a surety for a permit to  
11 engage in an exploration project or mining operation that is issued  
12 before October 1, 2003, that no longer qualifies as a surety after the  
13 amendatory provisions of section 1 of this act become effective  
14 expires on October 1, 2008. A person who wishes to maintain a  
15 permit based in part on a form of security that has expired pursuant  
16 to this subsection must submit a new surety to the Division of



1 Environmental Protection of the State Department of Conservation  
2 and Natural Resources.

3 2. From October 1, 2003, to September 30, 2006, a form of  
4 security that no longer qualifies as a surety after the amendatory  
5 provisions of section 1 of this act become effective which is used as  
6 a surety for a permit to engage in an exploration project or mining  
7 operation that is issued before October 1, 2003, may not satisfy  
8 more than 75 percent of the total required surety for the permit.

9 3. From October 1, 2006, to September 30, 2007, a form of  
10 security that no longer qualifies as a surety after the amendatory  
11 provisions of section 1 of this act become effective which is used as  
12 a surety for a permit to engage in an exploration project or mining  
13 operation that is issued before October 1, 2003, may not satisfy  
14 more than 50 percent of the total required surety for the permit.

15 4. From October 1, 2007, to September 30, 2008, a form of  
16 security that no longer qualifies as a surety after the amendatory  
17 provisions of section 1 of this act become effective which is used as  
18 a surety for a permit to engage in an exploration project or mining  
19 operation that is issued before October 1, 2003, may not satisfy  
20 more than 25 percent of the total required surety for the permit.

21 **Sec. 3.** This act becomes effective upon passage and approval  
22 for the purpose of adopting regulations and on October 1, 2003, for  
23 all other purposes.

