
ASSEMBLY BILL NO. 33—COMMITTEE ON
NATURAL RESOURCES, AGRICULTURE, AND MINING

(ON BEHALF OF THE DIVISION OF STATE LANDS)

PREFILED FEBRUARY 4, 2005

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Revises provisions governing sale of state land.
(BDR 26-664)

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 land; revising provisions governing the manner in which the State Land Registrar may sell certain land owned by the State of Nevada; providing for the direct sale of such land under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the State Land Registrar may only sell land owned by the
2 State of Nevada at public auction or by sealed bid after the State Land Registrar
3 gives public notice. (NRS 321.335)

4 This bill expands the methods by which such land may be sold to include any
5 other manner in which competitive bids or offers may be obtained from the public.

6 This bill also authorizes the State Land Registrar to make a direct sale of land
7 when no competitive bid or offer is accepted or made on the land. In such a case,
8 the State Land Registrar must determine, based on the circumstances, whether to
9 provide public notice.

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

1 **Section 1.** NRS 321.335 is hereby amended to read as follows:
2 321.335 1. Except as *otherwise* provided in NRS 321.125
3 and 321.510, after April 1, 1957, all sales of any lands that the



1 Division is required to hold pursuant to NRS 321.001, including
2 lands subject to contracts of sale that have been forfeited, are
3 governed by the provisions of this section.

4 2. Whenever the State Land Registrar deems it to be in the best
5 interests of the State of Nevada that any lands owned by the State
6 and not used or set apart for public purposes be sold, he may, with
7 the approval of the State Board of Examiners and the Interim
8 Finance Committee, cause those lands to be sold at public auction ,
9 ~~[or]~~ upon sealed bids ~~[]~~ *or in any similar manner pursuant to*
10 *which competitive bids or offers to purchase may be obtained from*
11 *the public*, for cash or pursuant to contract of sale, at a price not less
12 than their appraised value plus the costs of appraisal and publication
13 of notice of sale.

14 3. Before offering any land for sale, the State Land Registrar
15 shall cause it to be appraised by a competent appraiser.

16 4. After receipt of the report of the appraiser, the State Land
17 Registrar shall cause a notice of sale to be published once a week for
18 4 consecutive weeks in a newspaper of general circulation published
19 in the county where the land to be sold is situated, and in such other
20 newspapers as he deems appropriate. If there is no newspaper
21 published in the county where the land to be sold is situated, the
22 notice must be so published in a newspaper published in this State
23 having a general circulation in the county where the land is situated.

24 5. The notice must contain:

25 (a) A description of the land to be sold;

26 (b) A statement of the terms of sale; *and*

27 (c) A ~~[statement of whether the land will be sold at public~~
28 ~~auction or upon sealed bids to the highest bidder;~~

29 ~~—(d) If the sale is to be at public auction, the time and place of~~
30 ~~sale; and~~

31 ~~—(e) If the sale is to be upon sealed bids, the place where the bids~~
32 ~~will be accepted, the first and last days on which the bids will be~~
33 ~~accepted, and the time when and place where the bids will be~~
34 ~~opened.] *description of the manner in which:*~~

35 *(1) The land will be sold; and*

36 *(2) A person may participate in the sale.*

37 6. The State Land Registrar may reject any bid or offer to
38 purchase if he deems the bid or offer to be:

39 (a) Contrary to the public interest.

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

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

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



1 7. Upon acceptance of any bid or offer and payment to the
2 State Land Registrar in accordance with the terms of sale specified
3 in the notice of sale, the State Land Registrar shall convey title by
4 quitclaim or cause a patent to be issued as provided in NRS 321.320
5 and 321.330.

6 8. *If the State Land Registrar does not receive or accept a*
7 *competitive bid or offer to purchase land offered for sale pursuant*
8 *to this section, the State Land Registrar may make a direct sale of*
9 *the land. Land sold pursuant to this subsection must be sold at a*
10 *price equal to at least the current fair market value of the land*
11 *plus the costs of the sale, including expenses related to the*
12 *appraisal of the land and the costs of publication of notices of*
13 *sale. The State Land Registrar shall determine, based on the*
14 *circumstances of the sale, whether to provide public notice of the*
15 *availability of the land for direct sale.*

16 9. The State Land Registrar may require any person requesting
17 that state land be sold pursuant to the provisions of this section to
18 deposit a sufficient amount of money to pay the costs to be incurred
19 by the State Land Registrar in acting upon the application, including
20 the costs of publication and the expenses of appraisal. ~~[This]~~ *The*
21 deposit must be refunded whenever the person making the deposit is
22 not the successful bidder. The costs of acting upon the application,
23 including the costs of publication and the expenses of appraisal,
24 must be borne by the successful bidder.



