
ASSEMBLY BILL NO. 501—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE STATE CONTRACTORS' BOARD)

MARCH 28, 2005

Referred to Committee on Commerce and Labor

SUMMARY—Revises certain provisions governing contractors.
(BDR 54-636)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
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 contractors; prohibiting certain unfair business practices and other improper practices by contractors; extending the statute of limitations for certain misdemeanor offenses; revising provisions regarding certain financial statements submitted to the State Contractors' Board; authorizing the Board to deny a license or take disciplinary action for certain criminal offenses committed in other jurisdictions; increasing the amount of administrative fines the Board may impose for certain violations; requiring the payment of interest on certain administrative fines; providing penalties; 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.** Chapter 624 of NRS is hereby amended by adding
- 2 thereto the provisions set forth as sections 2 and 3 of this act.
- 3 **Sec. 2.** *The following acts, among others, are unfair business*
- 4 *practices and constitute cause for disciplinary action under*
- 5 *NRS 624.300:*



1 *1. When a contractor states that service, replacement parts,*
2 *equipment or repairs are needed when such service, replacement*
3 *parts, equipment or repairs actually are not needed.*

4 *2. When a contractor makes any false or misleading*
5 *statement or representation of material fact that is intended,*
6 *directly or indirectly, to induce another person to use the services*
7 *of the contractor or to enter into any contract with the contractor*
8 *or any obligation relating to such a contract.*

9 *3. When a contractor makes any false or misleading*
10 *statement or representation of material fact that is intended,*
11 *directly or indirectly, to disparage the goods, services or business*
12 *of another person.*

13 **Sec. 3.** *For any violation of the provisions of this chapter*
14 *that is punishable as a misdemeanor, an indictment must be*
15 *found, or an information or complaint filed, within 2 years after*
16 *the commission of the offense.*

17 **Sec. 4.** NRS 624.263 is hereby amended to read as follows:

18 624.263 1. The financial responsibility of a licensee or an
19 applicant for a contractor's license must be established
20 independently of and without reliance on any assets or guarantees of
21 any owners or managing officers of the licensee or applicant, but the
22 financial responsibility of any owners or managing officers of the
23 licensee or applicant may be inquired into and considered as a
24 criterion in determining the financial responsibility of the licensee or
25 applicant.

26 2. The financial responsibility of an applicant for a contractor's
27 license or of a licensed contractor must be determined by using the
28 following standards and criteria in connection with each applicant or
29 contractor and each associate or partner thereof:

- 30 (a) Net worth.
31 (b) Amount of liquid assets.
32 (c) Prior payment and credit records.
33 (d) Previous business experience.
34 (e) Prior and pending lawsuits.
35 (f) Prior and pending liens.
36 (g) Adverse judgments.
37 (h) Conviction of a felony or crime involving moral turpitude.
38 (i) Prior suspension or revocation of a contractor's license in
39 Nevada or elsewhere.
40 (j) An adjudication of bankruptcy or any other proceeding under
41 the federal bankruptcy laws, including:
42 (1) A composition, arrangement or reorganization
43 proceeding;



1 (2) The appointment of a receiver of the property of the
2 applicant or contractor or any officer, director, associate or partner
3 thereof under the laws of this State or the United States; or

4 (3) The making of an assignment for the benefit of creditors.

5 (k) Form of business organization, corporate or otherwise.

6 (l) Information obtained from confidential financial references
7 and credit reports.

8 (m) Reputation for honesty and integrity of the applicant or
9 contractor or any officer, director, associate or partner thereof.

10 3. A licensed contractor shall, as soon as it is reasonably
11 practicable, notify the Board in writing upon the filing of a petition
12 or application relating to the contractor that initiates any proceeding,
13 appointment or assignment set forth in paragraph (j) of subsection 2.
14 The written notice must be accompanied by:

15 (a) A copy of the petition or application filed with the court; and

16 (b) A copy of any order of the court which is relevant to the
17 financial responsibility of the contractor, including any order
18 appointing a trustee, receiver or assignee.

19 4. Before issuing a license to an applicant who will engage in
20 residential construction or renewing the license of a contractor who
21 engages in residential construction, the Board may require the
22 applicant or licensee to establish his financial responsibility by
23 submitting to the Board:

24 (a) A financial statement ~~[prepared]~~ *that is:*

25 *(1) Prepared by a certified public accountant; or*

26 *(2) Submitted on a form or in a format prescribed by the*
27 *Board together with an affidavit which verifies the accuracy of the*
28 *financial statement; and*

29 (b) A statement setting forth the number of building permits
30 issued to and construction projects completed by the licensee during
31 the immediately preceding year and any other information required
32 by the Board. The statement submitted pursuant to this paragraph
33 must be provided on a form approved by the Board.

34 5. In addition to the requirements set forth in subsection 4, the
35 Board may require a licensee to establish his financial responsibility
36 at any time.

37 6. An applicant for an initial contractor's license or a licensee
38 applying for the renewal of a contractor's license has the burden of
39 demonstrating his financial responsibility to the Board, if the Board
40 requests him to do so.

41 **Sec. 5.** NRS 624.264 is hereby amended to read as follows:

42 624.264 1. In addition to any other requirements set forth in
43 this chapter, if an applicant will engage in residential construction
44 and the applicant or the natural person qualifying on behalf of the
45 applicant pursuant to NRS 624.260 has not held a contractor's



1 license issued pursuant to this chapter within the 2 years
2 immediately preceding the date that the application is submitted to
3 the Board, the Board shall require the applicant to establish his
4 financial responsibility by submitting to the Board:

5 (a) A financial statement that is **[prepared]** :

6 **(1) Prepared** by an independent certified public accountant;

7 **or**

8 **(2) Submitted on a form or in a format prescribed by the**
9 **Board together with an affidavit which verifies the accuracy of the**
10 **financial statement;** and

11 (b) Any other information required by the Board.

12 2. Before the Board may issue a contractor's license to the
13 applicant, the Board must determine whether, based on the financial
14 information concerning the applicant, it would be in the public
15 interest to do any or all of the following:

16 (a) Require the applicant to obtain the services of a construction
17 control with respect to any money that the applicant requires a
18 purchaser of a new residence to pay in advance to make upgrades to
19 the new residence. If the Board imposes such a requirement, the
20 applicant may not:

21 (1) Be related to the construction control or to an employee
22 or agent of the construction control; or

23 (2) Hold, directly or indirectly, a financial interest in the
24 business of the construction control.

25 (b) Establish an aggregate monetary limit on the contractor's
26 license, which must be the maximum combined monetary limit on
27 all contracts that the applicant may undertake or perform as a
28 licensed contractor at any one time, regardless of the number of
29 contracts, construction sites, subdivision sites or clients. If the Board
30 establishes such a limit, the Board:

31 (1) Shall determine the period that the limit is in effect; and

32 (2) During that period, may increase or decrease the limit as
33 the Board deems appropriate.

34 3. If the Board issues a contractor's license to an applicant
35 described in subsection 1, for the first 2 years after the issuance of
36 the license, the licensee must submit to the Board, with each
37 application for renewal of the license:

38 (a) A financial statement that is **[prepared]** :

39 **(1) Prepared** by an independent certified public accountant;

40 **or**

41 **(2) Submitted on a form or in a format prescribed by the**
42 **Board together with an affidavit which verifies the accuracy of the**
43 **financial statement;** and

44 (b) A statement setting forth the number of building permits
45 issued to and construction projects completed by the licensee during



1 the immediately preceding year and any other information required
2 by the Board. The statement submitted pursuant to this paragraph
3 must be provided on a form approved by the Board.

4 4. Before the Board may renew the contractor's license of the
5 licensee, the Board must determine whether, based on the financial
6 information concerning the licensee, it would be in the public
7 interest to do any or all of the following:

8 (a) Require the licensee to obtain the services of a construction
9 control with respect to any money that the licensee requires a
10 purchaser of a new residence to pay in advance to make upgrades to
11 the new residence. If the Board imposes such a requirement, the
12 licensee may not:

13 (1) Be related to the construction control or to an employee
14 or agent of the construction control; or

15 (2) Hold, directly or indirectly, a financial interest in the
16 business of the construction control.

17 (b) Establish an aggregate monetary limit on the contractor's
18 license, which must be the maximum combined monetary limit on
19 all contracts that the licensee may undertake or perform as a
20 licensed contractor at any one time, regardless of the number of
21 contracts, construction sites, subdivision sites or clients. If the Board
22 establishes such a limit, the Board:

23 (1) Shall determine the period that the limit is in effect; and

24 (2) During that period, may increase or decrease the limit as
25 the Board deems appropriate.

26 **Sec. 6.** NRS 624.265 is hereby amended to read as follows:

27 624.265 1. An applicant for a contractor's license or a
28 licensed contractor and each officer, director, partner and associate
29 thereof must possess good character. Lack of character may be
30 established by showing that the applicant or licensed contractor, or
31 any officer, director, partner or associate thereof, has:

32 (a) Committed any act which would be grounds for the denial,
33 suspension or revocation of a contractor's license;

34 (b) A bad reputation for honesty and integrity;

35 (c) Entered a plea of nolo contendere or guilty to, been found
36 guilty of or been convicted, *in this State or any other jurisdiction*,
37 of a crime arising out of, in connection with or related to the
38 activities of such person in such a manner as to demonstrate his
39 unfitness to act as a contractor, and the time for appeal has elapsed
40 or the judgment of conviction has been affirmed on appeal; or

41 (d) Had a license revoked or suspended for reasons that would
42 preclude the granting or renewal of a license for which the
43 application has been made.

44 2. Upon the request of the Board, an applicant for a
45 contractor's license, and any officer, director, partner or associate of



1 the applicant, must submit to the Board completed fingerprint cards
2 and a form authorizing an investigation of the applicant's
3 background and the submission of his fingerprints to the Central
4 Repository for Nevada Records of Criminal History and the Federal
5 Bureau of Investigation. The fingerprint cards and authorization
6 form submitted must be those that are provided to the applicant by
7 the Board. The applicant's fingerprints may be taken by an agent of
8 the Board or an agency of law enforcement.

9 3. The Board shall keep the results of the investigation
10 confidential and not subject to inspection by the general public.

11 4. The Board shall establish by regulation the fee for
12 processing the fingerprints to be paid by the applicant. The fee must
13 not exceed the sum of the amounts charged by the Central
14 Repository for Nevada Records of Criminal History and the Federal
15 Bureau of Investigation for processing the fingerprints.

16 5. The Board may obtain records of a law enforcement agency
17 or any other agency that maintains records of criminal history,
18 including, without limitation, records of:

- 19 (a) Arrests;
- 20 (b) Guilty pleas;
- 21 (c) Sentencing;
- 22 (d) Probation;
- 23 (e) Parole;
- 24 (f) Bail;
- 25 (g) Complaints; and
- 26 (h) Final dispositions,

27 ↪ for the investigation of a licensee or an applicant for a
28 contractor's license.

29 **Sec. 7.** NRS 624.283 is hereby amended to read as follows:

30 624.283 1. Each license issued under the provisions of this
31 chapter expires 1 year after the date on which it is issued, except
32 that the Board may by regulation prescribe shorter or longer periods
33 and prorated fees to establish a system of staggered renewals. Any
34 license which is not renewed on or before the date for renewal is
35 automatically suspended.

36 2. A license may be renewed by submitting to the Board:

- 37 (a) An application for renewal;
- 38 (b) The statement required pursuant to NRS 624.268 if the
39 holder of the license is a natural person;
- 40 (c) The fee for renewal fixed by the Board; and
- 41 (d) Any assessment required pursuant to NRS 624.470 if the
42 holder of the license is a residential contractor as defined in
43 NRS 624.450.

44 3. The Board may require a licensee to demonstrate his
45 financial responsibility at any time through the submission of:



1 (a) A financial statement that is **[prepared]** :

2 *(1) Prepared* by an independent certified public accountant;

3 *or*

4 *(2) Submitted on a form or in a format prescribed by the*
5 *Board together with an affidavit which verifies the accuracy of the*
6 *financial statement;* and

7 (b) If the licensee performs residential construction, such
8 additional documentation as the Board deems appropriate.

9 4. If a license is automatically suspended pursuant to
10 subsection 1, the licensee may have his license reinstated upon filing
11 an application for renewal within 6 months after the date of
12 suspension and paying, in addition to the fee for renewal, a fee for
13 reinstatement fixed by the Board, if he is otherwise in good standing
14 and there are no complaints pending against him. If he is otherwise
15 not in good standing or there is a complaint pending, the Board shall
16 require him to provide a current financial statement prepared by an
17 independent certified public accountant or establish other conditions
18 for reinstatement. If the licensee is a natural person, his application
19 for renewal must be accompanied by the statement required
20 pursuant to NRS 624.268. A license which is not reinstated within 6
21 months after it is automatically suspended may be cancelled by the
22 Board, and a new license may be issued only upon application for an
23 original contractor's license.

24 **Sec. 8.** NRS 624.283 is hereby amended to read as follows:

25 624.283 1. Each license issued under the provisions of this
26 chapter expires 1 year after the date on which it is issued, except
27 that the Board may by regulation prescribe shorter or longer periods
28 and prorated fees to establish a system of staggered renewals. Any
29 license which is not renewed on or before the date for renewal is
30 automatically suspended.

31 2. A license may be renewed by submitting to the Board:

32 (a) An application for renewal;

33 (b) The fee for renewal fixed by the Board; and

34 (c) Any assessment required pursuant to NRS 624.470 if the
35 holder of the license is a residential contractor as defined in
36 NRS 624.450.

37 3. The Board may require a licensee to demonstrate his
38 financial responsibility at any time through the submission of:

39 (a) A financial statement that is **[prepared]** :

40 *(1) Prepared* by an independent certified public accountant;

41 *or*

42 *(2) Submitted on a form or in a format prescribed by the*
43 *Board together with an affidavit which verifies the accuracy of the*
44 *financial statement;* and



1 (b) If the licensee performs residential construction, such
2 additional documentation as the Board deems appropriate.

3 4. If a license is automatically suspended pursuant to
4 subsection 1, the licensee may have his license reinstated upon filing
5 an application for renewal within 6 months after the date of
6 suspension and paying, in addition to the fee for renewal, a fee for
7 reinstatement fixed by the Board, if he is otherwise in good standing
8 and there are no complaints pending against him. If he is otherwise
9 not in good standing or there is a complaint pending, the Board shall
10 require him to provide a current financial statement prepared by an
11 independent certified public accountant or establish other conditions
12 for reinstatement. A license which is not reinstated within 6 months
13 after it is automatically suspended may be cancelled by the Board,
14 and a new license may be issued only upon application for an
15 original contractor's license.

16 **Sec. 9.** NRS 624.300 is hereby amended to read as follows:

17 624.300 1. Except as otherwise provided in subsections 3 and
18 4, the Board may:

19 (a) Suspend or revoke licenses already issued;

20 (b) Refuse renewals of licenses;

21 (c) Impose limits on the field, scope and monetary limit of the
22 license;

23 (d) Impose an administrative fine of not more than \$10,000;

24 (e) Order a licensee to repay to the account established pursuant
25 to NRS 624.470, any amount paid out of the account pursuant to
26 NRS 624.510 as a result of an act or omission of that licensee;

27 (f) Order the licensee to take action to correct a condition
28 resulting from an act which constitutes a cause for disciplinary
29 action, at the licensee's cost, that may consist of requiring the
30 licensee to:

31 (1) Perform the corrective work himself;

32 (2) Hire and pay another licensee to perform the corrective
33 work; or

34 (3) Pay to the owner of the construction project a specified
35 sum to correct the condition; or

36 (g) Issue a public reprimand or take other less severe
37 disciplinary action, including, without limitation, increasing the
38 amount of the surety bond or cash deposit of the licensee,

39 ↪ if the licensee commits any act which constitutes a cause for
40 disciplinary action.

41 2. If the Board suspends or revokes the license of a contractor
42 for failure to establish financial responsibility, the Board may, in
43 addition to any other conditions for reinstating or renewing the
44 license, require that each contract undertaken by the licensee for a
45 period to be designated by the Board, not to exceed 12 months, be



1 separately covered by a bond or bonds approved by the Board and
2 conditioned upon the performance of and the payment of labor and
3 materials required by the contract.

4 3. If a licensee violates the provisions of NRS 624.3014 , ~~for~~
5 subsection *2 or 3* of NRS 624.3015, *subsection 1 of NRS 624.302*
6 *or subsection 1 of NRS 624.305*, the Board may impose *for each*
7 *violation* an administrative fine ~~for~~ *in an amount that is* not more
8 than ~~[\$20,000.]~~ *\$50,000.*

9 4. If a licensee is prohibited from being awarded a contract for
10 a public work pursuant to NRS 338.017, the Board may suspend the
11 license of the licensee for the period of the prohibition.

12 5. If a licensee commits a fraudulent act which is a cause for
13 disciplinary action under NRS 624.3016, the correction of any
14 condition resulting from the act does not preclude the Board from
15 taking disciplinary action.

16 6. If the Board finds that a licensee has engaged in repeated
17 acts that would be cause for disciplinary action, the correction of
18 any resulting conditions does not preclude the Board from taking
19 disciplinary action pursuant to this section.

20 7. The expiration of a license by operation of law or by order
21 or decision of the Board or a court, or the voluntary surrender of a
22 license by a licensee, does not deprive the Board of jurisdiction to
23 proceed with any investigation of, or action or disciplinary
24 proceeding against, the licensee or to render a decision suspending
25 or revoking the license.

26 8. The Board shall not issue a private reprimand to a licensee.

27 9. An order that imposes discipline and the findings of fact and
28 conclusions of law supporting that order are public records.

29 10. *An administrative fine imposed pursuant to this section,*
30 *NRS 624.341 or 624.710 plus interest at a rate of 10 percent per*
31 *annum must be paid to the Board before the issuance or renewal*
32 *of a license to engage in the business of contracting in this State.*

33 *11.* All fines *and interest* collected pursuant to this section
34 must be deposited with the State Treasurer for credit to the
35 Construction Education Account created pursuant to NRS 624.580.

36 **Sec. 10.** NRS 624.3016 is hereby amended to read as follows:

37 624.3016 The following acts or omissions, among others,
38 constitute cause for disciplinary action under NRS 624.300:

39 1. Any fraudulent or deceitful act committed in the capacity of
40 a contractor, including, without limitation, misrepresentation or the
41 omission of a material fact.

42 2. A conviction of a violation of NRS 624.730, *or a conviction*
43 *in this State or any other jurisdiction of* a felony relating to the
44 practice of a contractor or a crime involving moral turpitude.



1 3. Knowingly making a false statement in or relating to the
2 recording of a notice of lien pursuant to the provisions of
3 NRS 108.226.

4 4. Failure to give a notice required by NRS 108.227, 108.245
5 or 108.246.

6 5. Failure to comply with NRS 597.713, 597.716 or 597.719 or
7 any regulations of the Board governing contracts for the
8 construction of residential pools and spas.

9 6. Failure to comply with NRS 624.600.

10 7. Misrepresentation or the omission of a material fact, or the
11 commission of any other fraudulent or deceitful act, to obtain a
12 license.

13 8. Failure to pay an assessment required pursuant to
14 NRS 624.470.

15 9. Failure to file a certified payroll report that is required for a
16 contract for a public work.

17 10. Knowingly submitting false information in an application
18 for qualification or a certified payroll report that is required for a
19 contract for a public work.

20 **Sec. 11.** NRS 624.323 is hereby amended to read as follows:

21 624.323 1. In addition to any other requirements set forth in
22 this chapter, if an investigation is conducted against a licensee and
23 the Board determines that there is cause to proceed with a formal
24 disciplinary proceeding against the licensee, the Board shall require
25 the licensee to submit to the Board:

26 (a) A financial statement that is ~~prepared~~ :

27 (1) *Prepared* by an independent certified public accountant;

28 *or*

29 (2) *Submitted on a form or in a format prescribed by the*
30 *Board together with an affidavit which verifies the accuracy of the*
31 *financial statement;* and

32 (b) A statement setting forth the number of building permits
33 issued to and construction projects completed by the licensee during
34 the immediately preceding year and any other information required
35 by the Board. The statement submitted pursuant to this paragraph
36 must be provided on a form approved by the Board.

37 2. After providing the licensee with notice and an opportunity
38 to be heard, the Board must determine whether, based on the
39 financial information concerning the licensee, it would be in the
40 public interest to do any or all of the following:

41 (a) Require the licensee to obtain the services of a construction
42 control with respect to any money that the licensee requires a
43 purchaser of a new residence to pay in advance to make upgrades to
44 the new residence. If the Board imposes such a requirement, the
45 licensee may not:



1 (1) Be related to the construction control or to an employee
2 or agent of the construction control; or

3 (2) Hold, directly or indirectly, a financial interest in the
4 business of the construction control.

5 (b) Establish an aggregate monetary limit on the contractor's
6 license, which must be the maximum combined monetary limit on
7 all contracts that the licensee may undertake or perform as a
8 licensed contractor at any one time, regardless of the number of
9 contracts, construction sites, subdivision sites or clients. If the Board
10 establishes such a limit, the Board:

11 (1) Shall determine the period that the limit is in effect; and

12 (2) During that period, may increase or decrease the limit as
13 the Board deems appropriate.

14 3. The provisions of this section do not limit the authority of
15 the Board to take disciplinary action against the licensee.

16 **Sec. 12.** NRS 624.710 is hereby amended to read as follows:

17 624.710 1. If any person violates the provisions of subsection
18 1 of NRS 624.700, the Board may impose *for each violation* an
19 administrative fine ~~of~~ *in an amount that is* not less than \$1,000
20 ~~nor~~ *and not* more than ~~[\$10,000 for each violation.]~~ *\$50,000.*

21 2. An administrative fine imposed pursuant to this section is in
22 addition to any other penalty imposed pursuant to this chapter.

23 3. If the administrative fine is not paid when due, the fine must
24 be recovered in a civil action brought by the Attorney General on
25 behalf of the Board.

26 4. All administrative fines collected pursuant to this section
27 must be deposited with the State Treasurer for credit to the
28 Construction Education Account created pursuant to NRS 624.580.

29 **Sec. 13.** NRS 624.720 is hereby amended to read as follows:

30 624.720 1. It is unlawful for any person, including a person
31 exempt under the provisions of NRS 624.031, to advertise as a
32 contractor unless he has a license in the appropriate classification
33 established by the provisions of NRS 624.215 and 624.220.

34 2. *It is unlawful for a licensed contractor to disseminate, as*
35 *part of any advertising by the contractor, any false or misleading*
36 *statement or representation of material fact that is intended,*
37 *directly or indirectly, to induce another person to use the services*
38 *of the contractor or to enter into any contract with the contractor*
39 *or any obligation relating to such a contract.*

40 3. All advertising by a licensed contractor must include the
41 name of his company and the number of his license.

42 ~~3.~~ 4. If, after giving notice and holding a hearing pursuant to
43 NRS 624.291, the Board determines that a person has engaged in
44 advertising in a manner that violates the provisions of this section,
45 the Board may, in addition to any penalty, punishment or



1 disciplinary action authorized by the provisions of this chapter, issue
2 an order to the person to cease and desist the unlawful advertising
3 and to:

4 (a) Cause any telephone number included in the advertising,
5 other than a telephone number to a provider of paging services, to be
6 disconnected.

7 (b) Request the provider of paging services to change the
8 number of any beeper which is included in the advertising or
9 disconnect the paging services to such a beeper, and to inform the
10 provider of paging services that the request is made pursuant to this
11 section.

12 ~~[4.]~~ 5. If a person fails to comply with paragraph (a) of
13 subsection ~~[3.]~~ 4 within 5 days after the date that he receives an order
14 pursuant to subsection ~~[3.]~~ 4, the Board may request the Public
15 Utilities Commission of Nevada to order the appropriate provider of
16 telephone service to disconnect any telephone number included in
17 the advertisement, except for a telephone number to a provider of
18 paging services. If a person fails to comply with paragraph (b) of
19 subsection ~~[3.]~~ 4 within 5 days after the date he receives an order
20 pursuant to subsection ~~[3.]~~ 4, the Board may request the provider of
21 paging services to switch the beeper number or disconnect the
22 paging services provided to the person, whichever the provider
23 deems appropriate.

24 ~~[5.]~~ 6. If the provider of paging services receives a request
25 from a person pursuant to subsection ~~[3.]~~ 4 or a request from the
26 Board pursuant to subsection ~~[4.]~~ 5, it shall:

27 (a) Disconnect the paging service to the person; or

28 (b) Switch the beeper number of the paging service provided to
29 the person.

30 ➤ If the provider of paging services elects to switch the number
31 pursuant to paragraph (b), it shall not forward or offer to forward the
32 paging calls from the previous number, or provide or offer to
33 provide a recorded message that includes the new beeper number.

34 ~~[6.]~~ 7. As used in this section:

35 (a) "Advertising" includes, but is not limited to, the issuance of
36 any sign, card or device, or the permitting or allowing of any sign or
37 marking on a motor vehicle, in any building, structure, newspaper,
38 magazine or airway transmission, on the Internet or in any directory
39 under the listing of "contractor" with or without any limiting
40 qualifications.

41 (b) "Beeper" means a portable electronic device which is used to
42 page the person carrying it by emitting an audible or a vibrating
43 signal when the device receives a special radio signal.

44 (c) "Provider of paging services" means an entity, other than a
45 public utility, that provides paging service to a beeper.



1 (d) "Provider of telephone service" has the meaning ascribed to
2 it in NRS 707.355.

3 **Sec. 14.** NRS 171.090 is hereby amended to read as follows:

4 171.090 Except as otherwise provided in NRS 171.095 and
5 202.885, *and section 3 of this act*, an indictment for:

6 1. A gross misdemeanor must be found, or an information or
7 complaint filed, within 2 years after the commission of the offense.

8 2. Any other misdemeanor must be found, or an information or
9 complaint filed, within 1 year after the commission of the offense.

10 **Sec. 15.** NRS 171.095 is hereby amended to read as follows:

11 171.095 1. Except as otherwise provided in subsection 2 and
12 NRS 171.083 and 171.084:

13 (a) If a felony, gross misdemeanor or misdemeanor is committed
14 in a secret manner, an indictment for the offense must be found, or
15 an information or complaint filed, within the periods of limitation
16 prescribed in NRS 171.085 and 171.090 *and section 3 of this act*
17 after the discovery of the offense, unless a longer period is allowed
18 by paragraph (b) or the provisions of NRS 202.885.

19 (b) An indictment must be found, or an information or
20 complaint filed, for any offense constituting sexual abuse of a child,
21 as defined in NRS 432B.100, before the victim of the sexual abuse
22 is:

23 (1) Twenty-one years old if he discovers or reasonably
24 should have discovered that he was a victim of the sexual abuse by
25 the date on which he reaches that age; or

26 (2) Twenty-eight years old if he does not discover and
27 reasonably should not have discovered that he was a victim of the
28 sexual abuse by the date on which he reaches 21 years of age.

29 2. If any indictment found, or an information or complaint
30 filed, within the time prescribed in subsection 1 is defective so that
31 no judgment can be given thereon, another prosecution may be
32 instituted for the same offense within 6 months after the first is
33 abandoned.

34 **Sec. 16.** 1. Except as otherwise provided in subsection 2, the
35 provisions of this act do not apply to any acts, omissions, violations
36 or offenses committed before the effective date of this act.

37 2. The provisions of this section do not prohibit the State
38 Contractors' Board from denying an application for a license
39 pursuant to chapter 624 of NRS based on a criminal conviction for
40 an offense committed before the effective date of this act.

41 **Sec. 17.** 1. This section and sections 1 to 7, inclusive, and 9
42 to 16, inclusive, of this act become effective upon passage and
43 approval.

44 2. The provisions of section 7 of this act expire by limitation
45 on the date on which the provisions of 42 U.S.C. § 666 requiring



1 each state to establish procedures under which the state has
2 authority to withhold or suspend, or to restrict the use of
3 professional, occupational and recreational licenses of persons who:
4 (a) Have failed to comply with a subpoena or warrant relating to
5 a proceeding to determine the paternity of a child or to establish or
6 enforce an obligation for the support of a child; or
7 (b) Are in arrears in the payment for the support of one or more
8 children,
9 ↪ are repealed by the Congress of the United States.
10 3. Section 8 of this act becomes effective on the date on which
11 the provisions of 42 U.S.C. § 666 requiring each state to establish
12 procedures under which the state has authority to withhold or
13 suspend, or to restrict the use of professional, occupational and
14 recreational licenses of persons who:
15 (a) Have failed to comply with a subpoena or warrant relating to
16 a procedure to determine the paternity of a child or to establish or
17 enforce an obligation for the support of a child; or
18 (b) Are in arrears in the payment for the support of one or more
19 children,
20 ↪ are repealed by the Congress of the United States.



