
SENATE BILL NO. 153—SENATORS HARDY, SCHNEIDER, TOWNSEND,
NOLAN, BEERS, AMODEI, COFFIN, LEE, MCGINNESS AND TITUS

MARCH 2, 2005

Referred to Committee on Judiciary

SUMMARY—Prohibits community manager who imposes fine against certain persons from soliciting or accepting any percentage of fine or any fee for collecting fine. (BDR 10-830)

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 common-interest communities; prohibiting a community manager who imposes a fine against a unit's owner or a tenant or guest of the unit's owner from soliciting or accepting any percentage of the fine or any fee for collecting the fine; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law allows an association of a common-interest community, including
2 persons elected or hired to act on behalf of the association, to impose a fine against
3 a unit's owner or a tenant or guest of a unit's owner for a violation of the
4 association's governing documents. (NRS 116.3102, 116.31031) Existing law also
5 prohibits certain persons, including a community manager from accepting any type
6 of compensation, gratuity or remuneration that would improperly influence the
7 person or cause the appearance of a conflict of interest. (NRS 116.31185) A
8 community manager is a person who is involved in the management of a common-
9 interest community. (NRS 116.023)
10 This bill prohibits a community manager who imposes a fine for violation of
11 the governing documents from soliciting or accepting any percentage of the fine or
12 any fee for collecting the fine.



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

- 1 **Section 1.** NRS 116.31185 is hereby amended to read as
2 follows:
3 116.31185 *1. A community manager who imposes a fine*
4 *against a unit's owner or a tenant or guest of a unit's owner for a*
5 *violation of the governing documents of an association shall not*
6 *solicit or accept any percentage of the fine or any fee for collecting*
7 *the fine.*
8 **2.** A member of an executive board, an officer of an association
9 or a community manager shall not solicit or accept any form of
10 compensation, gratuity or other remuneration that:
11 ~~(1)~~ *(a)* Would improperly influence or would appear to a
12 reasonable person to improperly influence the decisions made by
13 those persons; or
14 ~~(2)~~ *(b)* Would result or would appear to a reasonable person to
15 result in a conflict of interest for those persons.
16 **Sec. 2.** This act becomes effective upon passage and approval.

