

ASSEMBLY BILL NO. 249—ASSEMBLYMAN WATTS

MARCH 12, 2019

Referred to Committee on Government Affairs

SUMMARY—Provides for the creation of land banks.
(BDR 22-799)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 property; providing for the creation of governmental land banks and nongovernmental land banks; prescribing the membership and duties of the board of directors of a land bank; prescribing the powers of a land bank; exempting the real property, income and operations of a land bank from taxation through June 30, 2049; authorizing the Governor to create an emergency land bank by executive order under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill provides for the creation of governmental land banks and nongovernmental land banks with the primary purpose of facilitating the return of vacant, abandoned and tax-delinquent properties to productive use.

Section 8 of this bill defines the term "land bank" to mean a governmental land bank or nongovernmental land bank. **Section 14** of this bill authorizes certain local governments to create a governmental land bank through the adoption of an ordinance, rule or resolution or through the execution of an interlocal agreement.

Section 15 of this bill authorizes a nonprofit corporation or a benefit corporation to request to create and operate a nongovernmental land bank by submitting a request to a local government. **Section 16** of this bill provides that upon the adoption of an ordinance, rule or resolution creating or approving the creation of a land bank, the land bank is a body corporate with permanent and perpetual duration until terminated and dissolved.

Section 18 of this bill sets forth the duties of the members of the board of directors of a land bank. **Section 19** of this bill authorizes a land bank to employ such employees as it may require. **Section 28** of this bill prohibits a member of the board or an employee of the land bank from acquiring any interest in the real property held by or that will be held by the land bank. **Section 20** of this bill sets forth the powers of a land bank.



20 **Section 21** of this bill exempts the real property, income and operations of a
21 land bank from all taxation by the State and any of its political subdivisions through
22 June 30, 2049.

23 **Section 22** of this bill sets forth the manner in which a land bank may acquire
24 real property and authorizes any political subdivision of the State to transfer to a
25 land bank any real property and any interests in real property. **Section 22** prohibits
26 a land bank from owning or holding real property outside of the jurisdictional
27 boundaries of the local government that created or approved the creation of the land
28 bank. **Section 24** of this bill authorizes a local government to place certain
29 restrictions on the operations of a land bank.

30 **Section 23** of this bill requires land banks to maintain and make available for
31 review by certain entities a list of all real property held by the land bank and
32 requires governmental land banks to comply with the Open Meeting Law.

33 **Section 25** of this bill authorizes a land bank to receive funding from a variety
34 of sources and requires that 50 percent of property taxes on real property conveyed
35 by a land bank must be remitted to the land bank for a period of 5 years. **Section 26**
36 of this bill authorizes a land bank to issue bonds and provides that any debt or
37 obligation issued by the land bank is not a debt, liability or obligation of this State
38 or of any political subdivision thereof.

39 **Section 27** of this bill authorizes the dissolution of a land bank 60 days after a
40 resolution of dissolution is approved by two-thirds of the membership of the board.
41 Upon dissolution of a land bank, all assets of the land bank become the assets of the
42 local government or local governments that created or approved the creation of the
43 land bank.

44 **Section 29** of this bill authorizes the Governor, during a state of emergency or
45 declaration of disaster, to establish an emergency land bank for the local
46 governments affected by the emergency or disaster. Under **section 29**, such an
47 emergency land bank is dissolved after 12 months unless the local government
48 takes action to convert the emergency land bank into a governmental land bank.

49 Existing law requires a county tax receiver to execute and deliver a deed of a
50 property in trust to the county treasurer under certain circumstances when the taxes
51 on the property are delinquent. (NRS 361.585) The county treasurer is then
52 authorized in certain circumstances to sell the property to recover the delinquent
53 taxes. (NRS 361.595) **Section 31** of this bill authorizes a land bank to bid on real
54 property sold at such a sale. **Sections 31 and 34** of this bill authorize a land bank to
55 enter an automatically accepted bid at such a sale if the board of directors of the
56 land bank determines that certain criteria set forth in **section 18** is met. If a land
57 bank places an automatically accepted bid, **sections 31 and 34** require the county
58 treasurer to accept the bid, regardless of any other bids placed. **Section 32** of this
59 bill authorizes a land bank to discharge and extinguish liens and claims for property
60 taxes, with certain exceptions, that encumber any real property the land bank
61 acquires.

62 **Section 33** of this bill authorizes a land bank to bring an action to quiet title and
63 sets forth certain time frames and requirements for such an action.

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

1 **Section 1.** Title 22 of NRS is hereby amended by adding
2 thereto a new chapter to consist of the provisions set forth as
3 sections 2 to 33, inclusive, of this act.

4 **Sec. 2.** *The Legislature hereby finds and declares:*



1 1. *Communities are important to the social and economic*
2 *vitality of this State. Whether urban, suburban or rural, many*
3 *communities are struggling to cope with vacant, abandoned and*
4 *tax-delinquent properties.*

5 2. *There exists a crisis in many cities and their metropolitan*
6 *areas caused by disinvestment in real property and resulting in a*
7 *significant amount of vacant and abandoned property. This*
8 *condition of vacant and abandoned property represents lost*
9 *revenue to local governments and large costs associated with*
10 *demolition, safety hazards and spreading deterioration of*
11 *neighborhoods.*

12 3. *The need exists to strengthen and revitalize the economy of*
13 *this State and local governments by solving the problems of vacant*
14 *and abandoned property in a coordinated manner and to foster the*
15 *development of such property and promote economic growth.*

16 4. *There is an overriding public need to confront the*
17 *problems caused by vacant, abandoned and tax-delinquent*
18 *properties through the creation of new tools that enable the*
19 *transformation of vacant spaces into vibrant places.*

20 5. *Land banks are one of the tools that can be utilized to*
21 *facilitate the return of vacant, abandoned and tax-delinquent*
22 *properties to productive use.*

23 6. *Land banks should be available as a tool to assist in the*
24 *provision of emergency management services during the existence*
25 *of a state of emergency or declaration of disaster.*

26 **Sec. 3.** *As used in this chapter, unless the context otherwise*
27 *requires, the words and terms defined in sections 4 to 13,*
28 *inclusive, of this act have the meanings ascribed to them in those*
29 *sections.*

30 **Sec. 4.** *“Benefit corporation” has the meaning ascribed to it*
31 *in NRS 78B.020.*

32 **Sec. 5.** *“Board of directors” or “board” means the board of*
33 *directors of a land bank.*

34 **Sec. 6.** *“Emergency land bank” means a land bank created*
35 *by executive order of the Governor pursuant to section 29 of this*
36 *act.*

37 **Sec. 7.** *“Governmental land bank” means a land bank*
38 *created by a local government pursuant to section 14 of this act.*

39 **Sec. 8.** *“Land bank” means a governmental land bank or a*
40 *nongovernmental land bank.*

41 **Sec. 9. 1.** *“Local government” means every political*
42 *subdivision or other entity which has the right to levy or receive*
43 *money from ad valorem taxes or other taxes or from any*
44 *mandatory assessments, including, without limitation, counties,*
45 *cities, towns, boards, authorities and other districts organized*



1 pursuant to chapters 244, 244A, 318, 318A, 379, 439, 450, 474,
2 539, 541, 543 and 555 of NRS.

3 2. The term does not include a school district.

4 **Sec. 10.** "Nongovernmental land bank" means a land bank
5 created by a benefit corporation or nonprofit corporation pursuant
6 to section 15 of this act.

7 **Sec. 11.** "Nonprofit corporation" means a corporation
8 organized under chapter 82 of NRS.

9 **Sec. 12.** "Real property" means lands, lands under water,
10 structures and any and all easements, air rights, franchises and
11 incorporeal hereditaments and every estate and right therein, legal
12 and equitable, including, without limitation, terms for years and
13 liens by way of judgment, mortgage or otherwise and any and all
14 fixtures and improvements located thereon.

15 **Sec. 13.** "School district" means a county school district
16 created pursuant to chapter 386 of NRS.

17 **Sec. 14.** 1. A local government may elect to create a
18 governmental land bank by the adoption of an ordinance, rule or
19 resolution as appropriate to such a local government which
20 specifies the following:

21 (a) The name of the governmental land bank.

22 (b) The number of members of the board of directors, which
23 must consist of an odd number of members and be not less than 5
24 members and not more than 11 members.

25 (c) The initial persons to serve as members of the board of
26 directors and the length of terms for which they will serve.

27 (d) The qualifications, manner of selection or appointment
28 and terms of office of members of the board.

29 2. Two or more local governments may elect to enter into an
30 interlocal agreement pursuant to the provisions of NRS 277.080 to
31 277.180, inclusive, to create a single governmental land bank to
32 act on behalf on such local governments. Such an agreement must
33 set forth the matters specified in subsection 1.

34 3. Except as otherwise provided in subsection 2, if a county
35 creates a governmental land bank, the governmental land bank
36 shall have the power to acquire real property only in those
37 portions of the county located outside of the geographical
38 boundaries of any other governmental land bank created by any
39 other local government located partially or entirely within the
40 county.

41 4. A school district may participate in a governmental land
42 bank pursuant to an interlocal agreement with the local
43 government or local governments that created the governmental
44 land bank. Such an agreement must specify the membership, if
45 any, of such a school district on the board of directors of the



1 *governmental land bank and the actions of the governmental land*
2 *bank, if any, that are subject to approval by the school district.*

3 **Sec. 15. 1.** *A benefit corporation or nonprofit corporation*
4 *may submit a request to the governing body of a local government*
5 *in a manner prescribed by the local government to create and*
6 *operate a nongovernmental land bank within the jurisdictional*
7 *boundaries of the local government.*

8 2. *A request submitted pursuant to subsection 1 must set*
9 *forth:*

10 (a) *The name of the nongovernmental land bank.*

11 (b) *The number of members of the board of directors, which*
12 *must consist of an odd number of members and be not less than 5*
13 *members and not more than 11 members.*

14 (c) *The initial persons to serve as members of the board of*
15 *directors and the length of terms for which they are to serve.*

16 (d) *The qualifications, manner of selection or appointment*
17 *and the terms of office of members of the board.*

18 3. *If a local government approves a request submitted*
19 *pursuant to subsection 1, the local government shall adopt an*
20 *ordinance, rule or resolution as appropriate to the local*
21 *government approving the request and specifying the information*
22 *set forth in subsection 2.*

23 **Sec. 16. 1.** *Upon the adoption of an ordinance, rule or*
24 *resolution creating or approving the creation of a land bank*
25 *pursuant to section 14 or 15 of this act, the land bank is a body*
26 *corporate and shall have permanent and perpetual duration until*
27 *terminated and dissolved in accordance with section 27 of this act.*

28 2. *The primary purpose of a land bank must be the charitable*
29 *purpose of facilitating the return of vacant, abandoned and tax-*
30 *delinquent properties to productive use.*

31 **Sec. 17.** *If there is a conflict between the provisions of this*
32 *chapter and any other law of this State, the provisions of this*
33 *chapter prevail.*

34 **Sec. 18. 1.** *The initial size of a board of directors must be*
35 *determined in accordance with section 14 or 15 of this act, as*
36 *applicable. Except as otherwise provided in this section, the size of*
37 *the board may be adjusted in accordance with the bylaws of the*
38 *land bank.*

39 2. *A public official or public employee is eligible to be a*
40 *member of a board.*

41 3. *A board shall select annually from among its members a*
42 *Chair, a Vice Chair, a Treasurer and such other officers as the*
43 *board may determine necessary, and shall establish their duties as*
44 *may be regulated by rules adopted by the board.*



1 4. A board shall establish rules and requirements relating to
2 the attendance and participation of members during meetings of
3 the board, regular or special. Such rules and regulations may
4 prescribe a procedure whereby a member of the board who fails to
5 comply with the rules and regulations of the board may be
6 removed from office by a majority vote of the remaining members
7 of the board, and the position of that member becomes vacant as
8 of the first day of the next calendar month. Any person removed
9 under the provisions of this subsection is ineligible for
10 reappointment to the board, unless such reappointment is
11 confirmed unanimously by the board.

12 5. A vacancy on a board must be filled in the same manner as
13 the original appointment.

14 6. The members of a board serve without compensation.

15 7. A board may:

16 (a) Organize and reorganize the executive, administrative,
17 clerical and other departments of the land bank;

18 (b) Fix the duties, powers and compensation of all employees,
19 agents and consultants of the land bank; and

20 (c) Reimburse any member of the board for expenses actually
21 incurred during the performance of duties on behalf of the land
22 bank.

23 8. A board shall meet in regular session according to a
24 schedule adopted by the board and shall also meet in special
25 session as convened by the Chair or upon written notice signed by
26 a majority of the members of the board. The presence of a
27 majority of the members of the board shall constitute a quorum.

28 9. Except as otherwise provided in subsections 10 and 13, all
29 actions of a board must be approved by the affirmative vote of a
30 majority of the members of the board present and voting.

31 10. Any action of a board on the following matters must be
32 approved by a majority of the total membership of the board:

33 (a) Adoption of bylaws and other rules and regulations for
34 conduct of the business of the land bank.

35 (b) Employing, contracting with or terminating the
36 employment or contract of any employee or contractor of the land
37 bank. Upon a majority vote of the members of the board, the board
38 may delegate this function to a specified officer or committee of
39 the land bank, under such terms and conditions and to the extent
40 that the board may specify.

41 (c) The incurring of debt.

42 (d) Adoption or amendment of the annual budget.

43 (e) Sale, lease, encumbrance or alienation of real property,
44 improvements or personal property with a value of more than
45 \$50,000.



1 *11. Members of a board are not liable personally on the*
2 *bonds or other obligations of the land bank. The rights of creditors*
3 *are solely against the land bank.*

4 *12. A member of a board may not vote by proxy. Any member*
5 *may request a recorded vote on any resolution or action of the*
6 *land bank.*

7 *13. A board shall adopt policies and procedures to specify the*
8 *conditions that must be met in order for the land bank to submit*
9 *an automatically accepted bid as authorized in section 31 of this*
10 *act. The adoption of such policies and procedures must be*
11 *approved by two-thirds of the members of the board. Such policies*
12 *and procedures must require that an automatically accepted bid*
13 *only be submitted for one of the following reasons:*

14 *(a) The real property substantially meets more than one of the*
15 *following criteria as determined by two-thirds of the members of*
16 *the board:*

17 *(1) The property is not occupied by the owner or any lessee*
18 *or licensee of the owner;*

19 *(2) There are no utilities currently being provided to the*
20 *property;*

21 *(3) Any buildings on the property have been deemed unfit*
22 *for human habitation, occupancy or use by local housing officials;*

23 *(4) Any buildings on the property are exposed to the*
24 *elements such that deterioration of the building is occurring;*

25 *(5) Any buildings on the property are boarded up;*

26 *(6) There have been previous efforts to rehabilitate any*
27 *buildings on the property;*

28 *(7) There is a presence of vermin, uncut vegetation or*
29 *debris accumulation on the property;*

30 *(8) There have been past actions by a local government to*
31 *maintain the grounds or any building on the property; or*

32 *(9) The property has been out of compliance with orders of*
33 *local housing officials;*

34 *(b) The real property is contiguous to a parcel that meets more*
35 *than one of the criteria in paragraph (a) or that is already owned*
36 *by the land bank; or*

37 *(c) Acquisition of the real property by the land bank would*
38 *serve the best interests of the community as determined by two-*
39 *thirds of the members of the board. In determining whether the*
40 *acquisition would serve the best interests of the community, the*
41 *board shall take into consideration the hierarchical ranking of*
42 *priorities for the use of real property conveyed by a land bank*
43 *established pursuant to section 24 of this act, if any such*
44 *hierarchical ranking is established.*



1 **Sec. 19.** *A land bank may employ such employees,*
2 *permanent or temporary, as may be required, and may determine*
3 *the qualifications and fix the compensation and benefits of such*
4 *persons.*

5 **Sec. 20.** *1. A land bank shall have the following powers:*

6 *(a) To adopt, amend and repeal bylaws for the regulation of its*
7 *affairs and the conduct of its business.*

8 *(b) To sue and be sued in its own name and plead and be*
9 *impleaded in all civil actions.*

10 *(c) To adopt a seal and to alter the same at pleasure.*

11 *(d) To borrow money from any source in accordance with*
12 *policies established by the board.*

13 *(e) To issue bonds and notes according to the provisions of this*
14 *chapter.*

15 *(f) To procure insurance or guarantees from the State or*
16 *Federal Government or from any private insurance company of*
17 *the payment of any debts or parts thereof incurred by the land*
18 *bank, and to pay premiums in connection therewith.*

19 *(g) To make and execute contracts and other instruments*
20 *necessary or convenient to exercise the powers of the land bank.*

21 *(h) To procure insurance against losses in connection with the*
22 *real property, assets or activities of the land bank.*

23 *(i) To invest money of the land bank, at the discretion of the*
24 *board, in instruments, obligations, securities or property and name*
25 *and use depositories for its money.*

26 *(j) To enter into contracts for the management of, the*
27 *collection of rent from or the sale of real property of the land*
28 *bank.*

29 *(k) To design, develop, construct, demolish, reconstruct,*
30 *rehabilitate, renovate, relocate and otherwise improve real*
31 *property or rights or interests in real property.*

32 *(l) To fix, charge and collect rents, fees and charges for the*
33 *use of real property of the land bank and for services provided by*
34 *the land bank.*

35 *(m) To grant or acquire a lease, easement or option with*
36 *respect to real property of the land bank.*

37 *(n) To enter into partnerships, joint ventures and other*
38 *collaborative relationships with local governments and other*
39 *public and private entities.*

40 *(o) To do all other things necessary or convenient to achieve*
41 *the objectives and purposes of the land bank or other laws that*
42 *relate to the purposes and responsibility of the land bank.*

43 **2.** *A governmental land bank may enter into contracts and*
44 *other instruments necessary, incidental or convenient to the*
45 *performance of functions by the land bank on behalf of local*



1 *governments or the performance by local governments of*
2 *functions on behalf of the land bank.*

3 3. *A land bank shall neither possess nor exercise the power of*
4 *eminent domain.*

5 **Sec. 21.** *The real property of a land bank and the income*
6 *and operations of a land bank are exempt from all taxation by the*
7 *State and by any of its political subdivisions through June 30,*
8 *2049.*

9 **Sec. 22.** 1. *A land bank may acquire real property or*
10 *interests in real property by gift, devise, transfer, exchange,*
11 *foreclosure, purchase or otherwise on terms and conditions and in*
12 *a manner the land bank considers proper.*

13 2. *A land bank may acquire real property or interests in real*
14 *property by purchase contracts, lease-purchase agreements,*
15 *installment sales contracts or land contracts and may accept*
16 *transfers from any political subdivision of the State upon such*
17 *terms and conditions as agreed to by the land bank and the*
18 *political subdivision. Any local government or political subdivision*
19 *of the State may transfer to the land bank real property and*
20 *interests in real property of the local government or political*
21 *subdivision on such terms and conditions and according to such*
22 *procedures as determined by the local government or political*
23 *subdivision, as applicable.*

24 3. *A land bank shall maintain all of its real property in*
25 *accordance with the laws and ordinances of the jurisdiction in*
26 *which the real property is located.*

27 4. *A governmental land bank shall not own or hold real*
28 *property outside the jurisdictional boundaries of the local*
29 *government or local governments that created the land bank. A*
30 *governmental land bank may be granted authority pursuant to an*
31 *interlocal agreement with another local government to manage*
32 *and maintain real property located within the jurisdiction of such*
33 *other local government.*

34 5. *A nongovernmental land bank shall not own or hold real*
35 *property outside the jurisdictional boundaries of the local*
36 *government that approved the request to create and operate the*
37 *nongovernmental land bank.*

38 **Sec. 23.** 1. *The board of directors of a governmental land*
39 *bank or an emergency land bank shall comply with the provisions*
40 *of chapter 241 of NRS and shall conduct all meetings in*
41 *accordance with that chapter.*

42 2. *Each governmental land bank or emergency land bank*
43 *shall maintain and make available for public review and*
44 *inspection an inventory of all real property held by the*
45 *governmental land bank or emergency land bank.*



1 3. A nongovernmental land bank shall maintain and make
2 available for review and inspection by the local government that
3 approved the request to create the nongovernmental land bank an
4 inventory of all real property held by the nongovernmental land
5 bank.

6 **Sec. 24.** 1. A land bank shall hold in its own name all real
7 property acquired by the land bank irrespective of the identity of
8 the transferor of such property.

9 2. A land bank shall determine and set forth in the policies
10 and procedures of the board the general terms and conditions for
11 consideration to be received by the land bank for the transfer of
12 real property and interests in real property. Such consideration
13 may take the form of monetary payments and secured financial
14 obligations, covenants and conditions related to the present and
15 future use of the property, contractual commitments of the
16 transferee and such other forms of consideration as determined by
17 the board to be in the best interest of the land bank.

18 3. A land bank may convey, exchange, sell, transfer, lease as
19 lessee, grant, release and demise, pledge and hypothecate any and
20 all interest in, upon or to real property of the land bank.

21 4. A local government may, in its ordinance, rule or
22 resolution creating a governmental land bank or approving a
23 nongovernmental land bank or, in the case of multiple local
24 governments creating a single governmental land bank in the
25 applicable interlocal agreement, establish a hierarchical ranking
26 of priorities for the use of real property conveyed by the land bank,
27 including, without limitation:

- 28 (a) Use for purely public spaces and places;
29 (b) Use for affordable housing;
30 (c) Use for retail, commercial or industrial activities; or
31 (d) Use as a wildlife conservation area.

32 5. A local government may, in its ordinance, rule or
33 regulation creating a governmental land bank or approving a
34 nongovernmental land bank or, in the case of multiple local
35 governments creating a single governmental land bank in the
36 applicable interlocal agreement, require that any particular form
37 of disposition of real property or any disposition of real property
38 located within specific jurisdictions be subject to specified voting
39 and approval requirements of the board. Except and unless
40 restricted or constrained in this manner, the board may delegate to
41 officers and employees the authority to enter into and execute
42 agreements, instruments of conveyance and all other related
43 documents pertaining to the conveyance of real property by the
44 land bank.



1 **Sec. 25. 1.** *A land bank may receive funding through*
2 *grants and loans from a local government, from the State, from*
3 *the Federal Government and from other public and private*
4 *sources.*

5 2. *A land bank may receive and retain payments for:*

6 (a) *Services rendered.*

7 (b) *Rents and leasehold payments received.*

8 (c) *Proceeds of insurance coverage for losses incurred.*

9 (d) *Income from investments.*

10 (e) *Any other asset and activity lawfully permitted to a land*
11 *bank under the provisions of this chapter.*

12 3. *Fifty percent of the real property taxes collected on real*
13 *property conveyed by a land bank pursuant to the provisions of*
14 *this chapter must be remitted to the land bank. Such allocation of*
15 *revenues from property tax shall commence with the first taxable*
16 *year following the date of conveyance and shall continue for a*
17 *period of 5 years.*

18 **Sec. 26. 1.** *A land bank shall have the power to issue bonds*
19 *for any of its corporate purposes, the principal and interest of*
20 *which are payable from its revenues generally. Any of such bonds*
21 *may be secured by a pledge of any revenues.*

22 2. *The bonds issued by a land bank under the provisions of*
23 *this section are fully negotiable under the terms of the Uniform*
24 *Commercial Code—Investment Securities.*

25 3. *The bonds issued by a land bank pursuant to the provisions*
26 *of this section, their transfer and the income produced by the*
27 *bonds are exempt from taxation by this State or any political*
28 *subdivision of this State.*

29 4. *The bonds issued by a land bank pursuant to the provisions*
30 *of this section must be authorized by resolution of the board and*
31 *are limited obligations of the land bank. The principal and*
32 *interest, costs of issuance and other costs incidental thereto must*
33 *be payable solely from the income and revenue derived from the*
34 *sale, lease or other disposition of the assets of the land bank. In*
35 *the discretion of the land bank, the bonds may be additionally*
36 *secured by mortgage or other security device covering all or part*
37 *of the project from which the revenues so pledged may be derived.*
38 *Any refunding bonds issued must be payable from any source*
39 *described above or from the investment of any of the proceeds of*
40 *the refunding bonds, and do not constitute an indebtedness or*
41 *pledge of the general credit of any local government within the*
42 *meaning of any constitutional or statutory limitation of*
43 *indebtedness and shall contain a recital to that effect. Bonds of the*
44 *land bank must be issued in such form, must be in such*
45 *denominations, must bear interest, must mature in such manner*



1 *and must be executed by one or more members of the board as*
2 *provided in the resolution authorizing the issuance thereof. Such*
3 *bonds may be subject to redemption at the option of and in the*
4 *manner determined by the board in the resolution authorizing*
5 *the issuance therefor. Such bonds may be subject to redemption at*
6 *the option of and in the manner determined by the board in the*
7 *resolution authorizing the issuance thereof.*

8 *5. The bonds issued by the land bank pursuant to the*
9 *provisions of this section must be issued, sold and delivered in*
10 *accordance with the terms and provisions of a resolution adopted*
11 *by the board. The board may sell such bonds in such manner,*
12 *either at public or private sale, and for such price as it may*
13 *determine to be in the best interest of the land bank. The*
14 *resolution issuing bonds must be published in a newspaper of*
15 *general circulation within the jurisdiction of the local government*
16 *or local governments that created or approved the request to create*
17 *the land bank.*

18 *6. No member of the board or employee of a land bank nor*
19 *any person executing a bond issued pursuant to the provisions of*
20 *this section is personally liable on any such bonds by reason of the*
21 *issuance thereof.*

22 *7. Bonds or other obligations of a land bank do not constitute*
23 *an indebtedness or pledge of the general credit of any local*
24 *government or of the State within the meaning of any*
25 *constitutional or statutory limitation of indebtedness and must*
26 *contain a recital to that effect and the local government, the State,*
27 *or any revenue or any property of any local government or of the*
28 *State is not liable thereon.*

29 **Sec. 27. 1.** *A land bank may be dissolved 60 days after an*
30 *affirmative resolution is approved by two-thirds of the membership*
31 *of the board.*

32 *2. Sixty calendar days advance written notice of*
33 *consideration of a resolution of dissolution must be given to the*
34 *local government or local governments that created or approved*
35 *the request to create the land bank. The resolution of dissolution*
36 *must be published in a newspaper of general circulation within the*
37 *jurisdiction of the local government or local governments that*
38 *created or approved the request to create the land bank. The*
39 *resolution must be sent by certified mail to the trustee of any*
40 *outstanding bonds of the land bank.*

41 *3. Upon dissolution of a land bank, all real property, personal*
42 *property and other assets of the land bank shall become the assets*
43 *of the local government or local governments that created the land*
44 *bank or approved the request to create the land bank.*



1 4. *If two or more local governments create a land bank in*
2 *accordance with subsection 2 of section 14 of this act, the*
3 *withdrawal of one or more local governments shall not result in*
4 *the dissolution of the land bank unless the interlocal agreement so*
5 *provides and there is no local government that desires to continue*
6 *the existence of the land bank.*

7 **Sec. 28.** *1. A member of the board or employee of a land*
8 *bank shall not acquire any interest, direct or indirect, in real*
9 *property of the land bank, in any real property to be acquired by*
10 *the land bank or in any real property to be acquired from the land*
11 *bank. A member of the board or employee of a land bank shall not*
12 *have any interest, direct or indirect, in any contract or proposed*
13 *contract for material or service to be furnished or used by a land*
14 *bank.*

15 2. *The board may adopt supplemental rules and regulations*
16 *addressing potential conflicts of interest and ethical guidelines for*
17 *members of the board and employees of the land bank.*

18 **Sec. 29.** *1. During a state of emergency or declaration of*
19 *disaster proclaimed pursuant to NRS 414.070, the Governor may*
20 *create an emergency land bank in accordance with the provisions*
21 *of this section.*

22 2. *The Governor may, after consulting with the local and*
23 *state elected officials who represent the particular geographic area*
24 *described in a proclamation of a state of emergency or declaration*
25 *of disaster, issue an executive order providing for the immediate*
26 *creation of an emergency land bank of and for the local*
27 *government or local governments in the geographic area.*

28 3. *The executive order shall provide for the matters identified*
29 *in section 14 of this act.*

30 4. *An emergency land bank has all the powers of a*
31 *governmental land bank created pursuant to section 14 of this act.*

32 5. *An emergency land bank may be converted into a*
33 *governmental land bank upon the adoption of an ordinance, rule*
34 *or resolution, as appropriate, by each local government in the*
35 *geographic area described in the proclamation of a state of*
36 *emergency or declaration of disaster approving the conversion. If*
37 *an emergency land bank is converted into a governmental land*
38 *bank pursuant to this subsection, the governmental land bank*
39 *must be the successor in interest to the emergency land bank.*

40 6. *In the event that an emergency land bank is not converted*
41 *in accordance with subsection 5, at the end of the 12 months*
42 *following the date of the issuance of the executive order creating*
43 *the emergency land bank, the emergency land bank shall dissolve*
44 *in accordance with section 27 of this act.*



1 **Sec. 30.** *The provisions of this chapter shall be construed*
2 *liberally to effectuate the legislative intent and the purposes as*
3 *complete and independent authorization for the performance of*
4 *each and every matter authorized by this chapter, and all powers*
5 *granted must be broadly interpreted to effectuate the intent and*
6 *purposes and not as a limitation of powers. Except as otherwise*
7 *expressly set forth in this chapter, in the exercise of its powers and*
8 *duties under this chapter and its powers relating to property held*
9 *by the land bank, the land bank has complete control as fully and*
10 *completely as if it represented a private property owner and is not*
11 *subject to restrictions imposed by the charter, ordinances or*
12 *resolutions of a local government.*

13 **Sec. 31.** *At any sale of real property conducted pursuant to*
14 *NRS 361.595, a land bank may:*

15 1. *Bid on such real property in an amount equal to the total*
16 *amount of taxes, interest and costs due on the real property. If a*
17 *bid is given pursuant to this subsection, the bid must not receive*
18 *any special treatment by the county treasurer and must be*
19 *accepted or rejected in the same manner as any other bid on such*
20 *real property.*

21 2. *Submit an automatically accepted bid on such real*
22 *property in an amount equal to the total amount of taxes, interest*
23 *and costs due on the real property. If an automatically accepted*
24 *bid is submitted, the county treasurer shall accept the bid*
25 *regardless of any other bids on such real property. An*
26 *automatically accepted bid may be submitted only if the conditions*
27 *for making such a bid prescribed by the board pursuant to*
28 *subsection 13 of section 18 of this act have been met.*

29 **Sec. 32.** 1. *Whenever any real property is acquired by a*
30 *land bank and is encumbered by a lien or claim for real property*
31 *taxes owed to one or more political subdivisions of the State, the*
32 *land bank may, by resolution of the board, discharge and*
33 *extinguish any and all such liens or claims, except that no lien or*
34 *claim represented by a certificate of sale issued to a person*
35 *pursuant to NRS 271.570 may be discharged or extinguished*
36 *pursuant to this section. To the extent necessary and appropriate,*
37 *the land bank shall file in appropriate public records evidence of*
38 *the extinguishment and dissolution of such liens or claims.*

39 2. *To the extent that a land bank receives payments of any*
40 *kind attributable to liens or claims for real property taxes owed to*
41 *a political subdivision on property acquired by the land bank, the*
42 *land bank shall remit the full amount of the payments to the*
43 *county treasurer of the county that levied such taxes for*
44 *distribution to the appropriate taxing entity.*



1 **Sec. 33. 1. A land bank may file an action to quiet title**
2 *pursuant to NRS 40.010 as to any real property in which the land*
3 *bank has an interest in the district court of any county in which*
4 *any part of the real property is situated. For purposes of any and*
5 *all such actions, the land bank shall be deemed to be the holder of*
6 *sufficient legal and equitable interests, and possessory rights, so as*
7 *to qualify the land bank as adequate complainant in such action.*

8 **2. Before filing an action to quiet title pursuant to NRS**
9 *40.010, the land bank shall conduct an examination of title to*
10 *determine the identity of any and all persons and entities*
11 *possessing a claim or interest in or to the real property. Service of*
12 *the complaint filed pursuant to this section must be provided to all*
13 *such interested parties by the following methods:*

14 **(a) Registered or certified mail to such identity and address as**
15 *reasonably ascertainable by an inspection of public records;*

16 **(b) In the case of occupied real property, by first-class mail,**
17 *addressed to "Occupant";*

18 **(c) By posting a copy of the notice on the real property;**

19 **(d) By publication in a newspaper of general circulation in the**
20 *county in which the property is located; and*

21 **(e) Such other methods as the court may order.**

22 **3. As part of the complaint, the land bank shall file an**
23 *affidavit identifying all parties potentially having an interest in the*
24 *real property, and the form of notice provided.*

25 **4. The court shall schedule a hearing on the complaint within**
26 *90 days after the filing of the complaint pursuant to this section,*
27 *and as to all matters upon which an answer was not filed by an*
28 *interested party, the court shall issue its final judgment within 120*
29 *days after the filing of the complaint.*

30 **5. A land bank may join in a single complaint to quiet title**
31 *pursuant to NRS 40.010 one or more parcels of real property.*

32 **Sec. 34. NRS 361.595 is hereby amended to read as follows:**

33 **361.595 1. Any property held in trust by any county treasurer**
34 *by virtue of any deed made pursuant to the provisions of this chapter*
35 *may be sold and conveyed in the manner prescribed in this section*
36 *and in NRS 361.603 or conveyed without sale as provided in*
37 *NRS 361.604.*

38 **2. If the property is to be sold, the board of county**
39 *commissioners may make an order, to be entered on the record of its*
40 *proceedings, directing the county treasurer to sell the property*
41 *particularly described therein, after giving notice of sale, for a total*
42 *amount not less than the amount of the taxes, costs, penalties and*
43 *interest legally chargeable against the property as stated in the order.*

44 **3. Notice of the sale must specify the day, time and place of the**
45 *sale and be:*



1 (a) Posted in at least three public places in the county, including
2 one at the courthouse and one on the property, not less than 20 days
3 before the day of sale or, in lieu of such a posting, by publication of
4 the notice at least once a week for 4 consecutive weeks by four
5 weekly insertions in some newspaper published within the county,
6 the first publication being at least 22 days before the day of the sale,
7 if the board of county commissioners so directs.

8 (b) Mailed by certified mail, return receipt requested, not less
9 than 90 days before the day of the sale, to the owner of the parcel as
10 shown on the tax roll and to any person or governmental entity that
11 appears in the records of the county to have a lien or other interest in
12 the property. If the receipt is returned unsigned, the county treasurer
13 must make a reasonable attempt to locate and notify the owner or
14 other person or governmental entity before the sale.

15 4. *If a land bank submits an automatically accepted bid*
16 *pursuant to section 31 of this act for any property to be sold*
17 *pursuant to this section, the land bank must be the purchaser of*
18 *such property.*

19 5. Except as otherwise provided in subsection ~~5.1~~ 6, the county
20 treasurer shall make, execute and deliver to any purchaser, upon
21 payment to the county treasurer, as trustee, of a consideration not
22 less than that specified in the order, a quitclaim deed, discharged of
23 any trust of the property mentioned in the order.

24 ~~5.1~~ 6. If, not later than 5 p.m. on the third business day
25 immediately preceding the day of the sale by the county treasurer, a
26 municipality provides the county treasurer with an affidavit signed
27 by the treasurer of the municipality stating that:

28 (a) The municipality sold the property or the property was
29 stricken off to the municipality pursuant to NRS 271.560; and

30 (b) A certificate of sale for the property was issued to the
31 purchaser pursuant to NRS 271.570 or to the municipality pursuant
32 to NRS 271.560,

33 ↪ the county treasurer may not issue the quitclaim deed described
34 in subsection ~~4.1~~ 5 unless the person who purchased the property
35 from the county pays to the municipality any amount owed pursuant
36 to the certificate of sale issued pursuant to NRS 271.560 and
37 271.570 and the municipality provides an affidavit signed by the
38 treasurer of the municipality stating that such amounts have been
39 paid. If the purchaser does not pay the amount owed to the
40 municipality within 20 days after the sale of the property by the
41 county, the sale of the property by the county is void and the county
42 treasurer may retain for administrative costs not more than 10
43 percent of the purchase amount paid by the purchaser.

44 ~~6.1~~ 7. Before delivering a deed, the county treasurer shall
45 record the deed at the expense of the purchaser.



1 ~~[7.]~~ 8. All deeds issued pursuant to this section, whether issued
2 before, on or after July 1, 1955, are primary evidence:

3 (a) Of the regularity of all proceedings relating to the order of
4 the board of county commissioners, the notice of sale and the sale of
5 the property; and

6 (b) That, if the real property was sold to pay taxes on personal
7 property, the real property belonged to the person liable to pay the
8 tax.

9 ~~[8.]~~ 9. No deed may be executed and delivered by the county
10 treasurer until he or she files at the expense of the purchaser, with
11 the clerk of the board of county commissioners, proper affidavits of
12 posting and of publication of the notice of sale, as the case may be,
13 together with his or her return of sale, verified, showing compliance
14 with the order of the board of county commissioners, which
15 constitutes primary evidence of the facts recited therein.

16 ~~[9.]~~ 10. If the deed when regularly issued is not recorded in the
17 office of the county recorder, the deed, and all proceedings relating
18 thereto, is void as against any subsequent purchaser in good faith
19 and for a valuable consideration of the same property, or any portion
20 thereof, when his or her own conveyance is first recorded.

21 ~~[10.]~~ 11. The board of county commissioners shall provide its
22 clerk with a record book in which must be indexed the name of each
23 purchaser, together with the date of sale, a description of the
24 property sold, a reference to the book and page of the minutes of the
25 board of county commissioners where the order of sale is recorded,
26 and the file number of the affidavits and return.

27 **Sec. 35.** The Legislature hereby finds that the exemption
28 provided by section 21 of this act from any ad valorem tax on
29 property:

30 1. Will achieve a bona fide social or economic purpose and that
31 the benefits of the exemption are expected to exceed any adverse
32 effect of the exemption on the provision of services to the public by
33 the State or a local government that would otherwise receive
34 revenue from the tax from which the exemption would be granted;
35 and

36 2. Will not impair adversely the ability of the State or a local
37 government to pay, when due, all interest and principal on any
38 outstanding bonds or any other obligations for which revenue from
39 the tax from which the exemption would be granted was pledged.

40 **Sec. 36.** 1. This act becomes effective on July 1, 2019.

41 2. Section 21 of this act expires by limitation on June 30, 2049.

