

ASSEMBLY BILL NO. 300—ASSEMBLYMAN YEAGER

MARCH 14, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to domestic partnerships. (BDR 11-146)

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 domestic partnerships; clarifying provisions governing the termination of a domestic partnership upon the death of either domestic partner; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law recognizes a domestic partnership as a type of social contract in
2 the State of Nevada which affords domestic partners the same rights, protections,
3 benefits, responsibilities, obligations and duties as spouses. (Title 11 of NRS) This
4 bill clarifies that a domestic partnership is deemed terminated upon the death of
5 either domestic partner.

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

1 Section 1. NRS 122A.300 is hereby amended to read as
2 follows:

3 122A.300 1. Except as otherwise provided in subsection 2,
4 domestic partners who wish to terminate a domestic partnership
5 registered pursuant to NRS 122A.100 or ~~his~~ recognized pursuant to
6 NRS 122A.500 must follow the procedures set forth in chapter 125
7 of NRS.

8 2. If a domestic partnership meets the criteria specified in
9 subsection 3, domestic partners in a domestic partnership registered
10 pursuant to NRS 122A.100 may terminate the domestic partnership
11 by:



1 (a) Filing with the Office of the Secretary of State, on a form
2 prescribed by the Secretary of State, a signed and notarized
3 statement declaring that both persons have chosen of their own free
4 will to terminate the domestic partnership; and

5 (b) Paying to the Office of the Secretary of State a reasonable
6 filing fee established by the Secretary of State, which filing fee must
7 not exceed the total of any administrative costs incurred by the
8 Secretary of State.

9 3. For a domestic partnership to qualify for the simplified
10 termination proceedings set forth in subsection 2, all of the
11 following conditions must exist at the time of the filing pursuant to
12 that subsection:

13 (a) The domestic partnership has been registered for 5 years or
14 less.

15 (b) There are no minor children of the relationship of the parties
16 born before or during the domestic partnership or adopted by the
17 parties during the domestic partnership and no female member of
18 the domestic partnership, to her knowledge, is pregnant, or the
19 parties have executed an agreement as to the custody of any children
20 and setting forth the amount and manner of their support.

21 (c) There is no community or joint property or the parties have
22 executed an agreement setting forth the division of community
23 property and the assumption of liabilities of the community, if any,
24 and have executed any deeds, certificates of title, bills of sale or
25 other evidence of transfer necessary to effectuate the agreement.

26 (d) The parties waive any rights to support or the parties have
27 executed an agreement setting forth the amount and manner of
28 support.

29 (e) The parties waive any right to the conduct of more
30 comprehensive proceedings pursuant to chapter 125 of NRS.

31 ***4. A domestic partnership shall be deemed terminated upon***
32 ***the death of either domestic partner.***

33 **Sec. 2.** This act becomes effective upon passage and approval.

