

ASSEMBLY BILL NO. 410—ASSEMBLYWOMAN SWANK

MARCH 17, 2015

Referred to Committee on Government Affairs

SUMMARY—Revises the membership of the Real Estate Commission. (BDR 54-741)

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 government affairs; revising the membership of the Real Estate Commission to provide for proportionate representation based on population; providing for a decennial review of the membership of the Commission to ensure continuation of proportional representation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law prescribes the method of appointment, number of members and
2 criteria for selection of members of the Real Estate Commission. (NRS 645.100)
3 **Section 7** of this bill revises the requirements for the membership of the
4 Commission to provide approximately proportional representation on the basis of
5 the last decennial census population of the following three regions: (1) Clark
6 County; (2) Washoe County; and (3) the remainder of the State. **Section 7** also
7 requires reconsideration of the Commission’s apportionment of membership
8 following each decennial census, if necessary to maintain proportional
9 representation.

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

- 1 **Section 1.** (Deleted by amendment.)
2 **Sec. 2.** (Deleted by amendment.)
3 **Sec. 3.** (Deleted by amendment.)
4 **Sec. 4.** (Deleted by amendment.)
5 **Sec. 5.** (Deleted by amendment.)
6 **Sec. 6.** (Deleted by amendment.)



* A B 4 1 0 R 1 *

1 **Sec. 7.** NRS 645.100 is hereby amended to read as follows:

2 645.100 1. ~~At least two members of the Commission must~~
3 ~~be residents of the southern district of Nevada, and at least two~~
4 ~~members of the Commission must be residents of the northern~~
5 ~~district of Nevada.]~~ *Of the five members appointed to the*
6 *Commission pursuant to NRS 645.050:*

7 *(a) Three members must reside in or have a principal place of*
8 *business located in Clark County;*

9 *(b) One member must reside in or have a principal place of*
10 *business located in Washoe County; and*

11 *(c) One member must reside in or have a principal place of*
12 *business located in Carson City or Churchill, Douglas, Elko,*
13 *Esmeralda, Eureka, Humboldt, Lander, Lincoln, Lyon, Mineral,*
14 *Nye, Pershing, Storey or White Pine County.*

15 2. ~~Not more than two members may be appointed from any~~
16 ~~one county.]~~ *For purposes of appointing a member or filling a*
17 *vacancy in the membership of the Commission, if no qualified*
18 *person is willing to serve on the Commission from the region*
19 *prescribed in:*

20 *(a) Paragraph (a) of subsection 1, the Governor must appoint*
21 *a qualified person who is willing to serve on the Commission from*
22 *the region prescribed in paragraph (c) of subsection 1 or, if there*
23 *is no such person, a qualified person who is willing to serve on the*
24 *Commission from the region prescribed in paragraph (b) of*
25 *subsection 1.*

26 *(b) Paragraph (b) of subsection 1, the Governor must appoint*
27 *a qualified person who is willing to serve on the Commission from*
28 *the region prescribed in paragraph (a) of subsection 1 or, if there*
29 *is no such person, a qualified person who is willing to serve on the*
30 *Commission from the region prescribed in paragraph (c) of*
31 *subsection 1.*

32 *(c) Paragraph (c) of subsection 1, the Governor must appoint a*
33 *qualified person who is willing to serve on the Commission from*
34 *the region prescribed in paragraph (b) of subsection 1 or, if there*
35 *is no such person, a qualified person who is willing to serve on the*
36 *Commission from the region prescribed in paragraph (a) of*
37 *subsection 1.*

38 *↪ If there is no qualified person willing to be appointed or to fill a*
39 *vacancy on the Commission from any region, the seat must be left*
40 *vacant.*

41 3. *At the expiration of the term of a member who is appointed*
42 *from outside a prescribed region pursuant to paragraph (a), (b) or*
43 *(c) of subsection 2 or if that member vacates the seat, the*
44 *Governor must appoint a qualified person from the prescribed*
45 *region or, if no qualified person is willing to serve on the*



1 *Commission from that region, appoint a qualified person pursuant*
2 *to paragraph (a), (b) or (c) of subsection 2, as applicable.*

3 *4. The apportionment of members pursuant to subsection 1 is*
4 *intended to give approximately proportional regional*
5 *representation on the Commission to the residents of this State. In*
6 *each regular legislative session following the completion of a*
7 *decennial census conducted by the Bureau of the Census of the*
8 *United States Department of Commerce, the apportionment of*
9 *members on the Commission must be reconsidered to ensure*
10 *approximately proportional regional representation is maintained.*

11 ~~3. The southern district consists of all that portion of the State~~
12 ~~lying within the boundaries of the counties of Clark, Esmeralda,~~
13 ~~Lincoln and Nye.~~

14 ~~4. The northern district consists of all that portion of the State~~
15 ~~lying within the boundaries of Carson City and the counties of~~
16 ~~Churchill, Douglas, Elko, Eureka, Humboldt, Lander, Lyon,~~
17 ~~Mineral, Pershing, Storey, Washoe and White Pine.] Any~~
18 *reapportionment of a seat pursuant to this subsection does not*
19 *become effective until the expiration of the term of the member*
20 *who holds the seat immediately preceding the date of the*
21 *reapportionment.*

22 **Sec. 8.** Notwithstanding the amendatory provisions of this act,
23 a member of the Real Estate Commission who was appointed
24 pursuant to NRS 645.050 as that section existed on June 30, 2015,
25 and who is serving a term on July 1, 2015, is, if the member is
26 otherwise qualified to serve in that capacity, entitled to serve the
27 remainder of the term to which he or she was appointed.

28 **Sec. 9.** This act becomes effective on July 1, 2015.



