
ASSEMBLY BILL NO. 137—ASSEMBLYMEN NEAL; AND AIZLEY

FEBRUARY 18, 2013

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to landscaping within common-interest communities. (BDR 10-215)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

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 the executive board and the governing documents of a common-interest community from requiring landscaping within certain areas; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that the executive board and the governing documents of
2 a common-interest community may not prohibit a unit’s owner from installing or
3 maintaining drought tolerant landscaping within certain areas that a unit’s owner
4 has a right to occupy and use exclusively. (NRS 116.330) This bill similarly
5 prohibits the executive board and the governing documents from requiring a unit’s
6 owner to landscape a unit’s backyard.

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

1 **Section 1.** Chapter 116 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *The executive board shall not and the governing documents*
4 *must not require a unit’s owner to install landscaping within the*
5 *backyard of the unit’s owner.*

6 **Sec. 2.** NRS 116.1203 is hereby amended to read as follows:
7 116.1203 1. Except as otherwise provided in subsections 2
8 and 3, if a planned community contains no more than 12 units and is
9 not subject to any developmental rights, it is subject only to



1 NRS 116.1106 and 116.1107 unless the declaration provides that
2 this entire chapter is applicable.
3 2. The provisions of NRS 116.12065 and the definitions set
4 forth in NRS 116.005 to 116.095, inclusive, to the extent that the
5 definitions are necessary to construe any of those provisions, apply
6 to a residential planned community containing more than 6 units.
7 3. Except for NRS 116.3104, 116.31043, 116.31046 and
8 116.31138, the provisions of NRS 116.3101 to 116.350, inclusive,
9 *and section 1 of this act*, and the definitions set forth in NRS
10 116.005 to 116.095, inclusive, to the extent that such definitions are
11 necessary in construing any of those provisions, apply to a
12 residential planned community containing more than 6 units.
13 **Sec. 3.** This act becomes effective on July 1, 2013.

