

ASSEMBLY BILL NO. 161—ASSEMBLYWOMEN
TORRES AND SUMMERS-ARMSTRONG

FEBRUARY 22, 2021

Referred to Committee on Judiciary

SUMMARY—Directs the Legislative Commission to appoint a committee to conduct an interim study on certain actions for summary eviction. (BDR S-736)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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; directing the Legislative Commission to appoint a committee to conduct an interim study on certain actions for summary eviction; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes a supplemental remedy through an action for summary
2 eviction when the tenant of any dwelling, apartment, mobile home or recreational
3 vehicle with periodic rent due by the month or a shorter period defaults in the
4 payment of the rent. (NRS 40.253) Existing law also establishes a supplemental
5 remedy of summary eviction for tenants of any dwelling unit, part of a low-income
6 housing program operated by a public housing authority, a mobile home or a
7 recreational vehicle who: (1) possesses the premises after the expiration of the lease
8 term; (2) possesses the premises after the expiration of a notice to surrender; (3)
9 assigns or sublets a leased premises contrary to the terms of the lease; (4) commits
10 or permits waste upon the premises; (5) commits certain acts relating to nuisances;
11 (6) commits certain offenses relating to controlled substances; or (7) fails to
12 perform a condition or covenant of a lease. (NRS 40.254) This bill directs the
13 Legislative Commission to appoint a committee to conduct an interim study of
14 actions for summary eviction pursuant to NRS 40.253 and 40.254. This bill also:
15 (1) establishes the membership of the committee; (2) establishes the subjects that
16 the committee is required to study; and (3) requires the Legislative Commission to
17 report the findings of the interim study to the Legislature.



1 WHEREAS, Housing is the largest single expenditure for most
2 households and is often one of the most significant factors in
3 determining financial security; and

4 WHEREAS, Unaffordable and unstable housing has harmful
5 effects on low-income households and dramatically reduces
6 household spending on food, transportation, health care and other
7 basic necessities; and

8 WHEREAS, Eviction and subsequent homelessness is one of the
9 most extreme consequences of housing instability; and

10 WHEREAS, It is important to determine whether actions for
11 summary eviction pursuant to NRS 40.253 and 40.254 perpetuate
12 the harmful effects of unstable housing; now, therefore,

13
14 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
15 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
16

17 **Section 1.** (Deleted by amendment.)

18 **Sec. 2.** (Deleted by amendment.)

19 **Sec. 3.** (Deleted by amendment.)

20 **Sec. 4.** (Deleted by amendment.)

21 **Sec. 5.** (Deleted by amendment.)

22 **Sec. 6.** (Deleted by amendment.)

23 **Sec. 7.** (Deleted by amendment.)

24 **Sec. 8.** (Deleted by amendment.)

25 **Sec. 9.** (Deleted by amendment.)

26 **Sec. 10.** (Deleted by amendment.)

27 **Sec. 11.** (Deleted by amendment.)

28 **Sec. 12.** (Deleted by amendment.)

29 **Sec. 13.** (Deleted by amendment.)

30 **Sec. 14.** (Deleted by amendment.)

31 **Sec. 15.** (Deleted by amendment.)

32 **Sec. 16.** (Deleted by amendment.)

33 **Sec. 17.** (Deleted by amendment.)

34 **Sec. 17.5.** 1. The Legislative Commission shall appoint a
35 committee to conduct an interim study of the summary procedures
36 for eviction described in NRS 40.253 and 40.254.

37 2. The committee must be composed of six Legislators as
38 follows:

39 (a) Two members appointed by the Majority Leader of the
40 Senate;

41 (b) Two members appointed by the Speaker of the Assembly;

42 (c) One member appointed by the Minority Leader of the
43 Senate; and

44 (d) One member appointed by the Minority Leader of the
45 Assembly.



1 3. The Legislative Commission shall appoint a Chair and Vice
2 Chair from among the members of the committee.

3 4. In conducting the study, the committee shall consult with
4 and solicit input from interested stakeholders, including, without
5 limitation:

- 6 (a) Governmental agencies;
- 7 (b) Officials of local governments;
- 8 (c) Community advocates;
- 9 (d) Persons impacted by actions for summary eviction pursuant
10 to NRS 40.253 and 40.254; and
- 11 (e) Court administrators.

12 5. The committee shall study and examine:

13 (a) The laws and rules of other states relating to evicting tenants
14 of dwellings, apartments, mobile homes or recreational vehicles,
15 including, without limitation:

16 (1) Any requirements relating to serving notice of actions for
17 eviction;

18 (2) Any oversight provided by courts in such actions;

19 (3) The appropriateness of a defendant initiating such an
20 action in court; and

21 (4) The circumstances which trigger any action for eviction,
22 including, without limitation, those actions relating to no-fault
23 evictions;

24 (b) The current and future need for housing security in this
25 State, including, without limitation:

26 (1) The effect of actions for summary eviction pursuant to
27 NRS 40.253 and 40.254 on communities relating to housing
28 security; and

29 (2) The availability of community resources in this State
30 relating to housing security;

31 (c) The ability of tenants and landlords to initiate and defend
32 actions for summary eviction pursuant to NRS 40.253 and 40.254;

33 (d) The deadlines mandated by actions for summary eviction
34 pursuant to NRS 40.253 and 40.254; and

35 (e) Any other matters that are necessary to fulfill the mission of
36 the committee, as determined by the Chair.

37 6. Any recommended legislation proposed by the committee
38 must be approved by a majority of the members of the Senate and a
39 majority of the members of the Assembly who are appointed to the
40 committee.

41 7. The Legislative Commission shall submit a report of the
42 results of the study, including, without limitation, any
43 recommendations for legislation, to the Director of the Legislative
44 Counsel Bureau for transmittal to the 82nd Session of the Nevada
45 Legislature.



1 **Sec. 18.** This act becomes effective on July 1, 2021.

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