
ASSEMBLY BILL NO. 395—ASSEMBLYMEN FIORE, ELLISON; AIZLEY,
PAUL ANDERSON, BOBZIEN, DUNCAN, HAMBRICK,
HEALEY, HICKEY, KIRNER, LIVERMORE, MARTIN,
OHRENSCHALL, STEWART, WHEELER AND WOODBURY

MARCH 18, 2013

JOINT SPONSOR: SENATOR GUSTAVSON

Referred to Committee on Judiciary

SUMMARY—Revises provisions regarding common-interest communities. (BDR 10-1013)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
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 common-interest communities; prohibiting bullying, intimidation, threats and harassment among persons within a common-interest community; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill prohibits certain persons within a common-interest community from
2 bullying, intimidating, threatening or otherwise harassing another person within
3 that same common-interest community and provides that such an action is a public
4 nuisance and shall be punished as a misdemeanor.

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 *1. A community manager, an agent or employee of the*
4 *community manager, a member of the executive board, an officer,*



1 *employee or agent of an association, a unit's owner or a guest or*
2 *tenant of a unit's owner shall not willfully bully, intimidate,*
3 *threaten or otherwise harass any other person who is the*
4 *community manager of his or her common-interest community or*
5 *an agent or employee of that community manager, a member of*
6 *the executive board of his or her association, an officer, employee*
7 *or agent of his or her association, another unit's owner in his or*
8 *her common-interest community or a guest or tenant of a unit's*
9 *owner in his or her common-interest community.*

10 2. *A person who violates the provisions of subsection 1*
11 *commits a public nuisance and shall be punished as provided in*
12 *NRS 202.470.*

13 3. *As used in this section, "bully" means to willfully act, or*
14 *engage in a course of conduct which is not authorized by law,*
15 *which exposes another person one time or repeatedly and over*
16 *time to one or more negative actions which is highly offensive to a*
17 *reasonable person and which:*

18 (a) *Is intended to cause or actually causes the person to suffer*
19 *harm or serious emotional distress;*

20 (b) *Places the person in reasonable fear of harm or serious*
21 *emotional distress; or*

22 (c) *Creates an environment that is hostile to the person.*

23 **Sec. 2.** NRS 116.1203 is hereby amended to read as follows:

24 116.1203 1. Except as otherwise provided in subsections 2
25 and 3, if a planned community contains no more than 12 units and is
26 not subject to any developmental rights, it is subject only to NRS
27 116.1106 and 116.1107 unless the declaration provides that this
28 entire chapter is applicable.

29 2. The provisions of NRS 116.12065 and the definitions set
30 forth in NRS 116.005 to 116.095, inclusive, to the extent that the
31 definitions are necessary to construe any of those provisions, apply
32 to a residential planned community containing more than 6 units.

33 3. Except for NRS 116.3104, 116.31043, 116.31046 and
34 116.31138, the provisions of NRS 116.3101 to 116.350, inclusive,
35 *and section 1 of this act* and the definitions set forth in NRS
36 116.005 to 116.095, inclusive, to the extent that such definitions are
37 necessary in construing any of those provisions, apply to a
38 residential planned community containing more than 6 units.

