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ASSEMBLY BILL NO. 9—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE LEGISLATIVE COMMITTEE  
ON HEALTH CARE)

PREFILED DECEMBER 19, 2014

Referred to Committee on Judiciary

SUMMARY—Amends provisions concerning estates under guardianship. (BDR 13-504)

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.

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AN ACT relating to the administration of guardianships; prohibiting a court from granting a summary administration of a ward's estate under guardianship if the ward is suffering from dementia or resides with a care provider that is an institution or facility located outside this State; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law allows a court to grant a summary administration of a ward's  
2 estate under guardianship if the value of the ward's property does not exceed  
3 \$10,000 after all claims and expenses of the guardianship have been paid. (NRS  
4 159.076) This bill prohibits a court from granting a summary administration of a  
5 ward's estate under guardianship if the ward suffers from any form of dementia,  
6 including dementia caused by Alzheimer's disease, or if the ward resides with a  
7 care provider that is an institution or facility located outside this State.

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

1 **Section 1.** NRS 159.076 is hereby amended to read as follows:  
2 159.076 1. ~~The~~ *Except as otherwise provided in subsection*  
3 *2, the* court may grant a summary administration if, at any time, it  
4 appears to the court that after payment of all claims and expenses of



1 the guardianship the value of the ward's property does not exceed  
2 \$10,000.

3 2. *The court may not grant a summary administration if the*  
4 *ward:*

5 (a) *Is suffering from any form of dementia, including, without*  
6 *limitation, dementia caused by Alzheimer's disease; or*

7 (b) *Resides with a care provider that is an institution or facility*  
8 *located outside this State.*

9 3. If the court grants a summary administration, the court may:

10 (a) Authorize the guardian of the estate or special guardian who  
11 is authorized to manage the ward's property to convert the property  
12 to cash and sell any of the property, with or without notice, as the  
13 court may direct. After the payment of all claims and the expenses  
14 of the guardianship, the guardian shall deposit the money in savings  
15 accounts or invest the money as provided in NRS 159.117, and hold  
16 the investment and all interest, issues, dividends and profits for the  
17 benefit of the ward. The court may dispense with annual  
18 accountings and all other proceedings required by this chapter.

19 (b) If the ward is a minor, terminate the guardianship of the  
20 estate and direct the guardian to deliver the ward's property to the  
21 custodial parent or parents, guardian or custodian of the minor to  
22 hold, invest or use as the court may order.

23 ~~3.~~ 4. Whether the court grants a summary administration at  
24 the time the guardianship is established or at any other time, the  
25 guardian shall file an inventory and record of value with the court.

26 ~~4.~~ 5. If, at any time, the net value of the estate of the ward  
27 exceeds \$10,000:

28 (a) The guardian shall file an amended inventory and accounting  
29 with the court;

30 (b) The guardian shall file annual accountings; and

31 (c) The court may require the guardian to post a bond.

