

SENATE BILL NO. 276—SENATORS LANGE; AND HAMMOND

MARCH 14, 2023

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions related to collection agencies.  
(BDR 54-158)

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: 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 collection agencies; requiring a collection agency to display certain information on the Internet website of the collection agency; authorizing a collection agent to work from a remote location under certain circumstances; revising certain terminology related to collection agencies; revising the entities required to obtain a license as a collection agency and the circumstances under which such a license is required; revising provisions governing certain records and an application for and the issuance of a license as a collection agency; revising the frequency of the determination of the amount of the bond or substitute for a bond that a collection agency is required to maintain; eliminating certain examinations; removing a requirement that a collection agency obtain a permit for a branch office; revising provisions relating to the application and issuance of a compliance manager’s certificate; prohibiting the compliance manager of a collection agency from being simultaneously employed by another collection agency or exempt entity as a compliance manager; exempting certain debt buyers from certain provisions governing collection agencies; revising provisions related to certain annual reports; prohibiting certain actions by a collection agency, compliance manager or collection agent; repealing certain provisions governing foreign collection agencies and certificates; providing a penalty; and providing other matters properly relating thereto.



**Legislative Counsel's Digest:**

1 Existing law provides for the licensure and regulation of collection agencies  
2 and collection agents. (Chapter 649 of NRS) **Section 3** of this bill defines the term  
3 "debt buyer" to mean a person that is regularly engaged in the business of  
4 purchasing claims that have been charged off for the purpose of collecting such  
5 claims. **Section 14** of this bill includes a debt buyer within the definition of  
6 "collection agency," thereby requiring a debt buyer to obtain a license as a  
7 collection agency and comply with existing law governing collection agencies.  
8 **Sections 18 and 39** of this bill authorize a debt buyer and an affiliate of the debt  
9 buyer to share a license. **Sections 34, 35 and 38** of this bill exempt debt buyers  
10 from provisions of existing law governing the relationship between a collection  
11 agency and a customer when debt buyers do not also collect claims on behalf of  
12 parties who are not affiliated with the debt buyer.

13 **Section 5** of this bill defines the term "remote location" to mean a location  
14 separate from either the principal place of business or a branch office of a  
15 collection agency. **Sections 7-10** of this bill establish requirements governing  
16 collection agents who work from remote locations. Specifically, **section 10** requires  
17 a collection agency to maintain certain records concerning such collection agents.  
18 Before a collection agent begins working from a remote location, **section 7** requires  
19 the collection agent to: (1) sign a written agreement to perform certain duties,  
20 authorize certain monitoring by the employer and refrain from certain activities  
21 while working from the remote location; (2) complete certain training; and (3) work  
22 for the collection agency for at least 7 days under direct oversight and mentoring  
23 from a supervisor. **Section 8** of this bill requires the remote location from which a  
24 collection agent works to satisfy certain requirements to protect data and enable the  
25 collection agent to work safely and effectively. **Section 8** also prohibits: (1)  
26 multiple collection agents who do not reside in the same residence from working  
27 from the same remote location; and (2) a collection agent from printing or storing  
28 physical records at a remote location. **Section 9** of this bill requires a collection  
29 agency to develop and implement a written security policy for work from a remote  
30 location and sets forth certain requirements for the security policy. **Section 10**  
31 imposes certain additional requirements relating to the work of collection agents  
32 from a remote location.

33 **Section 13** of this bill revises the definition of the term "claim" to include any  
34 obligation for the payment of money or its equivalent that is delinquent or in  
35 default and assigned to a collection agency. **Sections 33, 37 and 40** of this bill  
36 replace the term "debt" with "claim" to more accurately state the property interest  
37 on which the collection agency may act.

38 **Section 14** revises the definition of the term "collection agency" to exclude  
39 certain financial institutions, employees of such institutions, persons collecting  
40 claims that they originated on their own behalf and various other persons and  
41 entities deemed not to be debt collectors under federal law, thereby exempting such  
42 persons and entities from requirements governing collection agencies. **Section 15**  
43 of this bill amends the term "collection agent" to mean a person who performs  
44 certain activities on behalf of a collection agency outside the place of business of a  
45 collection agency, thereby exempting persons who do not act on behalf of a  
46 collection agency from requirements governing collection agents. **Sections 2 and 4**  
47 of this bill define certain other terms. **Section 12** of this bill makes a conforming  
48 change to indicate the proper placement of **sections 2-5** in the Nevada Revised  
49 Statutes.

50 **Section 18** prescribes the circumstances under which a person is required to  
51 obtain a license as a collection agency. **Section 52** of this bill repeals provisions  
52 governing foreign collection agencies, thereby requiring such collection agencies to  
53 be licensed in the same manner as domestic collection agencies. **Sections 17 and**  
54 **48** of this bill make certain information provided to the Commissioner of Financial



55 Institutions by an applicant for a license confidential. **Sections 19 and 20** of this  
56 bill revise the required contents of an application to operate a collection agency.  
57 **Sections 22, 24, 31 and 52** of this bill revise provisions governing the procedure  
58 for issuing a license or removing a business location from the place of business as  
59 stated in the license, including by removing a requirement that the Commissioner  
60 issue a physical license to a successful applicant.

61 Existing law requires a collection agency to employ a manager who is: (1)  
62 certified as a manager; and (2) jointly responsible for the operation of the collection  
63 agency. (NRS 649.035, 649.095, 649.305) **Sections 16, 20, 26-30, 32, 36, 37, 40**  
64 **and 51** of this bill revise the term "manager" to "compliance manager." **Section 16**  
65 also provides that a compliance manager is required to equally share responsibility  
66 only for the collection operation of the collection agency. **Section 26** of this bill  
67 revises the requirements to apply for a compliance manager's certificate. **Section**  
68 **30** of this bill prohibits a compliance manager from being employed as a  
69 compliance manager by more than one collection agency at a time, or by a  
70 collection agency and an exempt entity at the same time. **Sections 22, 23, 29 and**  
71 **52** of this bill remove a requirement that an applicant for a license to operate a  
72 collection agency pass an examination and references to that requirement. **Section**  
73 **26.5** of this bill requires the Commissioner to waive the examination for a  
74 certificate as a compliance manager if the applicant and collection agency that  
75 employs the applicant hold certain certifications.

76 Existing law requires: (1) an applicant for a license to operate a collection  
77 agency to file a bond or an appropriate substitute with the Commissioner; and (2)  
78 the Commissioner to determine the appropriate amount of the bond or appropriate  
79 substitute 3 months after submission and semiannually thereafter. (NRS 649.105)  
80 **Section 21** of this bill instead requires the Commissioner to review the amount of  
81 that bond or substitute annually.

82 Existing law requires an applicant to state the location of the business and to  
83 obtain a permit to operate a branch office. (NRS 649.095, 649.167) **Section 25** of  
84 this bill removes the requirement to obtain a permit and instead requires a  
85 collection agency to notify the Commissioner of the location of the branch office.  
86 **Section 29** of this bill makes a conforming change to remove the fees for the  
87 issuance and renewal of a permit to operate a branch office.

88 Existing law requires a license or certificate issued by the Commissioner to be  
89 displayed on the wall of the place of business of the collection agency. (NRS  
90 649.315) **Sections 6, 49 and 52** of this bill remove this requirement and instead  
91 require a collection agency to display its license number and the certificate  
92 identification number of the certificate issued to the compliance manager of the  
93 collection agency on an Internet website maintained by the collection agency.

94 Existing law requires a collection agency to submit a report to the  
95 Commissioner on or before January 31 of each year relating to the money due to all  
96 creditors by the collection agency and the total sum in the customer trust fund  
97 accounts of the collection agency. (NRS 649.345) **Section 36** requires this report to  
98 be submitted on or before April 15 of each year.

99 Existing law prohibits a collection agency or its agents or employees from  
100 engaging in certain practices. (NRS 649.375) **Section 40** additionally prohibits a  
101 collection agency or its compliance manager, agents or employees from: (1) filing a  
102 civil action to collect a debt when the collection agency, compliance manager,  
103 agent or employee knows or should know that the applicable limitation period for  
104 filing such an action has expired; and (2) selling an interest in a resolved claim or  
105 any personal or financial information related to the resolved claim. Any person who  
106 violates these provisions is guilty of a gross misdemeanor and subject to an  
107 administrative fine. (NRS 649.435, 649.440)

108 Existing law prescribes the time within which certain civil actions may be filed.  
109 (NRS 11.190) Existing law provides that, for an action based on indebtedness, the



110 relevant time period begins on the date on which the last payment was made. (NRS  
111 11.200) **Section 41** of this bill provides that a payment made on a debt or certain  
112 other activity relating to the debt after the time period for filing an action based on  
113 a debt has expired does not revive the applicable limitation. **Section 33** requires  
114 certain notice provided to a medical debtor to notify the debtor that such a payment  
115 does not revive the applicable limitation.

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

1 **Section 1.** Chapter 649 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 11, inclusive, of this  
3 act.

4 **Sec. 2.** *“Collection activities” means activities performed by*  
5 *a collection agency or collection agents related to the collection of*  
6 *or attempt to collect a claim.*

7 **Sec. 3.** *“Debt buyer” means a person who is regularly*  
8 *engaged in the business of purchasing claims that have been*  
9 *charged off for the purpose of collecting such claims, including,*  
10 *without limitation, by personally collecting claims, hiring a third*  
11 *party to collect claims or hiring an attorney to engage in litigation*  
12 *for the purpose of collecting claims.*

13 **Sec. 4.** *“Exempt entity” means an entity described in*  
14 *paragraphs (b) to (k), inclusive, of subsection 2 of NRS 649.020.*

15 **Sec. 5.** *“Remote location” means a location separate from*  
16 *either the principal place of business or a branch office of a*  
17 *collection agency.*

18 **Sec. 6.** *A collection agency shall display on any Internet*  
19 *website maintained by the collection agency:*

20 1. *The license number issued to the collection agency by the*  
21 *Commissioner pursuant to NRS 649.135; and*

22 2. *The certificate identification number of the certificate*  
23 *issued to the compliance manager of the collection agency by the*  
24 *Commissioner pursuant to NRS 649.225.*

25 **Sec. 7.** *Before a collection agent begins working from a*  
26 *remote location, the collection agent must:*

27 1. *Sign a written agreement prepared by the collection agency*  
28 *that requires a collection agent working from a remote location to:*

29 (a) *Maintain data concerning debtors in a confidential manner*  
30 *and refrain from printing or otherwise reproducing such data into*  
31 *a physical record while working from the remote location;*

32 (b) *Read and comply with the security policy established*  
33 *pursuant to section 9 of this act and any policy to ensure the safety*  
34 *of the equipment of the collection agency that the collection agent*  
35 *is authorized to use;*



1 (c) Review a description of the work that the collection agent is  
2 authorized to perform from the remote location and only perform  
3 work included in that description;

4 (d) Refrain from disclosing to a debtor that the collection  
5 agent is working from a remote location or that the remote  
6 location is a place of business of the collection agency;

7 (e) Authorize the employer to monitor the collection agent  
8 while he or she is working from the remote location, including,  
9 without limitation, recording any calls to and from the remote  
10 location relating to collection activities; and

11 (f) Refrain from conducting any activities related to his or her  
12 work with the collection agency with a debtor or customer in  
13 person at the remote location;

14 2. Complete a program of training regarding compliance with  
15 applicable laws and regulations, privacy, confidentiality,  
16 monitoring, security and any other issue relevant to the work the  
17 collection agent will perform from the remote location; and

18 3. Work for the collection agency under direct oversight and  
19 mentoring from a supervisor for at least 7 days.

20 **Sec. 8. 1. The remote location from which a collection**  
21 **agent works must:**

22 (a) Be capable of providing the same degree of oversight and  
23 monitoring of the collection agent as if the collection agent was  
24 working in the principal place of business or a branch office of the  
25 collection agency;

26 (b) Be fully connected to the technological systems, including,  
27 without limitation, any computer system, of the office at the  
28 principal place of business or a branch office of the collection  
29 agency;

30 (c) Allow the collection agency to:

31 (1) Record calls made to and from the remote location; and

32 (2) Monitor calls to and from the remote location in real  
33 time;

34 (d) Be a private location where confidentiality can be  
35 maintained; and

36 (e) Have the equipment necessary for the collection agent to  
37 perform his or her work safely and effectively.

38 2. Each collection agent who works from a remote location  
39 must be connected to the principal place of business or a branch  
40 office of the collection agency in a manner that requires the  
41 collection agent to use unique credentials to access the  
42 technological systems of the collection agency.

43 3. Except as otherwise provided in this subsection, two or  
44 more collection agents shall not work from the same remote



1 *location. Two or more collection agents who reside in the same*  
2 *residence may each work remotely from that residence.*

3 *4. A collection agent shall not print or store any physical*  
4 *records of a collection agency at a remote location.*

5 *5. A remote location from which a collection agent works*  
6 *shall be deemed to be an extension of the principal place of*  
7 *business or branch office to which the collection agent is*  
8 *connected pursuant to paragraph (b) of subsection 1 for the*  
9 *purposes of this chapter and any other relevant purposes.*

10 **Sec. 9. 1.** *A collection agency shall develop and implement*  
11 *a written security policy for collection agents who work from a*  
12 *remote location to ensure that the data of debtors, customers and*  
13 *the collection agency is secure and protected from unauthorized*  
14 *disclosure, access, use, modification, duplication or destruction.*  
15 *The security policy must include, without limitation:*

16 *(a) Access to the technological systems of the collection agency*  
17 *through a virtual private network or other similar network or*  
18 *system which:*

19 *(1) Utilizes multifactor authentication, data encryption and*  
20 *frequent password changes; and*

21 *(2) Automatically locks a collection agent out of his or her*  
22 *account if suspicious activity is detected;*

23 *(b) A procedure to immediately update and repair any security*  
24 *network or system to ensure that current security technologies are*  
25 *utilized;*

26 *(c) A requirement to store all data of debtors, customers and*  
27 *the collection agency on designated drives that are safe, secure*  
28 *and expandable;*

29 *(d) A requirement that collection agents work on electronic*  
30 *devices that are secured with software and hardware protections*  
31 *including, without limitation, antivirus software and a firewall;*

32 *(e) A requirement that collection agents access any system of*  
33 *the collection agency through an electronic device that has been*  
34 *issued by the collection agency and a prohibition on using such an*  
35 *electronic device for personal purposes;*

36 *(f) A procedure for the containment and disclosure of any*  
37 *breach of data that occurs, including, without limitation, the*  
38 *issuance of any disclosure that is required by law;*

39 *(g) A procedure for the protection of data during a natural*  
40 *disaster or other emergency that has the potential to impact the*  
41 *data or electronic devices of the collection agency at a remote*  
42 *location and the recovery of data after such a natural disaster or*  
43 *other emergency;*

44 *(h) A procedure for the secure disposal of data in accordance*  
45 *with any applicable law or contract;*



1 (i) A procedure for conducting an annual risk assessment  
2 concerning the protection of the data of debtors, customers and  
3 the collection agency and a plan to implement new policies based  
4 on the results of the risk assessment; and

5 (j) Procedures to:

6 (1) Prevent a former collection agent from accessing any  
7 system of the collection agency; and

8 (2) Remotely disable or remove all data from an electronic  
9 device owned by the collection agency at the remote location.

10 2. A collection agency that complies with the requirements of  
11 16 C.F.R. Part 314 satisfies the requirements of this section.

12 **Sec. 10. 1.** A collection agent working from a remote  
13 location shall comply with any applicable federal and state laws,  
14 including, without limitation, the provisions of this chapter,  
15 including, without limitation, NRS 649.335, and the Fair Debt  
16 Collection Practices Act, 15 U.S.C. §§ 1692 et seq.

17 2. A collection agency shall:

18 (a) Record calls performed by a collection agent conducting  
19 collection activities from a remote location and maintain such  
20 recordings for at least 3 years; and

21 (b) Monitor calls performed by a collection agent conducting  
22 collection activities from a remote location in real time on a  
23 regular basis.

24 3. A collection agency or collection agent shall not:

25 (a) Represent to any person that the collection agent is  
26 working independently of the collection agency;

27 (b) Use the remote location from which a collection agent is  
28 working and any related address, telephone number or facsimile  
29 number in advertising for the collection agency;

30 (c) Require or invite a debtor to come to a remote location  
31 from which a collection agent is working for the purpose of  
32 collection activities; or

33 (d) Hold out a remote location from which a collection agent is  
34 working in such a manner that a debtor is likely to believe that the  
35 remote location is the principal place of business or a branch  
36 office of the collection agency, including, without limitation, by  
37 receiving mail at the remote location, storing records at the remote  
38 location or stating to a debtor or customer that the collection agent  
39 is working from the remote location.

40 4. A collection agency shall:

41 (a) Maintain a record of collection agents who are authorized  
42 to work from a remote location which must include, for each such  
43 collection agent:

44 (1) The name, telephone number and electronic mail  
45 address of the collection agent; and



- 1           (2) *The address of the remote location;*
- 2           (b) *Maintain a record of equipment supplied to collection*
- 3 *agencies for use at a remote location;*
- 4           (c) *Review its policies and procedures governing remote work*
- 5 *for compliance with sections 7 to 10, inclusive, of this act at least*
- 6 *annually and upon request of the Commissioner; and*
- 7           (d) *Establish a procedure to ensure that a collection agent*
- 8 *working from a remote location does so without acting in any*
- 9 *illegal, unethical or unsafe manner.*

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

11       **Sec. 12.** NRS 649.005 is hereby amended to read as follows:

12       649.005 As used in this chapter, unless the context otherwise

13 requires, the words and terms defined in NRS 649.010 to 649.042,

14 inclusive, *and sections 2 to 5, inclusive, of this act* have the

15 meanings ascribed to them in those sections.

16       **Sec. 13.** NRS 649.010 is hereby amended to read as follows:

17       649.010 “Claim” means any obligation for the payment of

18 money or its equivalent that is past due ~~[ ]~~, *delinquent or in default*

19 *and assigned to a collection agency.*

20       **Sec. 14.** NRS 649.020 is hereby amended to read as follows:

21       649.020 1. “Collection agency” means all persons engaging,

22 directly or indirectly, and as a primary or a secondary object,

23 business or pursuit, in the collection of or in soliciting or obtaining

24 in any manner the payment of a claim owed or due or asserted to be

25 owed or due to another.

26       2. “Collection agency” does not include any of the following

27 unless they are conducting collection ~~[agencies:]~~ *activities in a*

28 *capacity other than that described in this subsection:*

29       (a) ~~[Individuals]~~ *Natural persons* regularly employed *by an*

30 *exempt entity* on a regular wage or salary ~~[, in the capacity of credit~~

31 ~~men or in other similar capacity upon the staff of employees of any~~

32 ~~person]~~ *who, on behalf of the exempt entity, collect a claim owed*

33 *to the exempt entity provided that such persons are* not engaged in

34 the business of a collection agency or making or attempting to make

35 collections as an incident to the usual practices of their primary

36 business or profession.

37       (b) Banks ~~[ ]~~, *savings banks, credit unions, thrift companies or*

38 *trust companies.*

39       (c) Nonprofit cooperative associations.

40       (d) Unit-owners’ associations and the board members, officers,

41 employees and units’ owners of those associations when acting

42 under the authority of and in accordance with chapter 116 or 116B

43 of NRS and the governing documents of the association, except for

44 those community managers included within the term “collection

45 agency” pursuant to subsection 3.





1 (e) Abstract companies doing an escrow business.

2 (f) Duly licensed real estate brokers, except for those real estate  
3 brokers who are community managers included within the term  
4 “collection agency” pursuant to subsection 3.

5 (g) Attorneys and counselors at law licensed to practice in this  
6 State, so long as they are retained by their clients to collect or to  
7 solicit or obtain payment of such clients’ claims in the usual course  
8 of the practice of their profession.

9 *(h) A mortgage servicer licensed pursuant to chapter 645F of*  
10 *NRS, except where such a mortgage servicer is attempting to*  
11 *collect a claim that was assigned when the relevant loan was in*  
12 *default.*

13 *(i) Any person collecting in his or her own name on a claim*  
14 *that he or she originated.*

15 *(j) Any person servicing a claim that he or she originated and*  
16 *sold.*

17 *(k) Any person or entity described in 15 U.S.C. § 1692a(6)(A)*  
18 *to 1692a(6)(F), inclusive.*

19 3. “Collection ~~agency~~” *agency*” includes:

20 (a) ~~Includes a~~ A community manager while engaged in the  
21 management of a common-interest community or the management  
22 of an association of a condominium hotel if the community  
23 manager, or any employee, agent or affiliate of the community  
24 manager, performs or offers to perform any act associated with the  
25 foreclosure of a lien pursuant to NRS 116.31162 to 116.31168,  
26 inclusive, or 116B.635 to 116B.660, inclusive; and

27 (b) ~~Does~~ A debt buyer.

28 4. “Collection agency” does not include any ~~other~~  
29 community manager, *other than a community manager described*  
30 *in paragraph (a) of subsection 3*, while engaged in the management  
31 of a common-interest community or the management of an  
32 association of a condominium hotel.

33 ~~4.~~ 5. As used in this section:

34 (a) “Community manager” has the meaning ascribed to it in  
35 NRS 116.023 or 116B.050.

36 (b) “Unit-owners’ association” has the meaning ascribed to it in  
37 NRS 116.011 or 116B.030.

38 **Sec. 15.** NRS 649.025 is hereby amended to read as follows:

39 649.025 “Collection agent” means any person, ~~whether or not~~  
40 ~~regularly employed at a regular wage or salary, who in the capacity~~  
41 ~~of a credit man or in any other similar capacity~~ *who, on behalf of a*  
42 *collection agency*, makes a collection, solicitation or investigation  
43 of a claim at a place or location other than the business premises of  
44 the collection agency, but does not include:



1 1. Employees of a collection agency whose activities and  
2 duties are restricted to the business premises of the collection  
3 agency.

4 2. The individuals, corporations and associations enumerated  
5 in subsection 2 of NRS 649.020.

6 **Sec. 16.** NRS 649.035 is hereby amended to read as follows:

7 649.035 ~~["Manager"]~~ *"Compliance manager"* means a person  
8 who:

9 1. Holds a *compliance* manager's certificate;

10 2. Is designated as the *compliance* manager of a collection  
11 agency;

12 3. Shares equally with the holder of a license to conduct a  
13 collection agency the responsibility for the *collection* operation of  
14 the collection agency; and

15 4. Devotes a majority of the hours he or she works as an  
16 employee of the agency to the actual ~~management, operation and~~  
17 ~~administration~~ *oversight and compliance* of that collection agency.

18 **Sec. 17.** NRS 649.065 is hereby amended to read as follows:

19 649.065 1. The Commissioner shall keep in the Office of the  
20 Commissioner, in a suitable record provided for the purpose, all  
21 applications for certificates, licenses and all bonds required to be  
22 filed under this chapter. The record must state the date of issuance  
23 or denial of the license or certificate and the date and nature of any  
24 action taken against any of them.

25 2. All licenses and certificates issued must be sufficiently  
26 identified in the record.

27 3. All renewals must be recorded in the same manner as  
28 originals, except that, in addition, the number of the preceding  
29 license or certificate issued must be recorded.

30 4. Except ~~for confidential information contained therein, the~~  
31 ~~record must be open for inspection as a public record in the Office~~  
32 ~~of the Commissioner.]~~ *as otherwise provided in NRS 239.0115, any*  
33 *application and personal or financial records submitted by a*  
34 *person pursuant to the provisions of this chapter and any personal*  
35 *or financial records or other documents obtained by the Division*  
36 *of Financial Institutions of the Department of Business and*  
37 *Industry pursuant to an examination, audit or investigation*  
38 *conducted by the Division are confidential and may be disclosed*  
39 *only to:*

40 (a) *The Division, any authorized employee of the Division and*  
41 *any state or federal agency investigating activity covered by this*  
42 *chapter.*

43 (b) *The Department of Taxation for its use in carrying out the*  
44 *provisions of chapter 363C of NRS.*



1       **Sec. 18.** NRS 649.075 is hereby amended to read as follows:

2       649.075 1. Except as otherwise provided in this section, a  
3 person shall not ~~conduct within this State a collection agency or~~  
4 engage *in the business of a collection agency* within this State ~~[in~~  
5 *the business of collecting claims for others, or of soliciting the right*  
6 *to collect or receive payment for another of any claim, or advertise,*  
7 *or solicit, either in print, by letter, in person or otherwise, the right*  
8 *to collect or receive payment for another of any claim, or seek to*  
9 *make collection or obtain payment of any claim on behalf of*  
10 ~~another}] without having first applied for and obtained a license *as a*~~  
11 *collection agency* from the Commissioner.

12       2. ~~[A person is not required to obtain a license if the person~~  
13 ~~holds a certificate of registration as a foreign collection agency~~  
14 ~~issued by the Commissioner pursuant to NRS 649.171.] A person~~  
15 *engages in the business of a collection agency in this State for the*  
16 *purposes of subsection 1 if the person is located:*

17       (a) *In this State and is seeking to collect a claim, regardless of*  
18 *whether the debtor resided or currently resides in this State or*  
19 *another state;*

20       (b) *In another state and is seeking to collect a claim from a*  
21 *debtor that resides in this State; or*

22       (c) *In another state and is seeking to collect a claim on behalf*  
23 *of a person or entity that resides in this State.*

24       3. *A person engaging in the business of a collection agency*  
25 *shall obtain a license for the office of the principal place of*  
26 *business of the person. A person is not required to obtain a license*  
27 *for a branch office or remote location.*

28       4. *A debt buyer may share a single license as a collection*  
29 *agency with a person affiliated with the debt buyer if the affiliated*  
30 *person does not engage in any collection activities other than*  
31 *purchasing claims.*

32       **Sec. 19.** NRS 649.085 is hereby amended to read as follows:

33       649.085 Every individual applicant, every officer and director  
34 of a corporate applicant, and every member of a firm or partnership  
35 applicant for a license as a collection agency or collection agent  
36 must submit proof satisfactory to the Commissioner that he or she:

37       1. Has a good reputation for honesty, trustworthiness and  
38 integrity and is competent to transact the business of a collection  
39 agency in a manner which protects the interests of the general  
40 public.

41       2. Has not had a collection agency license suspended or  
42 revoked within the 10 years immediately preceding the date of the  
43 application ~~[ ]~~, *unless the license was suspended for a minor*  
44 *violation that did not harm a debtor and the license was*  
45 *subsequently restored.*



1 3. Has not been convicted of, or entered a plea of nolo  
2 contendere to:

3 (a) A felony relating to the practice of collection agencies or  
4 collection agents; or

5 (b) Any crime involving fraud, misrepresentation or moral  
6 turpitude.

7 4. Has not made a false statement of material fact on the  
8 application.

9 5. Will maintain ~~[one or more offices in this State or one or  
10 more offices in another state for the transaction of the business of  
11 his or her collection agency.]~~ *a physical office as the principal  
12 place of business. If a collection agent of the applicant will be  
13 working from a remote location, the principal place of business of  
14 the applicant must be located in the United States.*

15 6. Has established a plan to ensure that his or her collection  
16 agency will provide the services of a collection agency adequately  
17 and efficiently.

18 **Sec. 20.** NRS 649.095 is hereby amended to read as follows:

19 649.095 1. An application for a license must be in writing  
20 and filed with the Commissioner on a form provided for that  
21 purpose.

22 2. The application must state:

23 (a) The name of the applicant and the name under which the  
24 applicant does business or expects to do business.

25 (b) The address of the applicant's business and residence,  
26 including street and number.

27 (c) The character of the business sought to be carried on.

28 (d) ~~[The]~~ *Except as otherwise provided in this paragraph, the  
29 locations by street and number where the business will be transacted  
30 [;], including, without limitation, the location of any branch  
31 office. The application is not required to include any remote  
32 location from which a collection agent will work.*

33 (e) In the case of a firm or partnership, the full names and  
34 residential addresses of all members or partners and the name and  
35 residential address of the *compliance* manager.

36 (f) In the case of a corporation or voluntary association, the  
37 name and residential address of each of the directors and officers  
38 and the name and residential address of the *compliance* manager.

39 (g) Any other information reasonably related to the applicant's  
40 qualifications for the license which the Commissioner determines to  
41 be necessary.

42 (h) *If the applicant plans to have one or more collection agents  
43 work from a remote location, evidence that the applicant is able to  
44 comply with the provisions of sections 7 to 10, inclusive, of this  
45 act.*



1 (i) All information required to complete the application.

2 3. In addition to any other requirements, each applicant or  
3 member, partner, director, officer or *compliance* manager of an  
4 applicant shall submit to the Commissioner a complete set of  
5 fingerprints and written permission authorizing the Division of  
6 Financial Institutions of the Department of Business and Industry to  
7 forward the fingerprints to the Central Repository for Nevada  
8 Records of Criminal History for submission to the Federal Bureau  
9 of Investigation for its report.

10 4. The application must be subscribed by the applicant and  
11 acknowledged.

12 5. Every applicant may be examined concerning the applicant's  
13 competency, experience, character and qualifications by the  
14 Commissioner or the Commissioner's authorized agent, and if the  
15 examination reveals that the applicant lacks any of the required  
16 qualifications, issuance of the license must be denied. Every  
17 application must have attached to it a financial statement showing  
18 the assets, liabilities and net worth of the applicant.

19 6. The Commissioner shall consider an application to be  
20 withdrawn if the Commissioner has not received all information and  
21 fees required to complete the application within 6 months after the  
22 date the application is first submitted to the Commissioner or within  
23 such later period as the Commissioner determines in accordance  
24 with any existing policies of joint regulatory partners. If an  
25 application is deemed to be withdrawn pursuant to this subsection or  
26 if an applicant otherwise withdraws an application, the  
27 Commissioner may not issue a license to the applicant unless the  
28 applicant submits a new application and pays any required fees.

29 **Sec. 21.** NRS 649.105 is hereby amended to read as follows:

30 649.105 1. An applicant for a license must file with the  
31 Commissioner, concurrently with the application, a bond in the sum  
32 of \$35,000, or an appropriate substitute pursuant to NRS 649.119,  
33 which must run to the State of Nevada. The bond must be made and  
34 executed by the principal and a surety company authorized to write  
35 bonds in the State of Nevada.

36 2. The bonds must be conditioned:

37 (a) That the principal, who must be the applicant, must, upon  
38 demand in writing, pay any customer from whom any claim for  
39 collection is received, the proceeds of the collection, in accordance  
40 with the terms of the agreement made between the principal and the  
41 customer; and

42 (b) That the principal must comply with all requirements of this  
43 or any other statute with respect to the duties, obligations and  
44 liabilities of collection agencies.



1 3. ~~[Not later than 3 months after the issuance of the license and~~  
2 ~~semiannually thereafter, the]~~ *The* Commissioner shall *annually*  
3 determine the appropriate amount of bond or appropriate substitute  
4 which must be maintained by the licensee . ~~[in]~~ *If applicable, such*  
5 *a determination must be in* accordance with the licensee's average  
6 monthly balance in the trust account maintained pursuant to  
7 NRS 649.355:

	AMOUNT OF
AVERAGE MONTHLY BALANCE	BOND REQUIRED
11 Less than \$100,000.....	\$35,000
12 \$100,000 or more but less than \$150,000.....	40,000
13 \$150,000 or more but less than \$200,000.....	50,000
14 \$200,000 or more .....	60,000

15 **Sec. 22.** NRS 649.135 is hereby amended to read as follows:

16 649.135 1. The Commissioner shall ~~[enter an order~~  
17 ~~approving the]~~ *approve an* application for a license [,] *and* keep on  
18 file his or her findings of fact pertaining thereto ~~[, and permit the~~  
19 ~~applicant to take the required examination.]~~ if the Commissioner  
20 finds that the applicant has met all the other requirements of this  
21 chapter pertaining to the applicant's qualifications and application.

22 2. *Upon the approval of the application, the payment of any*  
23 *required fees and the submission of any required information, the*  
24 *Commissioner shall:*

25 (a) *Notify the applicant of the approval and issue a unique*  
26 *license number to the applicant; and*

27 (b) *Update any applicable public record maintained by the*  
28 *Commissioner to show that the person holds an active license that*  
29 *authorizes the person to conduct collection activities in this State.*

30 **Sec. 23.** NRS 649.155 is hereby amended to read as follows:

31 649.155 1. If the Commissioner finds that any application or  
32 applicant for a collection agency license does not meet the  
33 requirements of NRS 649.135 , ~~[or the applicant fails to pass the~~  
34 ~~required examination.]~~ the Commissioner shall enter an order  
35 denying the application.

36 2. Within 10 days after the entry of such an order, the  
37 Commissioner shall mail or deliver to the applicant written notice of  
38 the denial in which all the reasons for such denial are stated.

39 **Sec. 24.** NRS 649.165 is hereby amended to read as follows:

40 649.165 Upon ~~[receipt]~~ *notification* of the ~~[license.]~~ *approval*  
41 *of the application by the Commissioner pursuant to NRS 649.135,*  
42 the licensee shall have the right to conduct the business of a  
43 collection agency with all the powers and privileges contained in,  
44 but subject to, the provisions of this chapter.



1       **Sec. 25.** NRS 649.167 is hereby amended to read as follows:

2       649.167 1. ~~{A collection agency licensed in this State may~~  
3 ~~apply to the Commissioner for a permit}~~ *A license as a collection*  
4 *agency granted pursuant to NRS 649.135 is valid for the principal*  
5 *place of business and any branch office of the licensee.*

6       2. *Immediately upon beginning* to operate a branch office ~~{in~~  
7 ~~this State}~~ in a location not ~~{previously approved by its license.~~

8       ~~2. The Commissioner shall not issue a permit for a branch~~  
9 ~~office until the principal office of the collection agency has been~~  
10 ~~examined by the Commissioner and found to be satisfactory.~~

11       ~~3. A branch office must have a manager on the premises during~~  
12 ~~regular business hours.~~

13       ~~4. The Commissioner shall adopt regulations concerning an~~  
14 ~~application for a permit to operate a branch office.}~~ *provided to the*  
15 *Commissioner on the application submitted pursuant to NRS*  
16 *649.095, a collection agency shall notify the Commissioner in*  
17 *writing of the location of the branch office.*

18       **Sec. 26.** NRS 649.196 is hereby amended to read as follows:

19       649.196 1. Each applicant for a *compliance* manager's  
20 certificate must submit proof satisfactory to the Commissioner that  
21 the applicant:

22       (a) Is at least 21 years of age.

23       (b) Has a good reputation for honesty, trustworthiness and  
24 integrity and is competent to ~~{transact the business}~~ *oversee the*  
25 *compliance* of a collection agency in a manner which protects the  
26 interests of the general public. *An applicant may demonstrate*  
27 *competency to oversee the compliance of a collection agency by:*

28       (1) *Holding a certification from a national association that*  
29 *is a nonprofit organization with expertise in the business of*  
30 *collections, compliance or financial services;*

31       (2) *Having 3 years of experience working in compliance for*  
32 *a collection agency;*

33       (3) *Holding a professional degree or accreditation relating*  
34 *to compliance of a collection agency; or*

35       (4) *Serving as a compliance manager on or before*  
36 *October 1, 2023.*

37       (c) Has not committed any of the acts specified in NRS 649.215.

38       (d) Has not had a collection agency license or *compliance*  
39 manager's certificate suspended or revoked within the 10 years  
40 immediately preceding the date of filing the application ~~{}~~, *unless*  
41 *the license or certificate was suspended for a minor violation that*  
42 *did not harm a debtor and was subsequently restored.*

43       (e) Has not been convicted of, or entered a plea of nolo  
44 contendere to, a felony or any crime involving fraud,  
45 misrepresentation or moral turpitude.



1 (f) Has had not less than 2 years' full-time experience with a  
2 collection agency in the collection of accounts ~~assigned by~~  
3 ~~creditors who were not affiliated with the collection agency except~~  
4 ~~as assignors of accounts.] or with a financial institution or as a~~  
5 *compliance manager*. At least 1 year of the 2 years of experience  
6 must have been within the 18-month period preceding the date of  
7 filing the application.

8 2. Each applicant must:

9 (a) Pass the examination or reexamination provided for in  
10 NRS 649.205 ~~;~~

11 ~~(b)]~~, unless the examination or reexamination is waived  
12 pursuant to subsection 4 of NRS 649.205.

13 (b) Pay the required fees.

14 ~~(c) Submit, in such form as the Commissioner prescribes:~~

15 ~~— (1) Three recent photographs; and~~

16 ~~— (2) Three complete sets of fingerprints which the~~  
17 ~~Commissioner may forward to the Central Repository for Nevada~~  
18 ~~Records of Criminal History for submission to the Federal Bureau~~  
19 ~~of Investigation for its report.~~

20 ~~(d)] (c)~~ Submit such ~~other]~~ information reasonably related to  
21 his or her qualifications for the *compliance* manager's certificate as  
22 the Commissioner determines to be necessary.

23 3. The Commissioner may refuse to issue a *compliance*  
24 manager's certificate if the applicant does not meet the requirements  
25 of subsections 1 and 2.

26 4. If the Commissioner refuses to issue a *compliance*  
27 manager's certificate pursuant to this section, the Commissioner  
28 shall notify the applicant in writing by certified mail stating the  
29 reasons for the refusal. The applicant may submit a written request  
30 for a hearing within 20 days after receiving the notice. If the  
31 applicant fails to submit a written request within the prescribed  
32 period, the Commissioner shall enter a final order.

33 5. The Commissioner shall consider an application to be  
34 withdrawn if the Commissioner has not received all information and  
35 fees required to complete the application within 6 months after the  
36 date the application is first submitted to the Commissioner or within  
37 such later period as the Commissioner determines in accordance  
38 with any existing policies of joint regulatory partners. If an  
39 application is deemed to be withdrawn pursuant to this subsection or  
40 if an applicant otherwise withdraws an application, the  
41 Commissioner may not issue a ~~license]~~ *certificate* to the applicant  
42 unless the applicant submits a new application and pays any  
43 required fees.





1       **Sec. 26.5.** NRS 649.205 is hereby amended to read as follows:

2       649.205 1. The Commissioner shall provide for *compliance*  
3 managers' examinations at such times and places as the  
4 Commissioner may direct, at least twice each year.

5       2. The examinations must be of a length, scope and character  
6 which the Commissioner deems reasonably necessary to determine  
7 the fitness of the applicants to act as *compliance* managers of  
8 collection agencies.

9       3. If an applicant does not pass the examination, the applicant  
10 must reapply to take the examination and pay a reexamination fee of  
11 not more than \$100 for each subsequent examination. The  
12 Commissioner shall adopt regulations establishing the amount of the  
13 reexamination fee required pursuant to this subsection.

14       4. *If the applicant and collection agency that employs or*  
15 *seeks to employ the applicant are both certified by a national*  
16 *association that is a nonprofit with expertise in the business of*  
17 *collections which the Commissioner determines proves the*  
18 *competence of the applicant, the Commissioner must waive the*  
19 *examination for the applicant.*

20       5. The Commissioner may make such rules and regulations as  
21 may be necessary to carry out the purposes of this section.

22       **Sec. 27.** NRS 649.215 is hereby amended to read as follows:

23       649.215 The Commissioner may refuse to permit an applicant  
24 for a *compliance* manager's certificate to take the examination, or,  
25 after a hearing, may suspend or revoke a *compliance* manager's  
26 certificate if the applicant or *compliance* manager has:

27       1. Committed or participated in any act which, if committed or  
28 done by a licensee, would be grounds for the suspension or  
29 revocation of a license.

30       2. Been refused a license or certificate pursuant to this chapter  
31 or had such a license or certificate suspended or revoked.

32       3. Participated in any act, which act was a basis for the refusal  
33 or revocation of a collection agency license.

34       4. Falsified any of the information submitted to the  
35 Commissioner in support of an application pursuant to this chapter.

36       5. Impersonated, or permitted or aided and abetted another to  
37 impersonate, a law enforcement officer or employee of the United  
38 States, a state or any political subdivision thereof.

39       6. Made any statement in connection with his or her  
40 employment with a collection agency with the intent to give an  
41 impression that he or she was a law enforcement officer of the  
42 United States, a state or political subdivision thereof.

43       **Sec. 28.** NRS 649.225 is hereby amended to read as follows:

44       649.225 1. The Commissioner shall issue a *compliance*  
45 manager's certificate to any applicant who meets the requirements



1 of this chapter for the certificate. *Each certificate must have a*  
2 *unique identification number.*

3 2. Each *compliance* manager holding a *compliance* manager's  
4 certificate issued pursuant to this chapter shall notify the  
5 Commissioner in writing of any change in his or her residence  
6 address within 10 days after the change.

7 **Sec. 29.** NRS 649.295 is hereby amended to read as follows:

8 649.295 1. A nonrefundable fee of not more than \$500 for  
9 the application ~~[and survey]~~ must accompany each new application  
10 for a license as a collection agency. Each applicant shall also pay  
11 any additional expenses incurred in the process of investigation. All  
12 money received by the Commissioner pursuant to this subsection  
13 must be placed in the Investigative Account created by  
14 NRS 232.545.

15 2. A fee of not less than \$200 or more than \$600, prorated on  
16 the basis of the licensing year as provided by the Commissioner,  
17 must be charged for each original license issued. A fee of not more  
18 than \$500 must be charged for each annual renewal of a license.

19 3. A fee of not more than \$20 must be charged for each  
20 ~~[duplicate license or]~~ license for a transfer of location issued.

21 4. A nonrefundable application fee of not more than \$500 and a  
22 nonrefundable investigation fee of not more than \$150 must  
23 accompany each application for a *compliance* manager's certificate.

24 5. A fee of not more than \$40 must be charged for each  
25 *compliance* manager's certificate issued and for each annual  
26 renewal of such a certificate.

27 6. A fee of not more than \$60 must be charged for the  
28 reinstatement of a *compliance* manager's certificate.

29 7. A fee of not more than \$10 must be charged for each day an  
30 application for the renewal of a license or certificate, or a required  
31 report, is filed late, unless the fee or portion thereof is excused by  
32 the Commissioner for good cause shown.

33 8. ~~[A nonrefundable fee of not more than \$250 for the~~  
34 ~~application and an examination must accompany each application~~  
35 ~~for a permit to operate a branch office of a licensed collection~~  
36 ~~agency. A fee of not more than \$500 must be charged for each~~  
37 ~~annual renewal of such a permit.~~

38 ~~—9.]~~ For each examination the Commissioner shall charge and  
39 collect from the licensee a fee for conducting the examination and  
40 preparing and typing the report of the examination at the rate  
41 established and, if applicable, adjusted pursuant to NRS 658.101.  
42 Failure to pay the fee within 30 days after receipt of the bill is a  
43 ground for revoking the collection agency's license.



1 ~~HO.] 9.~~ Except as otherwise provided in NRS 658.101, the  
2 Commissioner shall adopt regulations establishing the amount of the  
3 fees required pursuant to this section.

4 ~~HI.] 10.~~ Except as otherwise provided in subsection 1, all  
5 money received by the Commissioner pursuant to this chapter must  
6 be deposited in the State Treasury pursuant to the provisions of  
7 NRS 658.091.

8 **Sec. 30.** NRS 649.305 is hereby amended to read as follows:

9 649.305 1. No collection agency may operate its business  
10 without a *compliance* manager who holds a valid *compliance*  
11 manager's certificate issued under the provisions of this chapter.

12 2. *Except as otherwise provided in this subsection, a*  
13 *compliance manager must not be employed as a compliance*  
14 *manager by more than one collection agency or employed by a*  
15 *collection agency and an exempt entity at the same time. A*  
16 *compliance manager may be simultaneously employed as a*  
17 *compliance manager by a collection agency and an affiliate of that*  
18 *collection agency.*

19 **Sec. 31.** NRS 649.325 is hereby amended to read as follows:

20 649.325 1. A collection agency shall not remove its business  
21 location from the place of business as stated in the ~~license] record~~  
22 *of the licensee* except upon prior approval by the Commissioner in  
23 writing.

24 2. If the removal is approved, the Commissioner shall note the  
25 change ~~[upon the face of the license and enter in his or her records a~~  
26 *notation of that change.] in the record of the licensee.*

27 **Sec. 32.** NRS 649.330 is hereby amended to read as follows:

28 649.330 1. A collection agency shall immediately notify the  
29 Commissioner of any change:

30 (a) Of the *compliance* manager of the agency; or

31 (b) If the agency is a corporation, in the ownership of 5 percent  
32 or more of its outstanding voting stock.

33 2. An application must be submitted to the Commissioner,  
34 pursuant to NRS 649.095, by:

35 (a) The person who replaces the *compliance* manager; and

36 (b) A person who acquires:

37 (1) At least 25 percent of the outstanding voting stock of an  
38 agency; or

39 (2) Any outstanding voting stock of an agency if the change  
40 will result in a change in the control of the agency.

41 ➔ Except as otherwise provided in subsection 4, the Commissioner  
42 shall conduct an investigation to determine whether the applicant  
43 has the competence, experience, character and qualifications  
44 necessary for the licensing of a collection agency. If the  
45 Commissioner denies the application, the Commissioner may ~~fin his~~



1 ~~or her order~~ forbid the applicant from participating in the business  
2 of the collection agency.

3 3. The collection agency with which the applicant is affiliated  
4 shall pay such expenses incurred in the investigation as the  
5 Commissioner deems necessary. All money received by the  
6 Commissioner pursuant to this subsection must be placed in  
7 the Investigative Account created by NRS 232.545.

8 4. A collection agency may submit a written request to the  
9 Commissioner to waive an investigation pursuant to subsection 2.  
10 The Commissioner may grant a waiver if the applicant has  
11 undergone a similar investigation by a state or federal agency in  
12 connection with the licensing of or the applicant's employment with  
13 a financial institution.

14 **Sec. 33.** NRS 649.332 is hereby amended to read as follows:

15 649.332 1. To verify a ~~debt~~ *claim*, a collection agency  
16 shall:

17 (a) Obtain or attempt to obtain from the creditor any document  
18 that is not in the possession of the collection agency and is  
19 reasonably responsive to the dispute of the debtor, if any; and

20 (b) If such a document is obtained, mail the document to the  
21 debtor.

22 2. When collecting a ~~debt~~ *claim* on behalf of a hospital,  
23 within 5 days after the initial communication with the debtor in  
24 connection with the collection of the ~~debt~~ *claim*, a collection  
25 agency shall, unless the following information is included in the  
26 initial communication, send a written notice to the debtor that  
27 includes a statement indicating that:

28 (a) If the debtor pays or agrees to pay the ~~debt~~ *claim* or any  
29 portion of the ~~debt~~ *claim*, the payment or agreement to pay  
30 ~~may~~ :

31 (1) *May* be construed as ~~is~~ :

32 ~~(1) An~~ *an* acknowledgment of the ~~debt~~ *claim* by the  
33 debtor; and

34 (2) ~~As~~ *As provided in NRS 11.200, does not constitute a*  
35 waiver by the debtor of any applicable statute of limitations set forth  
36 in NRS 11.190 that otherwise precludes the collection of the ~~debt~~;  
37 *claim*; and

38 (b) If the debtor does not understand or has questions  
39 concerning his or her legal rights or obligations relating to the  
40 ~~debt~~ *claim*, the debtor should seek legal advice.

41 3. As used in this section, "hospital" has the meaning ascribed  
42 to it in NRS 449.012.

43 **Sec. 34.** NRS 649.334 is hereby amended to read as follows:

44 649.334 1. The terms and conditions of any written  
45 agreement between a collection agency and a customer must be



1 specific, intelligible and unambiguous. In the absence of a written  
2 agreement, unless the conduct of the parties indicates a different  
3 mutual understanding, the understanding of the customer concerning  
4 the terms of the agreement must govern in any dispute between the  
5 customer and the collection agency.

6 2. Unless a written agreement between the parties otherwise  
7 provides, any money collected on a claim, after court costs have  
8 been recovered, must first be credited to the principal amount of the  
9 claim. Any interest charged and collected on the claim must be  
10 allocated pursuant to the agreement between the customer and the  
11 collection agency.

12 3. Except with the consent of its customer, a collection agency  
13 shall not accept less than the full amount of a claim in settlement of  
14 an assigned claim.

15 4. A collection agency shall, at the time it remits to the  
16 customer the money it collected on behalf of the customer, give  
17 each customer an accounting in writing of the money it collected on  
18 behalf of the customer in connection with a claim.

19 **5. *This section does not apply to a debt buyer who is not also***  
20 ***collecting claims on behalf of parties who are not affiliated with***  
21 ***the debt buyer.***

22 **Sec. 35.** NRS 649.3345 is hereby amended to read as follows:

23 649.3345 1. Unless a written agreement between the parties  
24 otherwise provides, a customer may withdraw, without obligation,  
25 any claim assigned to a collection agency at any time 6 months after  
26 the date of the assignment if:

27 (a) The customer gives written notice of the withdrawal to the  
28 collection agency not less than 60 days before the effective date of  
29 the withdrawal; and

30 (b) The claim is not in the process of being collected.

31 2. As used in this section, "in the process of being collected,"  
32 means that:

33 (a) A payment on the claim has been received after the date of  
34 the assignment;

35 (b) An action on the claim has been filed by or on behalf of the  
36 collection agency;

37 (c) The claim has been forwarded to another collection agency  
38 for collection;

39 (d) A lawful and sufficient claim or notice of lien has been filed  
40 by the collection agency on behalf of the customer to ensure  
41 payment from money distributed in connection with the probate of  
42 an estate, proceeding in bankruptcy, assignment for the benefit of  
43 creditors or any similar proceeding; or

44 (e) The collection agency has obtained from the debtor an  
45 enforceable written promise to make payment.



1 3. Upon the withdrawal of any claim, the collection agency  
2 shall return to the customer any documents, records or other items  
3 relating to the claim that have been supplied by the customer.

4 *4. This section does not apply to a debt buyer who is not also*  
5 *collecting claims on behalf of parties who are not affiliated with*  
6 *the debt buyer.*

7 **Sec. 36.** NRS 649.345 is hereby amended to read as follows:

8 649.345 1. Each licensed collection agency shall file with the  
9 Commissioner a written report, signed and sworn to by its  
10 *compliance* manager, no later than ~~January 31~~ *April 15* of each  
11 year, unless the Commissioner determines that there is good cause  
12 for later filing of the report. The report must include:

13 (a) ~~The~~ *If applicable, the* total sum of money due to all  
14 creditors as of the close of the last business day of the preceding  
15 month.

16 (b) ~~The~~ *If applicable, the* total sum on deposit in customer  
17 trust fund accounts and available for immediate distribution as of  
18 the close of the last business day of the preceding month, the title of  
19 the trust account or accounts, and the name of the banks or credit  
20 unions where the money is deposited.

21 (c) ~~The~~ *If applicable, the* total amount of creditors' or  
22 forwarders' share of money collected more than 60 days before the  
23 last business day of the preceding month and not remitted by that  
24 date.

25 (d) When the total sum under paragraph (c) exceeds \$10, the  
26 name of each creditor or forwarder and the respective share of each  
27 in that sum.

28 (e) Such other information, audit or reports as the Commissioner  
29 may require.

30 2. The filing of any report required by this section which is  
31 known by the collection agency to contain false information or  
32 statements constitutes grounds for the suspension of the agency's  
33 license or the *compliance* manager's certificate, or both.

34 **Sec. 37.** NRS 649.347 is hereby amended to read as follows:

35 649.347 1. Each licensed collection agency shall file with the  
36 Commissioner a written report not later than January 31 of each  
37 year, unless the Commissioner determines that there is good cause  
38 for later filing of the report. The report must include:

39 (a) The number of cases in which the collection agency  
40 collected a ~~debt~~ *claim* for a unit-owners' association during the  
41 immediately preceding year;

42 (b) The name of each unit-owners' association for which the  
43 collection agency collected a ~~debt~~ *claim* during the immediately  
44 preceding year and the amount of money collected for each such  
45 unit-owners' association;



1 (c) The total amount of money collected by the collection  
2 agency for unit-owners' associations during the immediately  
3 preceding year;

4 (d) The zip code of each debtor from whom the collection  
5 agency collected a ~~debt~~ claim for a unit-owners' association  
6 during the immediately preceding year; and

7 (e) A statement, signed by the *compliance* manager of the  
8 collection agency, affirming that the collection agency did not  
9 collect a ~~debt~~ claim against any person during the immediately  
10 preceding year in violation of the provisions of paragraph (i) of  
11 subsection 1 of NRS 649.375.

12 2. As used in this section, "unit-owners' association" has the  
13 meaning ascribed to it in NRS 116.011 or 116B.030.

14 **Sec. 38.** NRS 649.355 is hereby amended to read as follows:

15 649.355 1. Every collection agency and collection agent shall  
16 openly, fairly and honestly conduct the collection agency business  
17 and shall at all times conform to the accepted business ethics and  
18 practices of the collection agency business.

19 2. Every licensee shall at all times maintain a separate account  
20 in a bank or credit union in which must be deposited all money  
21 collected. ~~Except as otherwise provided in regulations adopted by~~  
22 ~~the Commissioner pursuant to NRS 649.054, the~~ The account must  
23 be maintained in a bank or credit union located in this State and bear  
24 some title sufficient to distinguish it from the licensee's personal or  
25 general checking account and to designate it as a trust account, such  
26 as "customer's trust fund account." The trust account must at all  
27 times contain sufficient money to pay all money due or owing to all  
28 customers, and no disbursement may be made from the account  
29 except to customers or to pay costs advanced for those customers,  
30 except that a licensee may periodically withdraw from the account  
31 such money as may accrue to the licensee from collections  
32 deposited or from adjustments resulting from costs advanced and  
33 payments made directly to customers.

34 3. Every licensee maintaining a separate custodial or trust  
35 account shall keep a record of all money deposited in the account,  
36 which must indicate clearly the date and from whom the money was  
37 received, the date deposited, the dates of withdrawals and other  
38 pertinent information concerning the transaction, and must show  
39 clearly for whose account the money is deposited and to whom the  
40 money belongs. The money must be remitted to the creditors  
41 respectively entitled thereto within 30 days following the end of the  
42 month in which payment is received. The records and money are  
43 subject to inspection by the Commissioner or the Commissioner's  
44 authorized representative. The records must be maintained at the



1 premises in this State at which the licensee is authorized to conduct  
2 business.

3 4. If the Commissioner finds that a licensee's records are not  
4 maintained pursuant to subsections 2 and 3, the Commissioner may  
5 require the licensee to deliver an audited financial statement  
6 prepared from his or her records by a certified public accountant  
7 who holds a certificate to engage in the practice of public  
8 accounting in this State. The statement must be submitted within 60  
9 days after the Commissioner requests it. The Commissioner may  
10 grant a reasonable extension for the submission of the financial  
11 statement if an extension is requested before the statement is due.

12 **5. Subsections 2, 3 and 4 do not apply to a debt buyer who is**  
13 **not also collecting claims on behalf of parties who are not**  
14 **affiliated with the debt buyer.**

15 **Sec. 39.** NRS 649.365 is hereby amended to read as follows:

16 649.365 1. A collection agency licensed under this chapter  
17 must obtain the approval of the Commissioner before using or  
18 changing a business name.

19 2. A collection agency licensed under this chapter shall not:

20 (a) ~~Use~~ **Except as authorized for a debt buyer in NRS**  
21 **649.075, use** any business name which is identical or similar to a  
22 business name used by another collection agency licensed under this  
23 chapter or which may mislead or confuse the public.

24 (b) Use any printed forms which may mislead or confuse the  
25 public.

26 (c) Use the term "credit bureau" in its name unless it operates a  
27 bona fide credit bureau in conjunction with its collection agency  
28 business. For purposes of this paragraph, "credit bureau" means any  
29 person engaged in gathering, recording and disseminating  
30 information relative to the creditworthiness, financial responsibility,  
31 paying habits or character of persons being considered for credit  
32 extension for prospective creditors.

33 **Sec. 40.** NRS 649.375 is hereby amended to read as follows:

34 649.375 1. A collection agency, or its **compliance** manager,  
35 agents or employees, shall not:

36 (a) Use any device, subterfuge, pretense or deceptive means or  
37 representations to collect any ~~debt,~~ **claim**, nor use any collection  
38 letter, demand or notice which simulates a legal process or purports  
39 to be from any local, city, county, state or government authority or  
40 attorney.

41 (b) Collect or attempt to collect any interest, charge, fee or  
42 expense incidental to the principal obligation unless:

43 (1) Any such interest, charge, fee or expense as authorized  
44 by law **or contract** or as agreed to by the parties has been added to





1 the principal of the **{debt} claim** by the creditor before receipt of the  
2 item of collection;

3 (2) Any such interest, charge, fee or expense as authorized  
4 by law **or contract** or as agreed to by the parties has been added to  
5 the principal of the **{debt} claim** by the collection agency and  
6 described as such in the first written communication with the debtor;  
7 or

8 (3) The interest, charge, fee or expense has been judicially  
9 determined as proper and legally due from and chargeable against  
10 the debtor.

11 (c) Assign or transfer any claim or account upon termination or  
12 abandonment of its collection business unless prior written consent  
13 by the customer is given for the assignment or transfer. The written  
14 consent must contain an agreement with the customer as to all terms  
15 and conditions of the assignment or transfer, including the name and  
16 address of the intended assignee. Prior written consent of the  
17 Commissioner must also be obtained for any bulk assignment or  
18 transfer of claims or accounts, and any assignment or transfer may  
19 be regulated and made subject to such limitations or conditions as  
20 the Commissioner by regulation may reasonably prescribe.

21 (d) Operate its business or solicit claims for collection from any  
22 location, address or post office box other than that listed on its  
23 license or as may be prescribed by the Commissioner **{-}**, **except for**  
24 **employees of a collection agency working from a remote location**  
25 **pursuant to sections 7 to 10, inclusive, of this act.**

26 (e) Harass a debtor's employer in collecting or attempting to  
27 collect a claim, nor engage in any conduct that constitutes  
28 harassment as defined by regulations adopted by the Commissioner.

29 (f) Advertise for sale or threaten to advertise for sale any claim  
30 as a means to enforce payment of the claim, unless acting under  
31 court order.

32 (g) Publish or post, or cause to be published or posted, any list  
33 of debtors except for the benefit of its stockholders or membership  
34 in relation to its internal affairs.

35 (h) Conduct or operate, in conjunction with its collection agency  
36 business, a debt counseling or prorater service for a debtor who has  
37 incurred a **{debt} claim** primarily for personal, family or household  
38 purposes whereby the debtor assigns or turns over to the counselor  
39 or prorater any of the debtor's earnings or other money for  
40 apportionment and payment of the **{debtor's debts} claim** or  
41 obligations **{-} of the debtor**. This section does not prohibit the  
42 conjunctive operation of a business of commercial debt adjustment  
43 with a collection agency if the business deals exclusively with the  
44 collection of commercial debt.

45 (i) Collect a **{debt} claim** from a person who owes fees to:



1 (1) A unit-owners' association, if the collection agency is:

2 (I) Owned or operated by or is an affiliate of a person or  
3 entity who is the community manager for the unit-owners'  
4 association; or

5 (II) Owned or operated by a relative of a person who is  
6 the community manager for the unit-owners' association.

7 (2) A person or entity who is an operator of a tow car, if the  
8 collection agency is:

9 (I) Owned or operated by or is an affiliate of a person or  
10 entity who is the operator of a tow car; or

11 (II) Owned or operated by a relative of a person who is  
12 the operator of a tow car.

13 (3) A person or entity who engages in the business of, acts in  
14 the capacity of or assumes to act as a property manager of an  
15 apartment building, if the collection agency is:

16 (I) Owned or operated by or is an affiliate of the person or  
17 entity who engages in the business of, acts in the capacity of or  
18 assumes to act as the property manager of an apartment building; or

19 (II) Owned or operated by a relative of the person who  
20 engages in the business of, acts in the capacity of or assumes to act  
21 as the property manager of an apartment building.

22 *(j) File a civil action to collect a debt when the collection*  
23 *agency, compliance manager, agent or employee knows or should*  
24 *know that the applicable limitation period for filing such an action*  
25 *has expired.*

26 *(k) Sell an interest in a resolved claim or any personal or*  
27 *financial information related to the resolved claim.*

28 2. As used in this section:

29 (a) "Affiliate" means a person who directly or indirectly,  
30 through one or more intermediaries, controls or is controlled by or is  
31 under common control with another designated person.

32 (b) "Community manager" has the meaning ascribed to it in  
33 NRS 116.023 or 116B.050.

34 (c) "Operator of a tow car" means a person or entity required by  
35 NRS 706.4463 to obtain a certificate of public convenience and  
36 necessity.

37 (d) "Property manager" has the meaning ascribed to it in  
38 NRS 645.0195.

39 (e) "Relative" means a person who is related by blood, adoption,  
40 marriage or domestic partnership within the third degree of  
41 consanguinity or affinity.

42 (f) "Unit-owners' association" has the meaning ascribed to it in  
43 NRS 116.011 or 116B.030.



1       **Sec. 41.** NRS 11.200 is hereby amended to read as follows:  
2       11.200 **1.** The time in NRS 11.190 shall be deemed to date  
3 from the last transaction or the last item charged or last credit given;  
4 and whenever any payment on principal or interest has been or shall  
5 be made upon an existing contract, whether it be a bill of exchange,  
6 promissory note or other evidence of indebtedness if such payment  
7 be made after the same shall have become due, the limitation shall  
8 commence from the time the last payment was made.

9       **2. *Notwithstanding any other provision of law, any payment***  
10 ***on a debt, affirmation of a debt or other activity taken relating to a***  
11 ***debt by a debtor after the time in NRS 11.190 has expired does not***  
12 ***revive the applicable limitation.***

13       **Sec. 42.** (Deleted by amendment.)

14       **Sec. 43.** (Deleted by amendment.)

15       **Sec. 44.** (Deleted by amendment.)

16       **Sec. 45.** (Deleted by amendment.)

17       **Sec. 46.** (Deleted by amendment.)

18       **Sec. 47.** (Deleted by amendment.)

19       **Sec. 48.** NRS 239.010 is hereby amended to read as follows:

20       239.010 **1.** Except as otherwise provided in this section and  
21 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095,  
22 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,  
23 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,  
24 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,  
25 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,  
26 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,  
27 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,  
28 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,  
29 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,  
30 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312,  
31 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015,  
32 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,  
33 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,  
34 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,  
35 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,  
36 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,  
37 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,  
38 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570,  
39 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105,  
40 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050,  
41 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420,  
42 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335,  
43 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150,  
44 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195,  
45 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755,



1 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438,  
2 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,  
3 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910,  
4 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,  
5 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420,  
6 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,  
7 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242,  
8 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080,  
9 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830,  
10 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,  
11 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035,  
12 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271,  
13 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045,  
14 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465,  
15 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525,  
16 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888,  
17 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305,  
18 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028,  
19 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,  
20 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534,  
21 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116,  
22 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,  
23 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,  
24 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209,  
25 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805,  
26 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555,  
27 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,  
28 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940,  
29 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,  
30 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830,  
31 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040,  
32 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,  
33 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303,  
34 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,  
35 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110,  
36 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,  
37 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672,  
38 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332,  
39 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,  
40 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055,  
41 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158,  
42 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,  
43 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,  
44 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,  
45 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,



1 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,  
2 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,  
3 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,  
4 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,  
5 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,  
6 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, **649.095**,  
7 652.126, 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115,  
8 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450,  
9 673.480, 675.380, 676A.340, 676A.370, 677.243, 678A.470,  
10 678C.710, 678C.800, 679B.122, 679B.124, 679B.152, 679B.159,  
11 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260,  
12 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170,  
13 686C.306, 687A.060, 687A.115, 687B.404, 687C.010, 688C.230,  
14 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507,  
15 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615,  
16 696B.550, 696C.120, 703.196, 704B.325, 706.1725, 706A.230,  
17 710.159, 711.600, sections 35, 38 and 41 of chapter 478, Statutes of  
18 Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013  
19 and unless otherwise declared by law to be confidential, all public  
20 books and public records of a governmental entity must be open at  
21 all times during office hours to inspection by any person, and may  
22 be fully copied or an abstract or memorandum may be prepared  
23 from those public books and public records. Any such copies,  
24 abstracts or memoranda may be used to supply the general public  
25 with copies, abstracts or memoranda of the records or may be used  
26 in any other way to the advantage of the governmental entity or of  
27 the general public. This section does not supersede or in any manner  
28 affect the federal laws governing copyrights or enlarge, diminish or  
29 affect in any other manner the rights of a person in any written book  
30 or record which is copyrighted pursuant to federal law.

31 2. A governmental entity may not reject a book or record  
32 which is copyrighted solely because it is copyrighted.

33 3. A governmental entity that has legal custody or control of a  
34 public book or record shall not deny a request made pursuant to  
35 subsection 1 to inspect or copy or receive a copy of a public book or  
36 record on the basis that the requested public book or record contains  
37 information that is confidential if the governmental entity can  
38 redact, delete, conceal or separate, including, without limitation,  
39 electronically, the confidential information from the information  
40 included in the public book or record that is not otherwise  
41 confidential.

42 4. If requested, a governmental entity shall provide a copy of a  
43 public record in an electronic format by means of an electronic  
44 medium. Nothing in this subsection requires a governmental entity



1 to provide a copy of a public record in an electronic format or by  
2 means of an electronic medium if:

3 (a) The public record:

4 (1) Was not created or prepared in an electronic format; and

5 (2) Is not available in an electronic format; or

6 (b) Providing the public record in an electronic format or by  
7 means of an electronic medium would:

8 (1) Give access to proprietary software; or

9 (2) Require the production of information that is confidential  
10 and that cannot be redacted, deleted, concealed or separated from  
11 information that is not otherwise confidential.

12 5. An officer, employee or agent of a governmental entity who  
13 has legal custody or control of a public record:

14 (a) Shall not refuse to provide a copy of that public record in the  
15 medium that is requested because the officer, employee or agent has  
16 already prepared or would prefer to provide the copy in a different  
17 medium.

18 (b) Except as otherwise provided in NRS 239.030, shall, upon  
19 request, prepare the copy of the public record and shall not require  
20 the person who has requested the copy to prepare the copy himself  
21 or herself.

22 **Sec. 49.** Section 6 of this act is hereby amended to read as  
23 follows:

24 Sec. 6. *1.* A collection agency shall display on any  
25 Internet website maintained by the collection agency:

26 ~~1.]~~ (a) The ~~license number issued to~~ *unique identifier*  
27 *registered with the Registry for* the collection agency . ~~By~~  
28 ~~the Commissioner pursuant to NRS 649.135; and~~

29 ~~—2.]~~ (b) The certificate identification number of the  
30 certificate issued to the compliance manager of the collection  
31 agency by the Commissioner pursuant to  
32 NRS 649.225.

33 (c) *The unique identifier registered with the Registry for*  
34 *the compliance manager of the collection agency.*

35 *2. As used in this section, "unique identifier" has the*  
36 *meaning ascribed to it in NRS 649.281.*

37 **Sec. 50.** 1. Notwithstanding the amendatory provisions of  
38 this act, a debt buyer who is operating in this State on October 1,  
39 2023, may continue such operations until January 1, 2024, without  
40 applying for a license as a collection agency pursuant to NRS  
41 649.095, as amended by section 20 of this act. If the debt buyer  
42 applies for such a license on or before January 1, 2024, the debt  
43 buyer may continue such operation in this State without holding  
44 such a license until the license is issued or the application is denied.



1 2. The amendatory provisions of this act do not apply to an  
2 action or arbitration commenced or a judgment entered before  
3 October 1, 2023.

4 3. As used in this section:

5 (a) "Collection agency" has the meaning ascribed to it in NRS  
6 649.020, as amended by section 14 of this act.

7 (b) "Debt buyer" has the meaning ascribed to it in section 3 of  
8 this act.

9 **Sec. 51.** The Legislative Counsel shall:

10 1. In preparing the Nevada Revised Statutes, use the authority  
11 set forth in subsection 10 of NRS 220.120 to substitute  
12 appropriately the term "compliance manager" for the term  
13 "manager" as previously used in reference to the person responsible  
14 for a collection agency.

15 2. In preparing supplements to the Nevada Administrative  
16 Code, substitute appropriately the term "compliance manager" for  
17 the term "manager" as previously used in reference to the person  
18 responsible for a collection agency.

19 **Sec. 52.** NRS 649.054, 649.145, 649.171 and 649.315 are  
20 hereby repealed.

21 **Sec. 53.** 1. This section becomes effective upon passage and  
22 approval.

23 2. Sections 1 to 48, inclusive, 50, 51 and 52 of this act become  
24 effective:

25 (a) Upon passage and approval for the purpose of adopting any  
26 regulations and performing any other preparatory administrative  
27 tasks that are necessary to carry out the provisions of this act; and

28 (b) On October 1, 2023, for all other purposes.

29 3. Section 49 of this act becomes effective on the date on  
30 which the Commissioner of Financial Institutions notifies the  
31 Governor and the Director of the Legislative Counsel Bureau that  
32 the Nationwide Multistate Licensing System and Registry has  
33 sufficient capabilities to allow the Commissioner to carry out the  
34 provisions of chapter 347, Statutes of Nevada 2021, at page 2030.

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## LEADLINES OF REPEALED SECTIONS

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**649.054 Regulations authorizing collection from location  
outside of Nevada; standards for trust accounts.**

**649.145 Conditions for issuance of license; contents of  
license.**



**649.171 Certificate of registration; limitations on business practices; fees; disciplinary action; regulations.**

**649.315 Display of license or certificate.**

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