

**PROPOSED REGULATION OF THE
COMMISSIONER OF FINANCIAL INSTITUTIONS**

LCB File No. R135-08

June 26, 2008

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 670.067; §2, NRS 658.101, 670.067 and 670.250; §3, NRS 670.067 and 670.115; §4, NRS 670.067 and 670.240.

A REGULATION relating to development corporations; revising certain fees; providing requirements related to the confidentiality of financial records; and providing other matters properly relating thereto.

Section 1. Chapter 670 of NAC is hereby amended by adding thereto a new section to read as follows:

Notwithstanding the provisions of NAC 670.080, any application and financial records submitted by a person pursuant to the provisions of this chapter or chapter 670 of NRS, any financial records or other documents submitted by a licensee pursuant to an audit or examination conducted by the Division of Financial Institutions of the Department of Business and Industry and any report of examination by the Division are confidential and may be disclosed only to:

- 1. The Division;*
- 2. An authorized employee of the Division who needs the records for purposes relating to the administration of this chapter or chapter 670 of NRS; or*
- 3. A person or governmental entity that is authorized to obtain the records pursuant to an order issued by a court of competent jurisdiction.*

Sec. 2. NAC 670.010 is hereby amended to read as follows:

670.010 1. The Commissioner of Financial Institutions will charge and collect a fee of ~~[\$30]~~ \$100 per hour from each development corporation for any supervision, examination, audit, investigation or hearing conducted pursuant to chapter 670 of NRS.

2. The Commissioner will bill each development corporation upon the completion of the activity for the fee established in subsection 1. The fee must be paid within 30 days after the date the bill is received. Except as otherwise provided in this subsection, any payment received after that date must include a penalty of 10 percent of the fee plus an additional 1 percent of the fee for each month, or portion of a month, that the fee is not paid. The Commissioner may waive the penalty for good cause.

3. Failure of a development corporation to pay the fee required in subsection 1 as provided in this section constitutes grounds for revocation of its license.

Sec. 3. NAC 670.020 is hereby amended to read as follows:

670.020 An application to conduct business as a development corporation submitted pursuant to NRS 670.115 must be accompanied by:

1. A nonrefundable fee of ~~[\$1,500]~~ \$2,000; and
2. A fee of ~~[\$300]~~ \$500, prorated by the Commissioner of Financial Institutions.

Sec. 4. NAC 670.030 is hereby amended to read as follows:

670.030 1. A licensed development corporation shall pay annually to the Division of Financial Institutions of the Department of Business and Industry a fee of ~~[\$375]~~ \$500 for the renewal of the license.

2. If the Commissioner of Financial Institutions reinstates an expired license, the licensee shall pay a reinstatement fee of ~~[\$300]~~ \$400 in addition to the annual renewal fee prescribed in subsection 1.