

PROPOSED REGULATION OF THE ADMINISTRATOR OF UNCLAIMED PROPERTY

LCB File No. R143-10

(This regulation is comprised of section 6 of LCB File No. R162-09 (LCB Draft), which was removed from that regulation for separate consideration).

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

AUTHORITY: §1, NRS 120A.140 and 120A.690.

A REGULATION relating to unclaimed property; establishing requirements relating to the selection of persons to be audited by the Administrator of Unclaimed Property; and providing other matters properly relating thereto.

Section 1. Chapter 120A of NAC is hereby amended by adding thereto a new section to read as follows:

- 1. Of the audits conducted during each audit cycle, as determined by the Administrator:*
 - (a) Five percent will be conducted of the records of persons randomly selected by the Administrator from a database of holders maintained by the Administrator.*
 - (b) Ninety-five percent will be conducted of the records of persons selected by the Administrator using an objective method established by the Administrator. The method may include, without limitation, the use of:*
 - (1) Risk factors that the Administrator has determined tend to be associated with holders who fail to comply with chapter 120A of NRS; and*
 - (2) Weighted criteria that the Administrator has determined are useful in the selection of persons to be audited.*
- 2. The objective method, including, without limitation, any risk factor or weighted criterion, used by the Administrator to select persons for an audit is confidential. Except as*

otherwise provided in NRS 239.0115, any record maintained by the Administrator concerning the objective method is confidential and is not a public record.