

STATE OF NEVADA



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Governor

DEPARTMENT OF BUSINESS AND INDUSTRY

BRUCE BRESLOW
Director

FINANCIAL INSTITUTIONS DIVISION

GEORGE E. BURNS
Commissioner

November 9, 2015

Request for Information from Small Businesses
AB-325 - The Licensure and Regulation of Private Professional Guardians

To Whom It May Concern:

The Nevada Financial Institutions Division (NFID) is contacting members of the Nevada private professional guardians industry to request information to prepare a small business impact statement on the proposed draft regulations under Nevada Administrative Code pursuant to recently signed legislation by the Governor. The proposed regulations include provisions for the clarification of costs related to fees and assessments, certain definitions, report of changes in information and locations, retention and examinations of records and accounts, confidentiality of records, restrictions, procedures for reinstatement of expired licenses, and provide for other matters properly relating thereto. The proposed regulations and questionnaire are attached and can also be found at the NFID website by selecting the "Proposed Regulations" tab in the Financial Institutions index, then AB-325 PPG.

On 8 June 2015, the Governor signed into law AB-325 that requires persons engaging in the business of private professional guardians to be licensed and regulated in such a manner as to promote advantages and convenience for the public while protecting the public interest. The main purpose of this legislation is to bring under public supervision persons who are engaged in or who desire to engage in the business of a private professional guardian and to ensure that there is established in this State an adequate, efficient and competitive private professional guardian service available to the courts and the public at large.

The Commissioner of the Financial Institutions Division was appointed the regulatory authority and delegated rulemaking authority to implement the provisions of the AB-325 legislation. The first step in the rulemaking process is to consider the impact of the regulation on small businesses and, if necessary, consult with small business owners and prepare a small business impact statement. Before conducting a workshop with the industry on the proposed regulation, NFID must "make a concerted effort to" determine whether the regulation is likely to "impose a direct and significant economic burden upon a small business" or "directly restrict the formation, operation or expansion of a small business (NRS 233B.0608 (1))".

This letter will serve as a request pursuant to NRS 233B.0608 for comment on whether the proposed regulations have any direct and significant economic burden upon small business (defined as fewer than 150 employees) who are engaged in or who desire to engage in the business of a private professional guardian. **Please complete the attached questionnaire and send it to the Financial Institutions Division at 2785 E. Desert Inn Road, Suite 180, Las Vegas, Nevada 89121, or E-mail to FIDmaster@fid.state.nv.us, or Fax to (702) 486-4563 on or before November 19, 2015.** A regulatory workshop will be scheduled in the near future and affected businesses and interested parties will be notified of the exact date, time, and location of the workshop.

Sincerely,

Leonard J. Esterly Jr.
Deputy Commissioner

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