

## PROPOSED CHANGES TO NRS 353C.150

June 7, 2018

### **NRS 353C.150 Application for entry of summary judgment: Conditions; notice to debtor; filing requirements.**

1. In addition to any other remedy provided for in this chapter, if a person who owes a debt to an agency:

(a) Fails to pay the debt when it is due, or fails to pay an agreed upon amount in satisfaction of the debt; or

(b) Defaults on a written or other agreement relating to the payment of the debt,  
Ê the State Controller or Agency may, within 4 years after the date on which the debt became due or the date on which the debtor defaulted, as appropriate, file with the office of the clerk of a court of competent jurisdiction an application for the entry of summary judgment against the debtor for the amount due.

2. The State Controller or Agency shall, not less than 15 days before the date on which he or she intends to file the application, notify the debtor of the State Controller's or Agency's intention to file the application. The notification must be sent by certified mail to the last known address of the debtor and must include the name of the agency to which the debt is owed, the amount sought to be recovered and the date on which the application will be filed with the court.

3. An application for the entry of summary judgment must:

(a) Be accompanied by a certificate that specifies:

(1) The amount of the debt, including any interest and penalties due;

(2) The name and address of the debtor, as the name and address of the debtor appear on the records of the State Controller or Agency;

(3) The basis for the determination of the amount due; and

(4) That the State Controller or Agency has complied with the applicable provisions of law relating to the determination of the amount required to be paid; and

(b) Include:

(1) A request that judgment be entered against the debtor for the amount specified in the certificate; and

(2) Evidence that the debtor was notified of the application for the entry of summary judgment in accordance with subsection 2.