

Nev. Rev. Stat. Ann. § 116.310695

This document is current through the end of legislation from the 82nd Regular Session (2023). This document incorporates revisions received from the Legislative Counsel Bureau for NRS Chapters 1 to 220. This document is current through the end of legislation from the 34th and 35th Special Sessions (2023), subject to revision by the Legislative Counsel Bureau.

Nevada Revised Statutes Annotated > Title 10. Property Rights and Transactions. (Chs. 111 — 120A) > Chapter 116. Common-Interest Ownership (Uniform Act). (Art. 1) > Article 3 Management of Common-Interest Communities. > General Provisions. (§§ 116.3101 — 116.31073)

116.310695. Internet website or electronic portal that provides ability to pay obligations electronically; cybersecurity insurance; suspension of payments assigned for collection; compliance with requirements relating to personal information; requirement to conduct evaluation and make determination that providing ability to pay obligations electronically is in best interest of association

1. An Internet website or electronic portal established and maintained by an association pursuant to NRS 116.31069 may provide units' owners with the ability to pay obligations electronically only if:

(a) The association, or if the association has contracted with a payment processor, the payment processor, maintains a policy of cybersecurity insurance in a minimum aggregate amount of \$5,000,000 that provides coverage for potential losses associated with the unauthorized acquisition of personal information provided to process payments through the Internet website or electronic portal, including, without limitation, losses caused by identity theft.

(b) For an association that has contracted with a payment processor who maintains a policy of cybersecurity insurance described in paragraph (a), the association must maintain its own policy of cybersecurity insurance in a minimum aggregate amount of:

(1) For an association that contains 150 units or less, \$250,000;

(2) For an association that contains more than 150 units and not more than 250 units, \$500,000; and

(3) For an association that contains 250 units or more, \$1,000,000.

(c) The Internet website or electronic portal allows the association or payment processor to suspend the ability of a unit's owner to make a payment through the Internet website or electronic portal concerning any past due obligation that has been assigned to a third party for collection.

- (d) The association or payment processor complies with the requirements of NRS 603A.010 to 603A.290, inclusive, with respect to any personal information collected through the Internet website or online portal.
- (e) The executive board of the association has conducted an evaluation of the costs and benefits of providing units' owners the ability to pay obligations through the Internet website or electronic portal, including, without limitation, the cost of the cybersecurity insurance required by this section and the potential impact on units' owners in the association, and has determined that providing units' owners the ability to make such payments through the Internet website or electronic portal is in the best interest of the association.
2. Nothing in this section requires a third party who has been assigned a past due obligation for collection to provide the debtor with the ability to pay the past due obligation through an Internet website or electronic portal.
3. As used in this section:
- (a) "Cybersecurity insurance" means insurance that provides coverage for losses arising out of or relating to data breaches, unauthorized intrusions into an information system, computer viruses, ransomware, identity theft and similar exposures.
- (b) "Obligation" has the meaning ascribed to it in NRS 116.310313.
- (c) "Payment processor" means a person with whom an association has contracted to process payments made through an Internet website or electronic portal established and maintained by an association pursuant to NRS 116.31069 on behalf of the association.
- (d) "Personal information" has the meaning ascribed to it in NRS 603A.040.

History

2023, ch. 436, § 1, p. 2682, effective June 13, 2023.