

REQUIRES TWO-THIRDS MAJORITY VOTE

(§§ 1, 3-5, 9-13, 15, 16, 19, 25, 26, 28, 29, 32-36, 38,
39, 43-45, 47-51, 53, 57, 63, 67-70, 72-76)

A.B. 319

ASSEMBLY BILL NO. 319—ASSEMBLYMEN TOLLES,
YEAGER, ROBERTS; HANSEN AND LEAVITT

MARCH 18, 2019

JOINT SPONSORS: SENATORS KIECKHEFER,
DENIS, SEEVERS GANSERT; AND BROOKS

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing professional licensing.
(BDR 54-314)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to professional licensing; authorizing a person to petition a professional or occupational licensing board for a determination of whether the person's criminal history will disqualify him or her from obtaining a license; requiring a professional or occupational licensing board to implement a process for such a petition; establishing certain requirements for such process; requiring a professional or occupational licensing board to make a quarterly report to the Legislative Counsel Bureau with certain information; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law allows a person to apply for various professional and occupational
2 licenses if a person meets the requirements established in statute and by the
3 professional or occupational licensing board which grants the license. (Title 54 of
4 NRS; Chapters 1, 7, 90, 116A, 119A, 232B, 240A, 244, 289, 361, 379, 394, 433,
5 435, 445B, 453A, 455C, 457, 463, 466, 467, 477, 482, 483, 487, 489, 490, 502-
6 505, 534, 544, 555, 557, 576, 581, 582, 584, 587, 599A, 599B, 618 and 706 of
7 NRS, NRS 391.060, 458.0255, 458.0256) Existing law requires certain boards to
8 submit a quarterly report to the Director of the Legislative Counsel Bureau



9 containing certain information. (NRS 622.100) **Section 1** of this bill requires a
10 regulatory body to develop and implement a process by which a person can petition
11 the regulatory body for a determination of whether the person's criminal history
12 will disqualify the person from obtaining a license from the regulatory body.
13 **Section 1** requires the regulatory body to inform the person of the regulatory
14 body's determination within 60 days after the petition is submitted and allows the
15 regulatory body to rescind the determination at any time. **Section 1** authorizes a
16 regulatory body to provide instructions to a person who receives a determination of
17 disqualification to remedy the determination and resubmit his or her petition after
18 remedying the determination. **Section 1** authorizes a person to petition the
19 regulatory body at any time, including before obtaining any education necessary to
20 obtain a license. **Section 1** authorizes the regulatory body to charge a fee of up
21 to \$25 for the costs of considering a petition. **Section 1** requires a regulatory body
22 to post information on its Internet website concerning the requirements for
23 obtaining a license and a list of crimes that would disqualify a person for a license.
24 **Section 2** of this bill requires a regulatory body to include certain information
25 concerning the determinations of qualification or disqualification in its quarterly
26 report to the Director of the Legislative Counsel Bureau. **Sections 3-5, 9-13, 15, 16,**
27 **19, 25, 26, 28, 29, 32-36, 38, 39, 43-45, 47-51, 53, 57, 63, 67-70 and 72-76** of this
28 bill replicate the requirements of **section 1** for other professional or occupational
29 licensing boards, in addition to requiring the respective professional or occupational
30 licensing board to submit a quarterly report to the Director of the Legislative
31 Counsel Bureau containing certain information.

32 Existing law establishes the Sunset Subcommittee of the Legislative
33 Commission. (NRS 232B.210-232B.250) Existing law requires the Sunset
34 Subcommittee to conduct reviews of the professional and occupational licensing
35 boards in this State and make recommendations on the continued existence or
36 efficiency of the board. (NRS 232B.220, 232B.250) **Section 6** of this bill requires
37 the Sunset Subcommittee to conduct a review of each professional or occupational
38 licensing board and regulatory body in this State to determine whether the
39 restrictions on the criminal history of an applicant for an occupational or
40 professional license are appropriate. **Section 8** of this bill requires the Sunset
41 Subcommittee to include in any recommendation made on the appropriateness of a
42 restriction on the criminal history of an applicant suggestions for legislative action.

43 **Sections 7, 14, 17, 18, 20-24, 27, 30, 31, 37, 40-42, 46, 52, 54-56, 58-62, 64-**
44 **66, 71 and 77-85** of this bill make conforming changes.

1 WHEREAS, The right of a natural person to pursue an occupation
2 or profession is a fundamental right; and

3 WHEREAS, Regulations of occupations and professions shall be
4 construed and applied to increase economic opportunities, promote
5 competition and encourage innovation; and

6 WHEREAS, Where the State of Nevada finds it is necessary to
7 displace competition, it will use the least restrictive regulation
8 necessary to protect consumers from present, significant and
9 substantiated harms that threaten public health and safety; and

10 WHEREAS, A regulation of an occupation or profession may be
11 enforced against a natural person only to the extent the natural
12 person sells goods or provides services that are explicitly included
13 in the statute that defines the scope of practice of the occupation;
14 and



1 WHEREAS, The fundamental right of a natural person to pursue
2 an occupation includes the right of a natural person with a criminal
3 history to obtain an occupational or professional license; now,
4 therefore,

5
6 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
7 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
8

9 **Section 1.** Chapter 622 of NRS is hereby amended by adding
10 thereto a new section to read as follows:

11 *1. Except as otherwise provided in chapter 648 of NRS, a*
12 *regulatory body shall develop and implement a process by which a*
13 *person with a criminal history may petition the regulatory body to*
14 *review the criminal history of the person to determine if the*
15 *person's criminal history will disqualify the person from obtaining*
16 *a license from the regulatory body.*

17 *2. Not later than 60 days after a petition is submitted to a*
18 *regulatory body pursuant to subsection 1, a regulatory body shall*
19 *inform the person of the determination of the regulatory body of*
20 *whether the person's criminal history will disqualify the person*
21 *from obtaining a license. A regulatory body may rescind a*
22 *determination of disqualification or qualification at any time.*

23 *3. A regulatory body may provide instructions to a person*
24 *who receives a determination of disqualification to remedy the*
25 *determination of disqualification. A person may resubmit a*
26 *petition pursuant to subsection 1 not earlier than 6 months after*
27 *receiving instructions pursuant to this subsection if the person*
28 *remedies the determination of disqualification.*

29 *4. A person with a criminal history may petition the*
30 *regulatory body at any time, including, without limitation, before*
31 *obtaining any education or paying any fee required to obtain a*
32 *license from the regulatory body.*

33 *5. A person may submit a new petition to the regulatory body*
34 *not earlier than 2 years after the final determination of the initial*
35 *petition submitted to the regulatory body.*

36 *6. A regulatory body may impose a fee of up to \$25 upon the*
37 *person to fund the administrative costs in complying with the*
38 *provisions of this section. A regulatory body may waive such fees*
39 *or allow such fees to be covered by funds from a scholarship or*
40 *grant.*

41 *7. A regulatory body shall post on its Internet website:*

42 *(a) The requirements to obtain a license from the regulatory*
43 *body; and*



1 *(b) A list of crimes, if any, that would disqualify a person from*
2 *obtaining a license from the regulatory body.*

3 **Sec. 2.** NRS 622.100 is hereby amended to read as follows:

4 622.100 1. Each regulatory body shall, on or before the 20th
5 day of January, April, July and October, submit to the Director of
6 the Legislative Counsel Bureau in an electronic format prescribed
7 by the Director:

8 (a) A summary of each disciplinary action taken by the
9 regulatory body during the immediately preceding calendar quarter
10 against any licensee of the regulatory body; and

11 (b) A report that includes:

12 (1) For the immediately preceding calendar quarter:

13 (I) The number of licenses issued by the regulatory body;

14 (II) The total number of applications for licensure
15 received by the regulatory body;

16 (III) The number of applications rejected by the
17 regulatory body as incomplete;

18 (IV) The average number of days between the date of
19 rejection of an application as incomplete and the resubmission by
20 the applicant of a complete application;

21 (V) A list of each reason given by the regulatory body for
22 the denial of an application and the number of applications denied
23 by the regulatory body for each such reason; ~~and~~

24 (VI) The number of applications reviewed on an
25 individual basis by the regulatory body or the executive head of the
26 regulatory body; ~~and~~

27 *(VII) The number of petitions submitted to the*
28 *regulatory body pursuant to section 1 of this act;*

29 *(VIII) The number of determinations of disqualification*
30 *made by the regulatory body pursuant to section 1 of this act; and*

31 *(IX) The reasons for such determinations; and*

32 (2) Any other information that is requested by the Director or
33 which the regulatory body determines would be helpful to the
34 Legislature in evaluating whether the continued existence of the
35 regulatory body is necessary.

36 2. The Director shall:

37 (a) Provide any information received pursuant to subsection 1 to
38 a member of the public upon request;

39 (b) Cause a notice of the availability of such information to be
40 posted on the public website of the Nevada Legislature on the
41 Internet; and

42 (c) Transmit a compilation of the information received pursuant
43 to subsection 1 to the Legislative Commission quarterly, unless
44 otherwise directed by the Commission.



1 3. The Director, on or before the first day of each regular
2 session of the Legislature and at such other times as directed, shall
3 compile the reports received pursuant to paragraph (b) of subsection
4 1 and distribute copies of the compilation to the Senate Standing
5 Committee on Commerce, Labor and Energy and the Assembly
6 Standing Committee on Commerce and Labor, each of which shall
7 review the compilation to determine whether the continued
8 existence of each regulatory body is necessary.

9 **Sec. 3.** Chapter 1 of NRS is hereby amended by adding thereto
10 a new section to read as follows:

11 *1. The Court Administrator shall develop and implement a*
12 *process by which a person with a criminal history may petition the*
13 *Court Administrator to review the criminal history of the person to*
14 *determine if the person's criminal history will disqualify the*
15 *person from obtaining a certificate or registration as a court*
16 *interpreter pursuant to NRS 1.510.*

17 *2. Not later than 60 days after a petition is submitted to the*
18 *Court Administrator pursuant to subsection 1, the Court*
19 *Administrator shall inform the person of the determination of the*
20 *Court Administrator of whether the person's criminal history will*
21 *disqualify the person from obtaining a certificate or registration.*
22 *The Court Administrator may rescind a determination of*
23 *disqualification or qualification at any time.*

24 *3. The Court Administrator may provide instructions to a*
25 *person who receives a determination of disqualification to remedy*
26 *the determination of disqualification. A person may resubmit a*
27 *petition pursuant to subsection 1 not earlier than 6 months after*
28 *receiving instructions pursuant to this subsection if the person*
29 *remedies the determination of disqualification.*

30 *4. A person with a criminal history may petition the Court*
31 *Administrator at any time, including, without limitation, before*
32 *obtaining any education or paying any fee required to obtain a*
33 *certificate or registration.*

34 *5. A person may submit a new petition to the Court*
35 *Administrator not earlier than 2 years after the final*
36 *determination of the initial petition submitted to the Court*
37 *Administrator.*

38 *6. The Court Administrator may impose a fee of up to \$25*
39 *upon the person to fund the administrative costs in complying with*
40 *the provisions of this section. The Court Administrator may waive*
41 *such fees or allow such fees to be covered by funds from a*
42 *scholarship or grant.*

43 *7. The Court Administrator shall post on its Internet website:*

44 *(a) The requirements to obtain a certification or registration as*
45 *a court interpreter; and*



1 (b) *A list of crimes, if any, that would disqualify a person from*
2 *obtaining a certification or registration as a court interpreter from*
3 *the Court Administrator.*

4 8. *The Court Administrator shall, on or before the 20th day*
5 *of January, April, July and October, submit to the Director of the*
6 *Legislative Counsel Bureau in an electronic format prescribed by*
7 *the Director, a report that includes:*

8 (a) *The number of petitions submitted to the Court*
9 *Administrator pursuant to subsection 1;*

10 (b) *The number of determinations of disqualification made by*
11 *the Court Administrator pursuant to subsection 1;*

12 (c) *The reasons for such determinations; and*

13 (d) *Any other information that is requested by the Director or*
14 *which the Court Administrator determines would be helpful.*

15 9. *The Director shall transmit a compilation of the*
16 *information received pursuant to subsection 8 to the Legislative*
17 *Commission quarterly, unless otherwise directed by the*
18 *Commission.*

19 **Sec. 4.** Chapter 116A of NRS is hereby amended by adding
20 thereto a new section to read as follows:

21 1. *The Division shall develop and implement a process by*
22 *which a person with a criminal history may petition the Division to*
23 *review the criminal history of the person to determine if the*
24 *person's criminal history will disqualify the person from obtaining*
25 *a certificate or registration pursuant to this chapter.*

26 2. *Not later than 60 days after a petition is submitted to the*
27 *Division pursuant to subsection 1, the Division shall inform*
28 *the person of the determination of the Division of whether the*
29 *person's criminal history will disqualify the person from obtaining*
30 *a certificate or registration. The Division may rescind a*
31 *determination of disqualification or qualification at any time.*

32 3. *The Division may provide instructions to a person who*
33 *receives a determination of disqualification to remedy the*
34 *determination of disqualification. A person may resubmit a*
35 *petition pursuant to subsection 1 not earlier than 6 months after*
36 *receiving instructions pursuant to this subsection if the person*
37 *remedies the determination of disqualification.*

38 4. *A person with a criminal history may petition the Division*
39 *at any time, including, without limitation, before obtaining any*
40 *education or paying any fee required to obtain a certificate or*
41 *registration.*

42 5. *A person may submit a new petition to the Division not*
43 *earlier than 2 years after the final determination of the initial*
44 *petition submitted to the Division.*



1 6. *The Division may impose a fee of up to \$25 upon the*
2 *person to fund the administrative costs in complying with the*
3 *provisions of this section. The Division may waive such fees or*
4 *allow such fees to be covered by funds from a scholarship or*
5 *grant.*

6 7. *The Division shall post on its Internet website:*

7 (a) *The requirements to obtain a certificate or registration*
8 *from the Division; and*

9 (b) *A list of crimes, if any, that would disqualify a person from*
10 *obtaining a certificate or registration from the Division.*

11 8. *The Division shall, on or before the 20th day of January,*
12 *April, July and October, submit to the Director of the Legislative*
13 *Counsel Bureau in an electronic format prescribed by the*
14 *Director, a report that includes:*

15 (a) *The number of petitions submitted to the Division pursuant*
16 *to subsection 1;*

17 (b) *The number of determinations of disqualification made by*
18 *the Division pursuant to subsection 1;*

19 (c) *The reasons for such determinations; and*

20 (d) *Any other information that is requested by the Director or*
21 *which the Division determines would be helpful.*

22 9. *The Director shall transmit a compilation of the*
23 *information received pursuant to subsection 8 to the Legislative*
24 *Commission quarterly, unless otherwise directed by the*
25 *Commission.*

26 **Sec. 5.** Chapter 119A of NRS is hereby amended by adding
27 thereto a new section to read as follows:

28 1. *The Division shall develop and implement a process by*
29 *which a person with a criminal history may petition the Division to*
30 *review the criminal history of the person to determine if the*
31 *person's criminal history will disqualify the person from obtaining*
32 *a license or registration pursuant to this chapter.*

33 2. *Not later than 60 days after a petition is submitted to the*
34 *Division pursuant to subsection 1, the Division shall inform*
35 *the person of the determination of the Division of whether the*
36 *person's criminal history will disqualify the person from obtaining*
37 *a license or registration. The Division may rescind a*
38 *determination of disqualification or qualification at any time.*

39 3. *The Division may provide instructions to a person who*
40 *receives a determination of disqualification to remedy the*
41 *determination of disqualification. A person may resubmit a*
42 *petition pursuant to subsection 1 not earlier than 6 months after*
43 *receiving instructions pursuant to this subsection if the person*
44 *remedies the determination of disqualification.*



1 4. A person with a criminal history may petition the Division
2 at any time, including, without limitation, before obtaining any
3 education or paying any fee required to obtain a license or
4 registration from the Division.

5 5. A person may submit a new petition to the Division not
6 earlier than 2 years after the final determination of the initial
7 petition submitted to the Division.

8 6. The Division may impose a fee of up to \$25 upon the
9 person to fund the administrative costs in complying with the
10 provisions of this section. The Division may waive such fees or
11 allow such fees to be covered by funds from a scholarship or
12 grant.

13 7. The Division shall post on its Internet website:

14 (a) The requirements to obtain a license or registration from
15 the Division; and

16 (b) A list of crimes, if any, that would disqualify a person from
17 obtaining a license or registration from the Division.

18 8. The Division shall, on or before the 20th day of January,
19 April, July and October, submit to the Director of the Legislative
20 Counsel Bureau in an electronic format prescribed by the
21 Director, a report that includes:

22 (a) The number of petitions submitted to the Division pursuant
23 to subsection 1;

24 (b) The number of determinations of disqualification made by
25 the Division pursuant to subsection 1;

26 (c) The reasons for such determinations; and

27 (d) Any other information that is requested by the Director or
28 which the Division determines would be helpful.

29 9. The Director shall transmit a compilation of the
30 information received pursuant to subsection 8 to the Legislative
31 Commission quarterly, unless otherwise directed by the
32 Commission.

33 **Sec. 6.** Chapter 232B of NRS is hereby amended by adding
34 thereto a new section to read as follows:

35 1. The Sunset Subcommittee of the Legislative Commission
36 shall conduct a review of each professional or occupational
37 licensing board and regulatory body in this State to determine
38 whether the restrictions on the criminal history of an applicant for
39 an occupational or professional license are appropriate.

40 2. Each professional or occupational licensing board and
41 regulatory body subject to review pursuant to subsection 1 must
42 submit information to the Sunset Subcommittee on a form
43 prescribed by the Sunset Subcommittee. The information must
44 include, without limitation:



1 (a) *The number of petitions submitted to a professional or*
2 *occupational licensing board and regulatory body pursuant to*
3 *sections 1, 3-5, 9-13, 15, 16, 19, 25, 26, 28, 29, 32-36, 38, 39, 43-*
4 *45, 47-51, 53, 57, 63, 67-70 and 72-76 of this act;*

5 (b) *The number of determinations of disqualification made by*
6 *the professional or occupational licensing board and regulatory*
7 *body pursuant to sections 1, 3-5, 9-13, 15, 16, 19, 25, 26, 28, 29,*
8 *32-36, 38, 39, 43-45, 47-51, 53, 57, 63, 67-70 and 72-76 of this act;*
9 *and*

10 (c) *The reasons for such determinations of disqualification.*

11 3. *As used in this section, "regulatory body" has the meaning*
12 *ascribed to it in NRS 622.060.*

13 **Sec. 7.** NRS 232B.220 is hereby amended to read as follows:

14 232B.220 1. The Sunset Subcommittee of the Legislative
15 Commission shall conduct a review of each board and commission
16 in this State which is not provided for in the Nevada Constitution or
17 established by an executive order of the Governor to determine
18 whether the board or commission should be terminated, modified,
19 consolidated with another board or commission or continued. Such a
20 review must include, without limitation:

21 (a) An evaluation of the major policies and programs of the
22 board or commission, including, without limitation, an examination
23 of other programs or services offered in this State to determine if
24 any other provided programs or services duplicate those offered by
25 the board or commission;

26 (b) Any recommendations for improvements in the policies and
27 programs offered by the board or commission; and

28 (c) A determination of whether any statutory tax exemptions,
29 abatements or money set aside to be provided to the board or
30 commission should be terminated, modified or continued.

31 2. The Sunset Subcommittee shall review not less than 10
32 boards and commissions specified in subsection 1 each legislative
33 interim.

34 3. Any action taken by the Sunset Subcommittee concerning a
35 board or commission pursuant to NRS 232B.210 to 232B.250,
36 inclusive, *and section 6 of this act* is in addition or supplemental to
37 any action taken by the Legislative Commission pursuant to NRS
38 232B.010 to 232B.100, inclusive.

39 **Sec. 8.** NRS 232B.250 is hereby amended to read as follows:

40 232B.250 1. If the Sunset Subcommittee of the Legislative
41 Commission determines to recommend the termination of a board or
42 commission, its recommendation must include suggestions for
43 appropriate direct legislative action, if any, which is made necessary
44 or desirable by the termination of the board or commission.



1 2. If the Sunset Subcommittee determines to recommend the
2 consolidation, modification or continuation of a board or
3 commission, its recommendation must include suggestions for
4 appropriate direct legislative action, if any, which would make the
5 operation of the board or commission or its successor more efficient
6 or effective.

7 3. *If the Sunset Subcommittee determines to recommend the*
8 *modification, continuation or removal of the restrictions on the*
9 *criminal history of an applicant for an occupational or*
10 *professional license, its recommendation must include suggestions*
11 *for appropriate direct legislative action, if any, which is made*
12 *necessary or desirable by any modification, continuation or*
13 *removal of such restrictions.*

14 4. On or before June 30, 2012, the Sunset Subcommittee shall
15 make all of its initial recommendations pursuant to this section, if
16 any. The Sunset Subcommittee shall make all subsequent
17 recommendations pursuant to this section, if any, on or before
18 June 30 of each even-numbered year occurring thereafter.

19 **Sec. 9.** Chapter 240A of NRS is hereby amended by adding
20 thereto a new section to read as follows:

21 1. *The Secretary of State shall develop and implement a*
22 *process by which a person with a criminal history may petition the*
23 *Secretary of State to review the criminal history of the person to*
24 *determine if the person's criminal history will disqualify the*
25 *person from obtaining a registration pursuant to NRS 240A.100.*

26 2. *Not later than 60 days after a petition is submitted to the*
27 *Secretary of State pursuant to subsection 1, the Secretary of State*
28 *shall inform the person of the determination of the Secretary of*
29 *State of whether the person's criminal history will disqualify the*
30 *person from obtaining a registration. The Secretary of State may*
31 *rescind a determination of disqualification or qualification at any*
32 *time.*

33 3. *The Secretary of State may provide instructions to a person*
34 *who receives a determination of disqualification to remedy the*
35 *determination of disqualification. A person may resubmit a*
36 *petition pursuant to subsection 1 not earlier than 6 months after*
37 *receiving instructions pursuant to this subsection if the person*
38 *remedies the determination of disqualification.*

39 4. *A person with a criminal history may petition the Secretary*
40 *of State at any time, including, without limitation, before*
41 *obtaining any education or paying any fee required to obtain a*
42 *registration from the Secretary of State.*

43 5. *A person may submit a new petition to the Secretary of*
44 *State not earlier than 2 years after the final determination of the*
45 *initial petition submitted to the Secretary of State.*



1 6. *The Secretary of State may impose a fee of up to \$25 upon*
2 *the person to fund the administrative costs in complying with the*
3 *provisions of this section. The Secretary of State may waive such*
4 *fees or allow such fees to be covered by funds from a scholarship*
5 *or grant.*

6 7. *The Secretary of State shall post on its Internet website:*
7 (a) *The requirements to obtain a registration pursuant to NRS*
8 *240A.100 from the Secretary of State; and*

9 (b) *A list of crimes, if any, that would disqualify a person from*
10 *obtaining a registration from the Secretary of State.*

11 8. *The Secretary of State shall, on or before the 20th day of*
12 *January, April, July and October, submit to the Director of the*
13 *Legislative Counsel Bureau in an electronic format prescribed by*
14 *the Director, a report that includes:*

15 (a) *The number of petitions submitted to the Secretary of State*
16 *pursuant to subsection 1;*

17 (b) *The number of determinations of disqualification made by*
18 *the Secretary of State pursuant to subsection 1;*

19 (c) *The reasons for such determinations; and*

20 (d) *Any other information that is requested by the Director or*
21 *which the Secretary of State determines would be helpful.*

22 9. *The Director shall transmit a compilation of the*
23 *information received pursuant to subsection 8 to the Legislative*
24 *Commission quarterly, unless otherwise directed by the*
25 *Commission.*

26 **Sec. 10.** Chapter 244 of NRS is hereby amended by adding
27 thereto a new section to read as follows:

28 1. *A board of county commissioners or county license board*
29 *shall develop and implement a process by which a person with a*
30 *criminal history may petition the board of county commissioners*
31 *or county license board to review the criminal history of the*
32 *person to determine if the person's criminal history will disqualify*
33 *the person from obtaining a license.*

34 2. *Not later than 60 days after a petition is submitted to a*
35 *board of county commissioners or county license board pursuant*
36 *to subsection 1, a board of county commissioners or county license*
37 *board shall inform the person of the determination of the board of*
38 *county commissioners or county license board of whether the*
39 *person's criminal history will disqualify the person from obtaining*
40 *a license. The board of county commissioners or county license*
41 *board may rescind a determination of disqualification or*
42 *qualification at any time.*

43 3. *A board of county commissioners or county license board*
44 *may provide instructions to a person who receives a determination*
45 *of disqualification to remedy the determination of disqualification.*



1 *A person may resubmit a petition pursuant to subsection 1 not*
2 *earlier than 6 months after receiving instructions pursuant to this*
3 *subsection if the person remedies the determination of*
4 *disqualification.*

5 *4. A person with a criminal history may petition the board of*
6 *county commissioners or county license board at any time,*
7 *including, without limitation, before obtaining any education or*
8 *paying any fee required to obtain a license from the board of*
9 *county commissioners or county license board.*

10 *5. A person may submit a new petition to the board of county*
11 *commissioners or county license board not earlier than 2 years*
12 *after the final determination of the initial petition submitted to the*
13 *board of county commissioners or county license board.*

14 *6. A board of county commissioners or county license board*
15 *may impose a fee of up to \$25 upon the person to fund the*
16 *administrative costs in complying with the provisions of this*
17 *section. A board of county commissioners or county license board*
18 *may waive such fees or allow such fees to be covered by funds*
19 *from a scholarship or grant.*

20 *7. A board of county commissioners or county license board*
21 *shall post on its Internet website:*

22 *(a) The requirements to obtain a license from the board of*
23 *county commissioners or county license board, as applicable; and*

24 *(b) A list of crimes, if any, that would disqualify a person from*
25 *obtaining a license from a board of county commissioners or*
26 *county license board.*

27 *8. A board of county commissioners or county license board*
28 *shall, on or before the 20th day of January, April, July and*
29 *October, submit to the Director of the Legislative Counsel Bureau*
30 *in an electronic format prescribed by the Director, a report that*
31 *includes:*

32 *(a) The number of petitions submitted to a board of county*
33 *commissioners or county license board pursuant to subsection 1;*

34 *(b) The number of determinations of disqualification made by*
35 *a board of county commissioners or county license board pursuant*
36 *to subsection 1;*

37 *(c) The reasons for such determinations; and*

38 *(d) Any other information that is requested by the Director or*
39 *which a board of county commissioners or county license board*
40 *determines would be helpful.*

41 *9. The Director shall transmit a compilation of the*
42 *information received pursuant to subsection 8 to the Legislative*
43 *Commission quarterly, unless otherwise directed by the*
44 *Commission.*



1 **Sec. 11.** Chapter 361 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *The Department shall develop and implement a process by*
4 *which a person with a criminal history may petition the*
5 *Department to review the criminal history of the person to*
6 *determine if the person's criminal history will disqualify the*
7 *person from obtaining an appraiser's certificate pursuant to*
8 *NRS 361.221.*

9 2. *Not later than 60 days after a petition is submitted to the*
10 *Department pursuant to subsection 1, the Department shall inform*
11 *the person of the determination of the Department of whether the*
12 *person's criminal history will disqualify the person from obtaining*
13 *a certificate. The Department may rescind a determination of*
14 *disqualification or qualification at any time.*

15 3. *The Department may provide instructions to a person who*
16 *receives a determination of disqualification to remedy the*
17 *determination of disqualification. A person may resubmit a*
18 *petition pursuant to subsection 1 not earlier than 6 months after*
19 *receiving instructions pursuant to this subsection if the person*
20 *remedies the determination of disqualification.*

21 4. *A person with a criminal history may petition the*
22 *Department at any time, including, without limitation, before*
23 *obtaining any education or paying any fee required to obtain a*
24 *certificate from the Department.*

25 5. *A person may submit a new petition to the Department not*
26 *earlier than 2 years after the final determination of the initial*
27 *petition submitted to the Department.*

28 6. *The Department may impose a fee of up to \$25 upon the*
29 *person to fund the administrative costs in complying with the*
30 *provisions of this section. The Department may waive such fees or*
31 *allow such fees to be covered by funds from a scholarship or*
32 *grant.*

33 7. *The Department shall post on its Internet website:*

34 (a) *The requirements to obtain an appraiser's certificate from*
35 *the Department; and*

36 (b) *A list of crimes, if any, that would disqualify a person from*
37 *obtaining a certificate from the Department.*

38 8. *The Department shall, on or before the 20th day of*
39 *January, April, July and October, submit to the Director of the*
40 *Legislative Counsel Bureau in an electronic format prescribed by*
41 *the Director, a report that includes:*

42 (a) *The number of petitions submitted to the Department*
43 *pursuant to subsection 1;*

44 (b) *The number of determinations of disqualification made by*
45 *the Department pursuant to subsection 1;*



1 (c) *The reasons for such determinations; and*
2 (d) *Any other information that is requested by the Director or*
3 *which the Department determines would be helpful.*

4 9. *The Director shall transmit a compilation of the*
5 *information received pursuant to subsection 8 to the Legislative*
6 *Commission quarterly, unless otherwise directed by the*
7 *Commission.*

8 **Sec. 12.** Chapter 379 of NRS is hereby amended by adding
9 thereto a new section to read as follows:

10 1. *The State Library, Archives and Public Records*
11 *Administrator shall develop and implement a process by which a*
12 *person with a criminal history may petition the State Library,*
13 *Archives and Public Records Administrator to review the criminal*
14 *history of the person to determine if the person's criminal history*
15 *will disqualify the person from obtaining a certification pursuant*
16 *to NRS 379.0073.*

17 2. *Not later than 60 days after a petition is submitted to the*
18 *State Library, Archives and Public Records Administrator*
19 *pursuant to subsection 1, the State Library, Archives and Public*
20 *Records Administrator shall inform the person of the*
21 *determination of the State Library, Archives and Public Records*
22 *Administrator of whether the person's criminal history will*
23 *disqualify the person from obtaining a certification. The State*
24 *Library, Archives and Public Records Administrator may rescind*
25 *a determination of disqualification or qualification at any time.*

26 3. *The State Library, Archives and Public Records*
27 *Administrator may provide instructions to a person who receives a*
28 *determination of disqualification to remedy the determination of*
29 *disqualification. A person may resubmit a petition pursuant to*
30 *subsection 1 not earlier than 6 months after receiving instructions*
31 *pursuant to this subsection if the person remedies the*
32 *determination of disqualification.*

33 4. *A person with a criminal history may petition the State*
34 *Library, Archives and Public Records Administrator at any time,*
35 *including, without limitation, before obtaining any education or*
36 *paying any fee required to obtain a certification from the State*
37 *Library, Archives and Public Records Administrator.*

38 5. *A person may submit a new petition to the State Library,*
39 *Archives and Public Records Administrator not earlier than 2*
40 *years after the final determination of the initial petition submitted*
41 *to the State Library, Archives and Public Records Administrator.*

42 6. *The State Library, Archives and Public Records*
43 *Administrator may impose a fee of up to \$25 upon the person to*
44 *fund the administrative costs in complying with the provisions of*
45 *this section. The State Library, Archives and Public Records*



1 *Administrator may waive such fees or allow such fees to be*
2 *covered by funds from a scholarship or grant.*

3 *7. The State Library, Archives and Public Records*
4 *Administrator shall post on its Internet website:*

5 *(a) The requirements to obtain a certification from the State*
6 *Library, Archives and Public Records Administrator; and*

7 *(b) A list of crimes, if any, that would disqualify a person from*
8 *obtaining a certification from the State Library, Archives and*
9 *Public Records Administrator.*

10 *8. The State Library, Archives and Public Records*
11 *Administrator shall, on or before the 20th day of January, April,*
12 *July and October, submit to the Director of the Legislative*
13 *Counsel Bureau in an electronic format prescribed by the*
14 *Director, a report that includes:*

15 *(a) The number of petitions submitted to the State Library,*
16 *Archives and Public Records Administrator pursuant to*
17 *subsection 1;*

18 *(b) The number of determinations of disqualification made by*
19 *the State Library, Archives and Public Records Administrator*
20 *pursuant to subsection 1;*

21 *(c) The reasons for such determinations; and*

22 *(d) Any other information that is requested by the Director or*
23 *which the State Library, Archives and Public Records*
24 *Administrator determines would be helpful.*

25 *9. The Director shall transmit a compilation of the*
26 *information received pursuant to subsection 8 to the Legislative*
27 *Commission quarterly, unless otherwise directed by the*
28 *Commission.*

29 **Sec. 13.** Chapter 433 of NRS is hereby amended by adding
30 thereto a new section to read as follows:

31 *1. The Division shall develop and implement a process by*
32 *which a person with a criminal history may petition the Division to*
33 *review the criminal history of the person to determine if the*
34 *person's criminal history will disqualify the person from obtaining*
35 *a certificate pursuant to NRS 433.601 to 433.621, inclusive.*

36 *2. Not later than 60 days after a petition is submitted to the*
37 *Division pursuant to subsection 1, the Division shall inform the*
38 *person of the determination of the Division of whether*
39 *the person's criminal history will disqualify the person from*
40 *obtaining a certificate. The Division may rescind a determination*
41 *of disqualification or qualification at any time.*

42 *3. The Division may provide instructions to a person who*
43 *receives a determination of disqualification to remedy the*
44 *determination of disqualification. A person may resubmit a*
45 *petition pursuant to subsection 1 not earlier than 6 months after*



1 *receiving instructions pursuant to this subsection if the person*
2 *remedies the determination of disqualification.*

3 *4. A person with a criminal history may petition the Division*
4 *at any time, including, without limitation, before obtaining any*
5 *education or paying any fee required to obtain a certificate from*
6 *the Division.*

7 *5. A person may submit a new petition to the Division not*
8 *earlier than 2 years after the final determination of the initial*
9 *petition submitted to the Division.*

10 *6. The Division may impose a fee of up to \$25 upon the*
11 *person to fund the administrative costs in complying with the*
12 *provisions of this section. The Division may waive such fees or*
13 *allow such fees to be covered by funds from a scholarship or*
14 *grant.*

15 *7. The Division shall post on its Internet website:*

16 *(a) The requirements to obtain a certification pursuant to NRS*
17 *433.601 to 433.621, inclusive, from the Division; and*

18 *(b) A list of crimes, if any, that would disqualify a person from*
19 *obtaining a certification from the Division.*

20 *8. The Division shall, on or before the 20th day of January,*
21 *April, July and October, submit to the Director of the Legislative*
22 *Counsel Bureau in an electronic format prescribed by the*
23 *Director, a report that includes:*

24 *(a) The number of petitions submitted to the Division pursuant*
25 *to subsection 1;*

26 *(b) The number of determinations of disqualification made by*
27 *the Division pursuant to subsection 1;*

28 *(c) The reasons for such determinations; and*

29 *(d) Any other information that is requested by the Director or*
30 *which the Division determines would be helpful.*

31 *9. The Director shall transmit a compilation of the*
32 *information received pursuant to subsection 8 to the Legislative*
33 *Commission quarterly, unless otherwise directed by the*
34 *Commission.*

35 **Sec. 14.** NRS 433.601 is hereby amended to read as follows:

36 433.601 As used in NRS 433.601 to 433.621, inclusive, *and*
37 *section 13 of this act*, unless the context otherwise requires, the
38 words and terms defined in NRS 433.603 and 433.605 have the
39 meanings ascribed to them in those sections.

40 **Sec. 15.** Chapter 435 of NRS is hereby amended by adding
41 thereto a new section to read as follows:

42 *1. The Division shall develop and implement a process by*
43 *which a person with a criminal history may petition the Division to*
44 *review the criminal history of the person to determine if the*



1 *person's criminal history will disqualify the person from obtaining*
2 *a certificate pursuant to this chapter.*

3 2. *Not later than 60 days after a petition is submitted to the*
4 *Division pursuant to subsection 1, the Division shall inform*
5 *the person of the determination of the Division of whether the*
6 *person's criminal history will disqualify the person from obtaining*
7 *a certificate. The Division may rescind a determination of*
8 *disqualification or qualification at any time.*

9 3. *The Division may provide instructions to a person who*
10 *receives a determination of disqualification to remedy the*
11 *determination of disqualification. A person may resubmit a*
12 *petition pursuant to subsection 1 not earlier than 6 months after*
13 *receiving instructions pursuant to this subsection if the person*
14 *remedies the determination of disqualification.*

15 4. *A person with a criminal history may petition the Division*
16 *at any time, including, without limitation, before obtaining any*
17 *education or paying any fee required to obtain a certificate from*
18 *the Division.*

19 5. *A person may submit a new petition to the Division not*
20 *earlier than 2 years after the final determination of the initial*
21 *petition submitted to the Division.*

22 6. *The Division may impose a fee of up to \$25 upon the*
23 *person to fund the administrative costs in complying with the*
24 *provisions of this section. The Division may waive such fees or*
25 *allow such fees to be covered by funds from a scholarship or*
26 *grant.*

27 7. *The Division shall post on its Internet website:*

28 (a) *The requirements to obtain a certificate from the Division;*
29 *and*

30 (b) *A list of crimes, if any, that would disqualify a person from*
31 *obtaining a certificate from the Division.*

32 8. *The Division shall, on or before the 20th day of January,*
33 *April, July and October, submit to the Director of the Legislative*
34 *Counsel Bureau in an electronic format prescribed by the*
35 *Director, a report that includes:*

36 (a) *The number of petitions submitted to the Division pursuant*
37 *to subsection 1;*

38 (b) *The number of determinations of disqualification made by*
39 *the Division pursuant to subsection 1;*

40 (c) *The reasons for such determinations; and*

41 (d) *Any other information that is requested by the Director or*
42 *which the Division determines would be helpful.*

43 9. *The Director shall transmit a compilation of the*
44 *information received pursuant to subsection 8 to the Legislative*



1 *Commission quarterly, unless otherwise directed by the*
2 *Commission.*

3 **Sec. 16.** Chapter 445B of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 *1. The Department of Motor Vehicles shall develop and*
6 *implement a process by which a person with a criminal history*
7 *may petition the Department to review the criminal history*
8 *of the person to determine if the person's criminal history will*
9 *disqualify the person from obtaining a qualification to inspect*
10 *devices for the control of emissions for motor vehicles pursuant to*
11 *NRS 445B.775.*

12 *2. Not later than 60 days after a petition is submitted to*
13 *the Department of Motor Vehicles pursuant to subsection 1, the*
14 *Department shall inform the person of the determination of the*
15 *Department of whether the person's criminal history will*
16 *disqualify the person from obtaining a qualification. The*
17 *Department may rescind a determination of disqualification or*
18 *qualification at any time.*

19 *3. The Department of Motor Vehicles may provide*
20 *instructions to a person who receives a determination of*
21 *disqualification to remedy the determination of disqualification. A*
22 *person may resubmit a petition pursuant to subsection 1 not*
23 *earlier than 6 months after receiving instructions pursuant to this*
24 *subsection if the person remedies the determination of*
25 *disqualification.*

26 *4. A person with a criminal history may petition the*
27 *Department of Motor Vehicles at any time, including, without*
28 *limitation, before obtaining any education or paying any fee*
29 *required to obtain a qualification from the Department.*

30 *5. A person may submit a new petition to the Department of*
31 *Motor Vehicles not earlier than 2 years after the final*
32 *determination of the initial petition submitted to the Department.*

33 *6. The Department of Motor Vehicles may impose a fee of up*
34 *to \$25 upon the person to fund the administrative costs in*
35 *complying with the provisions of this section. The Department may*
36 *waive such fees or allow such fees to be covered by funds from a*
37 *scholarship or grant.*

38 *7. The Department of Motor Vehicles shall post on its*
39 *Internet website:*

40 *(a) The requirements to obtain a qualification from the*
41 *Department; and*

42 *(b) A list of crimes, if any, that would disqualify a person from*
43 *obtaining a qualification from the Department.*

44 *8. The Department of Motor Vehicles shall, on or before the*
45 *20th day of January, April, July and October, submit to the*



1 *Director of the Legislative Counsel Bureau in an electronic format*
2 *prescribed by the Director, a report that includes:*

3 (a) *The number of petitions submitted to the Department*
4 *pursuant to subsection 1;*

5 (b) *The number of determinations of disqualification made by*
6 *the Department pursuant to subsection 1;*

7 (c) *The reasons for such determinations; and*

8 (d) *Any other information that is requested by the Director or*
9 *which the Department determines would be helpful.*

10 9. *The Director shall transmit a compilation of the*
11 *information received pursuant to subsection 8 to the Legislative*
12 *Commission quarterly, unless otherwise directed by the*
13 *Commission.*

14 **Sec. 17.** NRS 445B.790 is hereby amended to read as follows:

15 445B.790 1. The Department of Motor Vehicles shall, by
16 regulation, establish procedures for inspecting authorized inspection
17 stations, authorized stations and fleet stations, and may require the
18 holder of a license for an authorized inspection station, authorized
19 station or fleet station to submit any material or document which is
20 used in the program to control emissions from motor vehicles.

21 2. The Department may deny, suspend or revoke the license of
22 an approved inspector, authorized inspection station, authorized
23 station or fleet station if:

24 (a) The approved inspector or the holder of a license for an
25 authorized inspection station, authorized station or fleet station is
26 not complying with the provisions of NRS 445B.700 to 445B.815,
27 inclusive ~~§~~, *and section 16 of this act.*

28 (b) The holder of a license for an authorized inspection station,
29 authorized station or fleet station refuses to furnish the Department
30 with the requested material or document.

31 (c) The approved inspector has issued a fraudulent certificate of
32 compliance, whether intentionally or negligently. A "fraudulent
33 certificate" includes, but is not limited to:

34 (1) A backdated certificate;

35 (2) A postdated certificate; and

36 (3) A certificate issued without an inspection.

37 (d) The approved inspector does not follow the prescribed test
38 procedure.

39 **Sec. 18.** NRS 445B.845 is hereby amended to read as follows:

40 445B.845 1. A violation of any provision of NRS 445B.700
41 to 445B.845, inclusive, *and section 16 of this act* relating to motor
42 vehicles, or any regulation adopted pursuant thereto relating to
43 motor vehicles, is a misdemeanor. The provisions of NRS 445B.700
44 to 445B.845, inclusive, *and section 16 of this act*, or any regulation
45 adopted pursuant thereto, must be enforced by any peace officer.



1 2. Satisfactory evidence that the motor vehicle or its equipment
2 conforms to those provisions or regulations, when supplied by the
3 owner of the motor vehicle to the Department of Motor Vehicles
4 within 10 days after the issuance of a citation pursuant to subsection
5 1, may be accepted by the court as a complete or partial mitigation
6 of the offense.

7 **Sec. 19.** Chapter 449 of NRS is hereby amended by adding
8 thereto a new section to read as follows:

9 *1. The Division shall develop and implement a process by
10 which a person with a criminal history may petition the Division to
11 review the criminal history of the person to determine if the
12 person's criminal history will disqualify the person from obtaining
13 a certificate to operate an intermediary service organization
14 pursuant to NRS 449.431.*

15 *2. Not later than 60 days after a petition is submitted to
16 the Division pursuant to subsection 1, the Division shall inform
17 the person of the determination of the Division of whether the
18 person's criminal history will disqualify the person from obtaining
19 a certificate. The Division may rescind a determination of
20 disqualification or qualification at any time.*

21 *3. The Division may provide instructions to a person who
22 receives a determination of disqualification to remedy the
23 determination of disqualification. A person may resubmit a
24 petition pursuant to subsection 1 not earlier than 6 months after
25 receiving instructions pursuant to this subsection if the person
26 remedies the determination of disqualification.*

27 *4. A person with a criminal history may petition the Division
28 at any time, including, without limitation, before obtaining any
29 education or paying any fee required to obtain a certificate from
30 the Division.*

31 *5. A person may submit a new petition to the Division not
32 earlier than 2 years after the final determination of the initial
33 petition submitted to the Division.*

34 *6. The Division may impose a fee of up to \$25 upon the
35 person to fund the administrative costs in complying with the
36 provisions of this section. The Division may waive such fees or
37 allow such fees to be covered by funds from a scholarship or
38 grant.*

39 *7. The Division shall post on its Internet website:*

40 *(a) The requirements to obtain a certificate from the Division;
41 and*

42 *(b) A list of crimes, if any, that would disqualify a person from
43 obtaining a certificate from the Division.*



1 **8. The Division shall, on or before the 20th day of January,**
2 **April, July and October, submit to the Director of the Legislative**
3 **Counsel Bureau in an electronic format prescribed by the**
4 **Director, a report that includes:**

5 **(a) The number of petitions submitted to the Division pursuant**
6 **to subsection 1;**

7 **(b) The number of determinations of disqualification made by**
8 **the Division pursuant to subsection 1;**

9 **(c) The reasons for such determinations; and**

10 **(d) Any other information that is requested by the Director or**
11 **which the Division determines would be helpful.**

12 **9. The Director shall transmit a compilation of the**
13 **information received pursuant to subsection 8 to the Legislative**
14 **Commission quarterly, unless otherwise directed by the**
15 **Commission.**

16 **Sec. 20.** NRS 449.4304 is hereby amended to read as follows:
17 449.4304 As used in NRS 449.4304 to 449.4339, inclusive,
18 **and section 19 of this act**, unless the context otherwise requires,
19 “intermediary service organization” means a nongovernmental
20 entity that provides services authorized pursuant to NRS 449.4308
21 for a person with a disability or other responsible person.

22 **Sec. 21.** NRS 449.431 is hereby amended to read as follows:

23 449.431 1. Except as otherwise provided in subsection 2, a
24 person shall not operate or maintain in this State an intermediary
25 service organization without first obtaining a certificate to operate
26 an intermediary service organization as provided in NRS 449.4304
27 to 449.4339, inclusive ~~1-3~~, **and section 19 of this act.**

28 2. A person who is licensed to operate an agency to provide
29 personal care services in the home pursuant to this chapter is not
30 required to obtain a certificate to operate an intermediary service
31 organization as described in this section.

32 3. A person who violates the provisions of this section is guilty
33 of a misdemeanor.

34 **Sec. 22.** NRS 449.4321 is hereby amended to read as follows:

35 449.4321 The Division may deny an application for a
36 certificate to operate an intermediary service organization or may
37 suspend or revoke any certificate issued under the provisions of
38 NRS 449.4304 to 449.4339, inclusive, **and section 19 of this act**
39 upon any of the following grounds:

40 1. Violation by the applicant or the holder of a certificate of
41 any of the provisions of NRS 449.4304 to 449.4339, inclusive, **and**
42 **section 19 of this act** or of any other law of this State or of the
43 standards, rules and regulations adopted thereunder.



1 2. Aiding, abetting or permitting the commission of any illegal
2 act.

3 3. Conduct inimical to the public health, morals, welfare and
4 safety of the people of the State of Nevada in the operation of an
5 intermediary service organization.

6 4. Conduct or practice detrimental to the health or safety of a
7 person under contract with or employees of the intermediary service
8 organization.

9 **Sec. 23.** NRS 449.4335 is hereby amended to read as follows:

10 449.4335 1. If an intermediary service organization violates
11 any provision related to its certification, including, without
12 limitation, any provision of NRS 449.4304 to 449.4339, inclusive,
13 *and section 19 of this act*, or any condition, standard or regulation
14 adopted by the Board, the Division, in accordance with the
15 regulations adopted pursuant to NRS 449.4336, may, as it deems
16 appropriate:

17 (a) Prohibit the intermediary service organization from
18 providing services pursuant to NRS 449.4308 until it determines
19 that the intermediary service organization has corrected the
20 violation;

21 (b) Impose an administrative penalty of not more than \$1,000
22 per day for each violation, together with interest thereon at a rate not
23 to exceed 10 percent per annum; and

24 (c) Appoint temporary management to oversee the operation of
25 the intermediary service organization and to ensure the health and
26 safety of the persons for whom the intermediary service
27 organization performs services, until:

28 (1) It determines that the intermediary service organization
29 has corrected the violation and has management which is capable of
30 ensuring continued compliance with the applicable statutes,
31 conditions, standards and regulations; or

32 (2) Improvements are made to correct the violation.

33 2. If the intermediary service organization fails to pay any
34 administrative penalty imposed pursuant to paragraph (b) of
35 subsection 1, the Division may:

36 (a) Suspend the certificate to operate an intermediary service
37 organization which is held by the intermediary service organization
38 until the administrative penalty is paid; and

39 (b) Collect court costs, reasonable attorney's fees and other
40 costs incurred to collect the administrative penalty.

41 3. The Division may require any intermediary service
42 organization that violates any provision of NRS 449.4304 to
43 449.4339, inclusive, *and section 19 of this act*, or any condition,
44 standard or regulation adopted by the Board, to make any
45 improvements necessary to correct the violation.



1 4. Any money collected as administrative penalties pursuant to
2 this section must be accounted for separately and used to protect the
3 health or property of the persons for whom the intermediary service
4 organization performs services in accordance with applicable federal
5 standards.

6 **Sec. 24.** NRS 449.4338 is hereby amended to read as follows:

7 449.4338 1. Except as otherwise provided in subsection 2 of
8 NRS 449.431, the Division may bring an action in the name of the
9 State to enjoin any person from operating or maintaining an
10 intermediary service organization within the meaning of NRS
11 449.4304 to 449.4339, inclusive ~~§~~, *and section 19 of this act:*

12 (a) Without first obtaining a certificate to operate an
13 intermediary service organization; or

14 (b) After the person's certificate has been revoked or suspended
15 by the Division.

16 2. It is sufficient in such action to allege that the defendant did,
17 on a certain date and in a certain place, operate and maintain the
18 intermediary service organization without a certificate.

19 **Sec. 25.** Chapter 450B of NRS is hereby amended by adding
20 thereto a new section to read as follows:

21 *1. The health authority shall develop and implement a*
22 *process by which a person with a criminal history may petition the*
23 *health authority to review the criminal history of the person to*
24 *determine if the person's criminal history will disqualify the*
25 *person from obtaining a license as an attendant or firefighter or a*
26 *certificate pursuant to NRS 450B.160.*

27 *2. Not later than 60 days after a petition is submitted to the*
28 *health authority pursuant to subsection 1, the health authority*
29 *shall inform the person of the determination of the health*
30 *authority of whether the person's criminal history will disqualify*
31 *the person from obtaining a license or certificate. The health*
32 *authority may rescind a determination of disqualification or*
33 *qualification at any time.*

34 *3. The health authority may provide instructions to a person*
35 *who receives a determination of disqualification to remedy the*
36 *determination of disqualification. A person may resubmit a*
37 *petition pursuant to subsection 1 not earlier than 6 months after*
38 *receiving instructions pursuant to this subsection if the person*
39 *remedies the determination of disqualification.*

40 *4. A person with a criminal history may petition the health*
41 *authority at any time, including, without limitation, before*
42 *obtaining any education or paying any fee required to obtain a*
43 *license or certificate from the health authority.*



1 5. A person may submit a new petition to the health authority
2 not earlier than 2 years after the final determination of the initial
3 petition submitted to the health authority.

4 6. The health authority may impose a fee of up to \$25 upon
5 the person to fund the administrative costs in complying with the
6 provisions of this section. The health authority may waive such
7 fees or allow such fees to be covered by funds from a scholarship
8 or grant.

9 7. The health authority shall post on its Internet website:

10 (a) The requirements to obtain a license or certificate from the
11 health authority; and

12 (b) A list of crimes, if any, that would disqualify a person from
13 obtaining a license or certificate from the health authority.

14 8. The health authority shall, on or before the 20th day of
15 January, April, July and October, submit to the Director of the
16 Legislative Counsel Bureau in an electronic format prescribed by
17 the Director, a report that includes:

18 (a) The number of petitions submitted to the health authority
19 pursuant to subsection 1;

20 (b) The number of determinations of disqualification made by
21 the health authority pursuant to subsection 1;

22 (c) The reasons for such determinations; and

23 (d) Any other information that is requested by the Director or
24 which the health authority determines would be helpful.

25 9. The Director shall transmit a compilation of the
26 information received pursuant to subsection 8 to the Legislative
27 Commission quarterly, unless otherwise directed by the
28 Commission.

29 **Sec. 26.** Chapter 453A of NRS is hereby amended by adding
30 thereto a new section to read as follows:

31 1. The Department shall develop and implement a process by
32 which a person with a criminal history may petition the
33 Department to review the criminal history of the person to
34 determine if the person's criminal history will disqualify the
35 person from obtaining a medical marijuana establishment agent
36 registration card or medical marijuana establishment registration
37 certificate pursuant to this chapter.

38 2. Not later than 60 days after a petition is submitted to the
39 Department pursuant to subsection 1, the Department shall inform
40 the person of the determination of the Department of whether the
41 person's criminal history will disqualify the person from obtaining
42 a medical marijuana establishment agent registration card or
43 medical marijuana establishment registration certificate. The
44 Department may rescind a determination of disqualification or
45 qualification at any time.



1 3. *The Department may provide instructions to a person who*
2 *receives a determination of disqualification to remedy the*
3 *determination of disqualification. A person may resubmit a*
4 *petition pursuant to subsection 1 not earlier than 6 months after*
5 *receiving instructions pursuant to this subsection if the person*
6 *remedies the determination of disqualification.*

7 4. *A person with a criminal history may petition the*
8 *Department at any time, including, without limitation, before*
9 *obtaining any education or paying any fee required to obtain a*
10 *medical marijuana establishment agent registration card or*
11 *medical marijuana establishment registration certificate from the*
12 *Department.*

13 5. *A person may submit a new petition to the Department not*
14 *earlier than 2 years after the final determination of the initial*
15 *petition submitted to the Department.*

16 6. *The Department may impose a fee of up to \$25 upon the*
17 *person to fund the administrative costs in complying with the*
18 *provisions of this section. The Department may waive such fees or*
19 *allow such fees to be covered by funds from a scholarship or*
20 *grant.*

21 7. *The Department shall post on its Internet website:*

22 (a) *The requirements to obtain a medical marijuana*
23 *establishment agent registration card and a medical marijuana*
24 *establishment registration certificate from the Department; and*

25 (b) *A list of crimes, if any, that would disqualify a person from*
26 *obtaining a medical marijuana establishment agent registration*
27 *card or a medical marijuana establishment registration certificate*
28 *from the Department.*

29 8. *The Department shall, on or before the 20th day of*
30 *January, April, July and October, submit to the Director of the*
31 *Legislative Counsel Bureau in an electronic format prescribed by*
32 *the Director, a report that includes:*

33 (a) *The number of petitions submitted to the Department*
34 *pursuant to subsection 1;*

35 (b) *The number of determinations of disqualification made by*
36 *the Department pursuant to subsection 1;*

37 (c) *The reasons for such determinations; and*

38 (d) *Any other information that is requested by the Director or*
39 *which the Department determines would be helpful.*

40 9. *The Director shall transmit a compilation of the*
41 *information received pursuant to subsection 8 to the Legislative*
42 *Commission quarterly, unless otherwise directed by the*
43 *Commission.*



1 **Sec. 27.** NRS 453A.344 is hereby amended to read as follows:
2 453A.344 1. Except as otherwise provided in subsection 2,
3 the Department shall collect not more than the following maximum
4 fees:

- 5
- 6 For the initial issuance of a medical marijuana
- 7 establishment registration certificate for a
- 8 medical marijuana dispensary \$30,000
- 9 For the renewal of a medical marijuana
- 10 establishment registration certificate for a
- 11 medical marijuana dispensary 5,000
- 12 For the initial issuance of a medical marijuana
- 13 establishment registration certificate for a
- 14 cultivation facility 3,000
- 15 For the renewal of a medical marijuana
- 16 establishment registration certificate for a
- 17 cultivation facility 1,000
- 18 For the initial issuance of a medical marijuana
- 19 establishment registration certificate for a
- 20 facility for the production of edible marijuana
- 21 products or marijuana-infused products 3,000
- 22 For the renewal of a medical marijuana
- 23 establishment registration certificate for a
- 24 facility for the production of edible marijuana
- 25 products or marijuana-infused products 1,000
- 26 For each person identified in an application for the
- 27 initial issuance of a medical marijuana
- 28 establishment agent registration card 75
- 29 For each person identified in an application for the
- 30 renewal of a medical marijuana establishment
- 31 agent registration card 75
- 32 For the initial issuance of a medical marijuana
- 33 establishment registration certificate for an
- 34 independent testing laboratory 5,000
- 35 For the renewal of a medical marijuana
- 36 establishment registration certificate for an
- 37 independent testing laboratory 3,000

38

39 2. In addition to the fees described in subsection 1, each
40 applicant for a medical marijuana establishment registration
41 certificate must pay to the Department:

- 42 (a) A one-time, nonrefundable application fee of \$5,000; and
- 43 (b) The actual costs incurred by the Department in processing
- 44 the application, including, without limitation, conducting
- 45 background checks.



1 3. Any revenue generated from the fees imposed pursuant to
2 this section:

3 (a) Must be expended first to pay the costs of the Department in
4 carrying out the provisions of NRS 453A.320 to 453A.370,
5 inclusive ~~§~~, *and section 26 of this act*; and

6 (b) If any excess revenue remains after paying the costs
7 described in paragraph (a), such excess revenue must be paid over to
8 the State Treasurer to be deposited to the credit of the State
9 Distributive School Account in the State General Fund.

10 **Sec. 28.** Chapter 455C of NRS is hereby amended by adding
11 thereto a new section to read as follows:

12 *1. The Division shall develop and implement a process by
13 which a person with a criminal history may petition the Division to
14 review the criminal history of the person to determine if the
15 person's criminal history will disqualify the person from obtaining
16 a certificate as a boiler inspector or elevator mechanic pursuant to
17 NRS 455C.110.*

18 *2. Not later than 60 days after a petition is submitted to
19 the Division pursuant to subsection 1, the Division shall inform
20 the person of the determination of the Division of whether the
21 person's criminal history will disqualify the person from obtaining
22 a certificate. The Division may rescind a determination of
23 disqualification or qualification at any time.*

24 *3. The Division may provide instructions to a person who
25 receives a determination of disqualification to remedy the
26 determination of disqualification. A person may resubmit a
27 petition pursuant to subsection 1 not earlier than 6 months after
28 receiving instructions pursuant to this subsection if the person
29 remedies the determination of disqualification.*

30 *4. A person with a criminal history may petition the Division
31 at any time, including, without limitation, before obtaining any
32 education or paying any fee required to obtain a certificate from
33 the Division.*

34 *5. A person may submit a new petition to the Division not
35 earlier than 2 years after the final determination of the initial
36 petition submitted to the Division.*

37 *6. The Division may impose a fee of up to \$25 upon the
38 person to fund the administrative costs in complying with the
39 provisions of this section. The Division may waive such fees or
40 allow such fees to be covered by funds from a scholarship or
41 grant.*

42 *7. The Division shall post on its Internet website:*

43 *(a) The requirements to obtain a certificate from the Division;
44 and*



1 (b) A list of crimes, if any, that would disqualify a person from
2 obtaining a certificate from the Division.

3 8. The Division shall, on or before the 20th day of January,
4 April, July and October, submit to the Director of the Legislative
5 Counsel Bureau in an electronic format prescribed by the
6 Director, a report that includes:

7 (a) The number of petitions submitted to the Division pursuant
8 to subsection 1;

9 (b) The number of determinations of disqualification made by
10 the Division pursuant to subsection 1;

11 (c) The reasons for such determinations; and

12 (d) Any other information that is requested by the Director or
13 which the Division determines would be helpful.

14 9. The Director shall transmit a compilation of the
15 information received pursuant to subsection 8 to the Legislative
16 Commission quarterly, unless otherwise directed by the
17 Commission.

18 **Sec. 29.** Chapter 457 of NRS is hereby amended by adding
19 thereto a new section to read as follows:

20 1. The Division shall develop and implement a process by
21 which a person with a criminal history may petition the Division to
22 review the criminal history of the person to determine if the
23 person's criminal history will disqualify the person from obtaining
24 a certificate of authorization to operate a radiation machine for
25 mammography pursuant to NRS 457.183.

26 2. Not later than 60 days after a petition is submitted to
27 the Division pursuant to subsection 1, the Division shall inform
28 the person of the determination of the Division of whether the
29 person's criminal history will disqualify the person from obtaining
30 a certificate. The Division may rescind a determination of
31 disqualification or qualification at any time.

32 3. The Division may provide instructions to a person who
33 receives a determination of disqualification to remedy the
34 determination of disqualification. A person may resubmit a
35 petition pursuant to subsection 1 not earlier than 6 months after
36 receiving instructions pursuant to this subsection if the person
37 remedies the determination of disqualification.

38 4. A person with a criminal history may petition the Division
39 at any time, including, without limitation, before obtaining any
40 education or paying any fee required to obtain a certificate from
41 the Division.

42 5. A person may submit a new petition to the Division not
43 earlier than 2 years after the final determination of the initial
44 petition submitted to the Division.



1 6. *The Division may impose a fee of up to \$25 upon the*
2 *person to fund the administrative costs in complying with the*
3 *provisions of this section. The Division may waive such fees or*
4 *allow such fees to be covered by funds from a scholarship or*
5 *grant.*

6 7. *The Division shall post on its Internet website:*

7 (a) *The requirements to obtain a certificate from the Division;*
8 *and*

9 (b) *A list of crimes, if any, that would disqualify a person from*
10 *obtaining a certificate from the Division.*

11 8. *The Division shall, on or before the 20th day of January,*
12 *April, July and October, submit to the Director of the Legislative*
13 *Counsel Bureau in an electronic format prescribed by the*
14 *Director, a report that includes:*

15 (a) *The number of petitions submitted to the Division pursuant*
16 *to subsection 1;*

17 (b) *The number of determinations of disqualification made by*
18 *the Division pursuant to subsection 1;*

19 (c) *The reasons for such determinations; and*

20 (d) *Any other information that is requested by the Director or*
21 *which the Division determines would be helpful.*

22 9. *The Director shall transmit a compilation of the*
23 *information received pursuant to subsection 8 to the Legislative*
24 *Commission quarterly, unless otherwise directed by the*
25 *Commission.*

26 **Sec. 30.** NRS 457.182 is hereby amended to read as follows:

27 457.182 As used in NRS 457.182 to 457.187, inclusive, *and*
28 *section 29 of this act*, unless the context otherwise requires:

29 1. "Mammography" means radiography of the breast to enable
30 a physician to determine the presence, size, location and extent of
31 cancerous or potentially cancerous tissue in the breast.

32 2. "Radiation" means radiant energy which exceeds normal
33 background levels and which is used in radiography.

34 3. "Radiography" means the making of a film or other record
35 of an internal structure of the body by passing X-rays or gamma
36 rays through the body to act on film or other receptor of images.

37 **Sec. 31.** NRS 457.187 is hereby amended to read as follows:

38 457.187 1. The Division may impose an administrative fine,
39 not to exceed \$5,000, against the owner, lessee or other person
40 responsible for a radiation machine for mammography for a
41 violation of the provisions of NRS 457.182 to 457.186, inclusive,
42 *and section 29 of this act*, or for a violation of a regulation adopted
43 pursuant thereto.



1 2. Any money collected as a result of an administrative fine
2 imposed pursuant to subsection 1 must be deposited in the State
3 General Fund.

4 **Sec. 32.** Chapter 458 of NRS is hereby amended by adding
5 thereto a new section to read as follows:

6 *1. The Division shall develop and implement a process by
7 which a person with a criminal history may petition the Division to
8 review the criminal history of the person to determine if
9 the person's criminal history will disqualify the person from
10 obtaining a certificate as a detoxification technician pursuant to
11 NRS 458.025.*

12 *2. Not later than 60 days after a petition is submitted to
13 the Division pursuant to subsection 1, the Division shall inform
14 the person of the determination of the Division of whether the
15 person's criminal history will disqualify the person from obtaining
16 a certificate. The Division may rescind a determination of
17 disqualification or qualification at any time.*

18 *3. The Division may provide instructions to a person who
19 receives a determination of disqualification to remedy the
20 determination of disqualification. A person may resubmit a
21 petition pursuant to subsection 1 not earlier than 6 months after
22 receiving instructions pursuant to this subsection if the person
23 remedies the determination of disqualification.*

24 *4. A person with a criminal history may petition the Division
25 at any time, including, without limitation, before obtaining any
26 education or paying any fee required to obtain a certificate from
27 the Division.*

28 *5. A person may submit a new petition to the Division not
29 earlier than 2 years after the final determination of the initial
30 petition submitted to the Division.*

31 *6. The Division may impose a fee of up to \$25 upon the
32 person to fund the administrative costs in complying with the
33 provisions of this section. The Division may waive such fees or
34 allow such fees to be covered by funds from a scholarship or
35 grant.*

36 *7. The Division shall post on its Internet website:*

37 *(a) The requirements to obtain a certification from the
38 Division; and*

39 *(b) A list of crimes, if any, that would disqualify a person from
40 obtaining a certification from the Division.*

41 *8. The Division shall, on or before the 20th day of January,
42 April, July and October, submit to the Director of the Legislative
43 Counsel Bureau in an electronic format prescribed by the
44 Director, a report that includes:*



1 (a) *The number of petitions submitted to the Division pursuant*
2 *to subsection 1;*

3 (b) *The number of determinations of disqualification made by*
4 *the Division pursuant to subsection 1;*

5 (c) *The reasons for such determinations; and*

6 (d) *Any other information that is requested by the Director or*
7 *which the Division determines would be helpful.*

8 9. *The Director shall transmit a compilation of the*
9 *information received pursuant to subsection 8 to the Legislative*
10 *Commission quarterly, unless otherwise directed by the*
11 *Commission.*

12 **Sec. 33.** Chapter 463 of NRS is hereby amended by adding
13 thereto a new section to read as follows:

14 1. *The Commission shall develop and implement a process by*
15 *which a person with a criminal history may petition the*
16 *Commission to review the criminal history of the person to*
17 *determine if the person's criminal history will disqualify the*
18 *person from obtaining a registration as a gaming employee or a*
19 *license to disseminate information concerning racing pursuant to*
20 *this chapter.*

21 2. *Not later than 60 days after a petition is submitted to the*
22 *Commission pursuant to subsection 1, the Commission shall*
23 *inform the person of the determination of the Commission of*
24 *whether the person's criminal history will disqualify the person*
25 *from obtaining a registration or license. The Commission may*
26 *rescind a determination of disqualification or qualification at any*
27 *time.*

28 3. *The Commission may provide instructions to a person who*
29 *receives a determination of disqualification to remedy the*
30 *determination of disqualification. A person may resubmit a*
31 *petition pursuant to subsection 1 not earlier than 6 months after*
32 *receiving instructions pursuant to this subsection if the person*
33 *remedies the determination of disqualification.*

34 4. *A person with a criminal history may petition the*
35 *Commission at any time, including, without limitation, before*
36 *obtaining any education or paying any fee required to obtain a*
37 *registration or license from the Commission.*

38 5. *A person may submit a new petition to the Commission not*
39 *earlier than 2 years after the final determination of the initial*
40 *petition submitted to the Commission.*

41 6. *The Commission may impose a fee of up to \$25 upon the*
42 *person to fund the administrative costs in complying with the*
43 *provisions of this section. The Commission may waive such fees or*
44 *allow such fees to be covered by funds from a scholarship or*
45 *grant.*



1 7. *The Commission shall post on its Internet website:*

2 (a) *The requirements to obtain a registration or license from*
3 *the Commission; and*

4 (b) *A list of crimes, if any, that would disqualify a person from*
5 *obtaining a registration or license from the Commission.*

6 8. *The Commission shall, on or before the 20th day of*
7 *January, April, July and October, submit to the Director of the*
8 *Legislative Counsel Bureau in an electronic format prescribed by*
9 *the Director, a report that includes:*

10 (a) *The number of petitions submitted to the Commission*
11 *pursuant to subsection 1;*

12 (b) *The number of determinations of disqualification made by*
13 *the Commission pursuant to subsection 1;*

14 (c) *The reasons for such determinations; and*

15 (d) *Any other information that is requested by the Director or*
16 *which the Commission determines would be helpful.*

17 9. *The Director shall transmit a compilation of the*
18 *information received pursuant to subsection 8 to the Legislative*
19 *Commission quarterly, unless otherwise directed by the*
20 *Commission.*

21 **Sec. 34.** Chapter 466 of NRS is hereby amended by adding
22 thereto a new section to read as follows:

23 1. *The Commission shall develop and implement a process by*
24 *which a person with a criminal history may petition the*
25 *Commission to review the criminal history of the person to*
26 *determine if the person's criminal history will disqualify the*
27 *person from obtaining a license related to horse racing pursuant*
28 *to NRS 466.170.*

29 2. *Not later than 60 days after a petition is submitted to the*
30 *Commission pursuant to subsection 1, the Commission shall*
31 *inform the person of the determination of the Commission of*
32 *whether the person's criminal history will disqualify the person*
33 *from obtaining a license. The Commission may rescind a*
34 *determination of disqualification or qualification at any time.*

35 3. *The Commission may provide instructions to a person who*
36 *receives a determination of disqualification to remedy the*
37 *determination of disqualification. A person may resubmit a*
38 *petition pursuant to subsection 1 not earlier than 6 months after*
39 *receiving instructions pursuant to this subsection if the person*
40 *remedies the determination of disqualification.*

41 4. *A person with a criminal history may petition the*
42 *Commission at any time, including, without limitation, before*
43 *obtaining any education or paying any fee required to obtain a*
44 *license from the Commission.*



1 5. *A person may submit a new petition to the Commission not*
2 *earlier than 2 years after the final determination of the initial*
3 *petition submitted to the Commission.*

4 6. *The Commission may impose a fee of up to \$25 upon the*
5 *person to fund the administrative costs in complying with the*
6 *provisions of this section. The Commission may waive such fees or*
7 *allow such fees to be covered by funds from a scholarship or*
8 *grant.*

9 7. *The Commission shall post on its Internet website:*

10 (a) *The requirements to obtain a license from the Commission;*
11 *and*

12 (b) *A list of crimes, if any, that would disqualify a person from*
13 *obtaining a license from the Commission.*

14 8. *The Commission shall, on or before the 20th day of*
15 *January, April, July and October, submit to the Director of the*
16 *Legislative Counsel Bureau in an electronic format prescribed by*
17 *the Director, a report that includes:*

18 (a) *The number of petitions submitted to the Commission*
19 *pursuant to subsection 1;*

20 (b) *The number of determinations of disqualification made by*
21 *the Commission pursuant to subsection 1;*

22 (c) *The reasons for such determinations; and*

23 (d) *Any other information that is requested by the Director or*
24 *which the Commission determines would be helpful.*

25 9. *The Director shall transmit a compilation of the*
26 *information received pursuant to subsection 8 to the Legislative*
27 *Commission quarterly, unless otherwise directed by the*
28 *Commission.*

29 **Sec. 35.** Chapter 467 of NRS is hereby amended by adding
30 thereto a new section to read as follows:

31 1. *The Commission shall develop and implement a process by*
32 *which a person with a criminal history may petition the*
33 *Commission to review the criminal history of the person to*
34 *determine if the person's criminal history will disqualify the*
35 *person from obtaining a license related to a contest or exhibition*
36 *of unarmed combat pursuant to NRS 467.100.*

37 2. *Not later than 60 days after a petition is submitted to the*
38 *Commission pursuant to subsection 1, the Commission shall*
39 *inform the person of the determination of the Commission of*
40 *whether the person's criminal history will disqualify the person*
41 *from obtaining a license. The Commission may rescind a*
42 *determination of disqualification or qualification at any time.*

43 3. *The Commission may provide instructions to a person who*
44 *receives a determination of disqualification to remedy the*
45 *determination of disqualification. A person may resubmit a*



1 *petition pursuant to subsection 1 not earlier than 6 months after*
2 *receiving instructions pursuant to this subsection if the person*
3 *remedies the determination of disqualification.*

4 *4. A person with a criminal history may petition the*
5 *Commission at any time, including, without limitation, before*
6 *obtaining any education or paying any fee required to obtain a*
7 *license from the Commission.*

8 *5. A person may submit a new petition to the Commission not*
9 *earlier than 2 years after the final determination of the initial*
10 *petition submitted to the Commission.*

11 *6. The Commission may impose a fee of up to \$25 upon the*
12 *person to fund the administrative costs in complying with the*
13 *provisions of this section. The Commission may waive such fees or*
14 *allow such fees to be covered by funds from a scholarship or*
15 *grant.*

16 *7. The Commission shall post on its Internet website:*

17 *(a) The requirements to obtain a license from the Commission;*
18 *and*

19 *(b) A list of crimes, if any, that would disqualify a person from*
20 *obtaining a license from the Commission.*

21 *8. The Commission shall, on or before the 20th day of*
22 *January, April, July and October, submit to the Director of the*
23 *Legislative Counsel Bureau in an electronic format prescribed by*
24 *the Director, a report that includes:*

25 *(a) The number of petitions submitted to the Commission*
26 *pursuant to subsection 1;*

27 *(b) The number of determinations of disqualification made by*
28 *the Commission pursuant to subsection 1;*

29 *(c) The reasons for such determinations; and*

30 *(d) Any other information that is requested by the Director or*
31 *which the Commission determines would be helpful.*

32 *9. The Director shall transmit a compilation of the*
33 *information received pursuant to subsection 8 to the Legislative*
34 *Commission quarterly, unless otherwise directed by the*
35 *Commission.*

36 **Sec. 36.** Chapter 477 of NRS is hereby amended by adding
37 thereto a new section to read as follows:

38 *1. The State Fire Marshal shall develop and implement a*
39 *process by which a person with a criminal history may petition the*
40 *State Fire Marshal to review the criminal history of the person to*
41 *determine if the person's criminal history will disqualify the*
42 *person from obtaining a certificate of registration as a fire*
43 *performer or apprentice fire performer pursuant to NRS 477.223.*

44 *2. Not later than 60 days after a petition is submitted to the*
45 *State Fire Marshal pursuant to subsection 1, the State Fire*



1 *Marshal shall inform the person of the determination of the State*
2 *Fire Marshal of whether the person's criminal history will*
3 *disqualify the person from obtaining a certificate of registration.*
4 *The State Fire Marshal may rescind a determination of*
5 *disqualification or qualification at any time.*

6 3. *The State Fire Marshal may provide instructions to a*
7 *person who receives a determination of disqualification to remedy*
8 *the determination of disqualification. A person may resubmit a*
9 *petition pursuant to subsection 1 not earlier than 6 months after*
10 *receiving instructions pursuant to this subsection if the person*
11 *remedies the determination of disqualification.*

12 4. *A person with a criminal history may petition the State*
13 *Fire Marshal at any time, including, without limitation, before*
14 *obtaining any education or paying any fee required to obtain a*
15 *certificate from the State Fire Marshal.*

16 5. *A person may submit a new petition to the State Fire*
17 *Marshal not earlier than 2 years after the final determination of*
18 *the initial petition submitted to the State Fire Marshal.*

19 6. *The State Fire Marshal may impose a fee of up to \$25*
20 *upon the person to fund the administrative costs in complying with*
21 *the provisions of this section. The State Fire Marshal may waive*
22 *such fees or allow such fees to be covered by funds from a*
23 *scholarship or grant.*

24 7. *The State Fire Marshal shall post on its Internet website:*

25 (a) *The requirements to obtain a certificate from the State Fire*
26 *Marshal; and*

27 (b) *A list of crimes, if any, that would disqualify a person from*
28 *obtaining a certificate from the State Fire Marshal.*

29 8. *The State Fire Marshal shall, on or before the 20th day of*
30 *January, April, July and October, submit to the Director of the*
31 *Legislative Counsel Bureau in an electronic format prescribed by*
32 *the Director, a report that includes:*

33 (a) *The number of petitions submitted to the State Fire*
34 *Marshal pursuant to subsection 1;*

35 (b) *The number of determinations of disqualification made by*
36 *the State Fire Marshal pursuant to subsection 1;*

37 (c) *The reasons for such determinations; and*

38 (d) *Any other information that is requested by the Director or*
39 *which the State Fire Marshal determines would be helpful.*

40 9. *The Director shall transmit a compilation of the*
41 *information received pursuant to subsection 8 to the Legislative*
42 *Commission quarterly, unless otherwise directed by the*
43 *Commission.*



1 **Sec. 37.** NRS 477.220 is hereby amended to read as follows:
2 477.220 As used in NRS 477.220 to 477.226, inclusive, *and*
3 *section 36 of this act*, unless the context otherwise requires, the
4 words and terms defined in NRS 477.221 and 477.222 have the
5 meanings ascribed to them in those sections.

6 **Sec. 38.** Chapter 482 of NRS is hereby amended by adding
7 thereto a new section to read as follows:

8 1. *The Department shall develop and implement a process by*
9 *which a person with a criminal history may petition the*
10 *Department to review the criminal history of the person to*
11 *determine if the person's criminal history will disqualify the*
12 *person from obtaining a license pursuant to this chapter.*

13 2. *Not later than 60 days after a petition is submitted to the*
14 *Department pursuant to subsection 1, the Department shall inform*
15 *the person of the determination of the Department of whether the*
16 *person's criminal history will disqualify the person from obtaining*
17 *a license. The Department may rescind a determination of*
18 *disqualification or qualification at any time.*

19 3. *The Department may provide instructions to a person who*
20 *receives a determination of disqualification to remedy the*
21 *determination of disqualification. A person may resubmit a*
22 *petition pursuant to subsection 1 not earlier than 6 months after*
23 *receiving instructions pursuant to this subsection if the person*
24 *remedies the determination of disqualification.*

25 4. *A person with a criminal history may petition the*
26 *Department at any time, including, without limitation, before*
27 *obtaining any education or paying any fee required to obtain a*
28 *license from the Department.*

29 5. *A person may submit a new petition to the Department not*
30 *earlier than 2 years after the final determination of the initial*
31 *petition submitted to the Department.*

32 6. *The Department may impose a fee of up to \$25 upon the*
33 *person to fund the administrative costs in complying with the*
34 *provisions of this section. The Department may waive such fees or*
35 *allow such fees to be covered by funds from a scholarship or*
36 *grant.*

37 7. *The Department shall post on its Internet website:*

38 (a) *The requirements to obtain a license from the Department;*
39 *and*

40 (b) *A list of crimes, if any, that would disqualify a person from*
41 *obtaining a license from the Department.*

42 8. *The Department shall, on or before the 20th day of*
43 *January, April, July and October, submit to the Director of the*
44 *Legislative Counsel Bureau in an electronic format prescribed by*
45 *the Director, a report that includes:*



1 (a) *The number of petitions submitted to the Department*
2 *pursuant to subsection 1;*

3 (b) *The number of determinations of disqualification made by*
4 *the Department pursuant to subsection 1;*

5 (c) *The reasons for such determinations; and*

6 (d) *Any other information that is requested by the Director or*
7 *which the Department determines would be helpful.*

8 9. *The Director shall transmit a compilation of the*
9 *information received pursuant to subsection 8 to the Legislative*
10 *Commission quarterly, unless otherwise directed by the*
11 *Commission.*

12 **Sec. 39.** Chapter 483 of NRS is hereby amended by adding
13 thereto a new section to read as follows:

14 1. *The Department shall develop and implement a process by*
15 *which a person with a criminal history may petition the*
16 *Department to review the criminal history of the person to*
17 *determine if the person's criminal history will disqualify the*
18 *person from obtaining a license to operate a school for training*
19 *drivers pursuant to NRS 483.700.*

20 2. *Not later than 60 days after a petition is submitted to the*
21 *Department pursuant to subsection 1, the Department shall inform*
22 *the person of the determination of the Department of whether the*
23 *person's criminal history will disqualify the person from obtaining*
24 *a license. The Department may rescind a determination of*
25 *disqualification or qualification at any time.*

26 3. *The Department may provide instructions to a person who*
27 *receives a determination of disqualification to remedy the*
28 *determination of disqualification. A person may resubmit a*
29 *petition pursuant to subsection 1 not earlier than 6 months after*
30 *receiving instructions pursuant to this subsection if the person*
31 *remedies the determination of disqualification.*

32 4. *A person with a criminal history may petition the*
33 *Department at any time, including, without limitation, before*
34 *obtaining any education or paying any fee required to obtain a*
35 *license from the Department.*

36 5. *A person may submit a new petition to the Department not*
37 *earlier than 2 years after the final determination of the initial*
38 *petition submitted to the Department.*

39 6. *The Department may impose a fee of up to \$25 upon the*
40 *person to fund the administrative costs in complying with the*
41 *provisions of this section. The Department may waive such fees or*
42 *allow such fees to be covered by funds from a scholarship or*
43 *grant.*

44 7. *The Department shall post on its Internet website:*



1 (a) *The requirements to obtain a license from the Department;*
2 *and*

3 (b) *A list of crimes, if any, that would disqualify a person from*
4 *obtaining a license from the Department.*

5 8. *The Department shall, on or before the 20th day of*
6 *January, April, July and October, submit to the Director of the*
7 *Legislative Counsel Bureau in an electronic format prescribed by*
8 *the Director, a report that includes:*

9 (a) *The number of petitions submitted to the Department*
10 *pursuant to subsection 1;*

11 (b) *The number of determinations of disqualification made by*
12 *the Department pursuant to subsection 1;*

13 (c) *The reasons for such determinations; and*

14 (d) *Any other information that is requested by the Director or*
15 *which the Department determines would be helpful.*

16 9. *The Director shall transmit a compilation of the*
17 *information received pursuant to subsection 8 to the Legislative*
18 *Commission quarterly, unless otherwise directed by the*
19 *Commission.*

20 **Sec. 40.** NRS 483.760 is hereby amended to read as follows:

21 483.760 The Department may refuse to issue a license or may
22 cancel, suspend, revoke or refuse to renew any license granted
23 pursuant to NRS 483.700 to 483.780, inclusive ~~§~~, *and section 39*
24 *of this act:*

25 1. If the applicant or licensee makes a material misstatement on
26 an application.

27 2. If the applicant or licensee fails or refuses to provide any
28 information requested by the Department in conjunction with an
29 application.

30 3. If the applicant has been convicted of a crime for a violation
31 of any of the provisions of NRS 483.700 to 483.780, inclusive ~~§~~,
32 *and section 39 of this act.*

33 4. If the licensee permits fraud or engages in fraudulent
34 practices either with reference to the applicant or the Department or
35 induces or countenances fraud or fraudulent practices on the part of
36 any applicant for driver's license.

37 5. If the licensee fails to comply with or is convicted of a crime
38 for a violation of any of the provisions of NRS 483.700 to 483.780,
39 inclusive, *and section 39 of this act*, or any of the regulations or
40 requirements of the Department made pursuant thereto.

41 6. If the licensee or any employee or agent of the licensee
42 solicits persons for enrollment in a school for training drivers in an
43 office of the Department or within 200 feet of any such office.



1 7. If the licensee or any employee or agent of the licensee
2 follows the identical course of training which is used by the
3 Department in giving an examination for a driver's license.

4 **Sec. 41.** NRS 483.767 is hereby amended to read as follows:

5 483.767 1. The Department may impose an administrative
6 fine, not to exceed \$2,500, for a violation of any provision of NRS
7 483.700 to 483.780, inclusive, *and section 39 of this act*, or any
8 rule, regulation or order adopted or issued pursuant thereto. The
9 Department shall afford to any person so fined an opportunity for a
10 hearing pursuant to the provisions of NRS 233B.121.

11 2. All administrative fines collected by the Department
12 pursuant to subsection 1 must be deposited with the State Treasurer
13 to the credit of the State Highway Fund.

14 3. In addition to any other remedy provided by NRS 483.700 to
15 483.780, inclusive, *and section 39 of this act*, the Department may
16 compel compliance with any provision of NRS 483.700 to 483.780,
17 inclusive, and any rule, regulation or order adopted or issued
18 pursuant thereto, by injunction or other appropriate remedy and the
19 Department may institute and maintain in the name of the State of
20 Nevada any such enforcement proceedings.

21 **Sec. 42.** NRS 483.780 is hereby amended to read as follows:

22 483.780 The Department shall charge annually the following
23 fees for licenses issued pursuant to the provisions of NRS 483.700
24 to 483.780, inclusive ~~+~~, *and section 39 of this act*:

25		
26	License for a school for training drivers.....	\$50
27	License for a driving instructor	10
28	License for a school, an agency or a business that	
29	provides an educational course on the abuse of	
30	alcohol and controlled substances	250
31	License for an instructor of an educational course	
32	on the abuse of alcohol and controlled	
33	substances.....	50
34	License for a school for traffic safety.....	250
35	License for an instructor of traffic safety	50

36 **Sec. 43.** Chapter 487 of NRS is hereby amended by adding
37 thereto a new section to read as follows:

38 *1. The Department shall develop and implement a process by*
39 *which a person with a criminal history may petition the*
40 *Department to review the criminal history of the person to*
41 *determine if the person's criminal history will disqualify the*
42 *person from obtaining a license pursuant to this chapter.*

43 *2. Not later than 60 days after a petition is submitted to the*
44 *Department pursuant to subsection 1, the Department shall inform*
45 *the person of the determination of the Department of whether the*



1 *person's criminal history will disqualify the person from obtaining*
2 *a license. The Department may rescind a determination of*
3 *disqualification or qualification at any time.*

4 3. *The Department may provide instructions to a person who*
5 *receives a determination of disqualification to remedy the*
6 *determination of disqualification. A person may resubmit a*
7 *petition pursuant to subsection 1 not earlier than 6 months after*
8 *receiving instructions pursuant to this subsection if the person*
9 *remedies the determination of disqualification.*

10 4. *A person with a criminal history may petition the*
11 *Department at any time, including, without limitation, before*
12 *obtaining any education or paying any fee required to obtain a*
13 *license from the Department.*

14 5. *A person may submit a new petition to the Department not*
15 *earlier than 2 years after the final determination of the initial*
16 *petition submitted to the Department.*

17 6. *The Department may impose a fee of up to \$25 upon the*
18 *person to fund the administrative costs in complying with the*
19 *provisions of this section. The Department may waive such fees or*
20 *allow such fees to be covered by funds from a scholarship or*
21 *grant.*

22 7. *The Department shall post on its Internet website:*

23 (a) *The requirements to obtain a license from the Department;*
24 *and*

25 (b) *A list of crimes, if any, that would disqualify a person from*
26 *obtaining a license from the Department.*

27 8. *The Department shall, on or before the 20th day of*
28 *January, April, July and October, submit to the Director of the*
29 *Legislative Counsel Bureau in an electronic format prescribed by*
30 *the Director, a report that includes:*

31 (a) *The number of petitions submitted to the Department*
32 *pursuant to subsection 1;*

33 (b) *The number of determinations of disqualification made by*
34 *the Department pursuant to subsection 1;*

35 (c) *The reasons for such determinations; and*

36 (d) *Any other information that is requested by the Director or*
37 *which the Department determines would be helpful.*

38 9. *The Director shall transmit a compilation of the*
39 *information received pursuant to subsection 8 to the Legislative*
40 *Commission quarterly, unless otherwise directed by the*
41 *Commission.*

42 **Sec. 44.** Chapter 489 of NRS is hereby amended by adding
43 thereto a new section to read as follows:

44 1. *The Division shall develop and implement a process by*
45 *which a person with a criminal history may petition the Division to*



1 review the criminal history of the person to determine if the
2 person's criminal history will disqualify the person from obtaining
3 a license pursuant to this chapter.

4 2. Not later than 60 days after a petition is submitted to
5 the Division pursuant to subsection 1, the Division shall inform
6 the person of the determination of the Division of whether the
7 person's criminal history will disqualify the person from obtaining
8 a license. The Division may rescind a determination of
9 disqualification or qualification at any time.

10 3. The Division may provide instructions to a person who
11 receives a determination of disqualification to remedy the
12 determination of disqualification. A person may resubmit a
13 petition pursuant to subsection 1 not earlier than 6 months after
14 receiving instructions pursuant to this subsection if the person
15 remedies the determination of disqualification.

16 4. A person with a criminal history may petition the Division
17 at any time, including, without limitation, before obtaining any
18 education or paying any fee required to obtain a license from the
19 Division.

20 5. A person may submit a new petition to the Division not
21 earlier than 2 years after the final determination of the initial
22 petition submitted to the Division.

23 6. The Division may impose a fee of up to \$25 upon the
24 person to fund the administrative costs in complying with the
25 provisions of this section. The Division may waive such fees or
26 allow such fees to be covered by funds from a scholarship or
27 grant.

28 7. The Division shall post on its Internet website:

29 (a) The requirements to obtain a license from the Division;
30 and

31 (b) A list of crimes, if any, that would disqualify a person from
32 obtaining a license from the Division.

33 8. The Division shall, on or before the 20th day of January,
34 April, July and October, submit to the Director of the Legislative
35 Counsel Bureau in an electronic format prescribed by the
36 Director, a report that includes:

37 (a) The number of petitions submitted to the Division pursuant
38 to subsection 1;

39 (b) The number of determinations of disqualification made by
40 the Division pursuant to subsection 1;

41 (c) The reasons for such determinations; and

42 (d) Any other information that is requested by the Director or
43 which the Division determines would be helpful.

44 9. The Director shall transmit a compilation of the
45 information received pursuant to subsection 8 to the Legislative



1 *Commission quarterly, unless otherwise directed by the*
2 *Commission.*

3 **Sec. 45.** Chapter 490 of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 *1. The Department shall develop and implement a process by*
6 *which a person with a criminal history may petition the*
7 *Department to review the criminal history of the person to*
8 *determine if the person's criminal history will disqualify the*
9 *person from obtaining a license pursuant to NRS 490.200 or a*
10 *temporary permit.*

11 *2. Not later than 60 days after a petition is submitted to the*
12 *Department pursuant to subsection 1, the Department shall inform*
13 *the person of the determination of the Department of whether the*
14 *person's criminal history will disqualify the person from obtaining*
15 *a license or temporary permit. The Department may rescind a*
16 *determination of disqualification or qualification at any time.*

17 *3. The Department may provide instructions to a person who*
18 *receives a determination of disqualification to remedy the*
19 *determination of disqualification. A person may resubmit a*
20 *petition pursuant to subsection 1 not earlier than 6 months after*
21 *receiving instructions pursuant to this subsection if the person*
22 *remedies the determination of disqualification.*

23 *4. A person with a criminal history may petition the*
24 *Department at any time, including, without limitation, before*
25 *obtaining any education or paying any fee required to obtain a*
26 *license or temporary permit from the Department.*

27 *5. A person may submit a new petition to the Department not*
28 *earlier than 2 years after the final determination of the initial*
29 *petition submitted to the Department.*

30 *6. The Department may impose a fee of up to \$25 upon the*
31 *person to fund the administrative costs in complying with the*
32 *provisions of this section. The Department may waive such fees or*
33 *allow such fees to be covered by funds from a scholarship or*
34 *grant.*

35 *7. The Department shall post on its Internet website:*

36 *(a) The requirements to obtain a license or temporary permit*
37 *from the Department; and*

38 *(b) A list of crimes, if any, that would disqualify a person from*
39 *obtaining a license or temporary permit from the Department.*

40 *8. The Department shall, on or before the 20th day of*
41 *January, April, July and October, submit to the Director of the*
42 *Legislative Counsel Bureau in an electronic format prescribed by*
43 *the Director, a report that includes:*

44 *(a) The number of petitions submitted to the Department*
45 *pursuant to subsection 1;*



1 *(b) The number of determinations of disqualification made by*
2 *the Department pursuant to subsection 1;*

3 *(c) The reasons for such determinations; and*

4 *(d) Any other information that is requested by the Director or*
5 *which the Department determines would be helpful.*

6 *9. The Director shall transmit a compilation of the*
7 *information received pursuant to subsection 8 to the Legislative*
8 *Commission quarterly, unless otherwise directed by the*
9 *Commission.*

10 **Sec. 46.** NRS 490.510 is hereby amended to read as follows:

11 490.510 1. The Department may impose an administrative
12 fine, not to exceed \$2,500, for a violation of any provision of NRS
13 490.0827, 490.125 and 490.150 to 490.520, inclusive, *and section*
14 *45 of this act*, or any rule, regulation or order adopted or issued
15 pursuant thereto. The Department shall afford to any person so fined
16 an opportunity for a hearing pursuant to the provisions of
17 NRS 233B.121.

18 2. All administrative fines collected by the Department
19 pursuant to subsection 1 must be deposited with the State Treasurer
20 to the credit of the Revolving Account for the Administration of
21 Off-Highway Vehicle Titling and Registration created by
22 NRS 490.085.

23 3. In addition to any other remedy provided by this chapter, the
24 Department may compel compliance with any provision of this
25 chapter and any rule, regulation or order adopted or issued pursuant
26 thereto by injunction or other appropriate remedy, and the
27 Department may institute and maintain in the name of the State of
28 Nevada any such enforcement proceedings.

29 **Sec. 47.** Chapter 502 of NRS is hereby amended by adding
30 thereto a new section to read as follows:

31 *1. The Department shall develop and implement a process by*
32 *which a person with a criminal history may petition the*
33 *Department to review the criminal history of the person to*
34 *determine if the person's criminal history will disqualify the*
35 *person from obtaining a license to practice taxidermy pursuant to*
36 *NRS 502.370.*

37 *2. Not later than 60 days after a petition is submitted to the*
38 *Department pursuant to subsection 1, the Department shall inform*
39 *the person of the determination of the Department of whether the*
40 *person's criminal history will disqualify the person from obtaining*
41 *a license. The Department may rescind a determination of*
42 *disqualification or qualification at any time.*

43 *3. The Department may provide instructions to a person who*
44 *receives a determination of disqualification to remedy the*
45 *determination of disqualification. A person may resubmit a*



1 *petition pursuant to subsection 1 not earlier than 6 months after*
2 *receiving instructions pursuant to this subsection if the person*
3 *remedies the determination of disqualification.*

4 4. *A person with a criminal history may petition the*
5 *Department at any time, including, without limitation, before*
6 *obtaining any education or paying any fee required to obtain a*
7 *license from the Department.*

8 5. *A person may submit a new petition to the Department not*
9 *earlier than 2 years after the final determination of the initial*
10 *petition submitted to the Department.*

11 6. *The Department may impose a fee of up to \$25 upon the*
12 *person to fund the administrative costs in complying with the*
13 *provisions of this section. The Department may waive such fees or*
14 *allow such fees to be covered by funds from a scholarship or*
15 *grant.*

16 7. *The Department shall post on its Internet website:*

17 (a) *The requirements to obtain a license from the Department;*
18 *and*

19 (b) *A list of crimes, if any, that would disqualify a person from*
20 *obtaining a license from the Department.*

21 8. *The Department shall, on or before the 20th day of*
22 *January, April, July and October, submit to the Director of the*
23 *Legislative Counsel Bureau in an electronic format prescribed by*
24 *the Director, a report that includes:*

25 (a) *The number of petitions submitted to the Department*
26 *pursuant to subsection 1;*

27 (b) *The number of determinations of disqualification made by*
28 *the Department pursuant to subsection 1;*

29 (c) *The reasons for such determinations; and*

30 (d) *Any other information that is requested by the Director or*
31 *which the Department determines would be helpful.*

32 9. *The Director shall transmit a compilation of the*
33 *information received pursuant to subsection 8 to the Legislative*
34 *Commission quarterly, unless otherwise directed by the*
35 *Commission.*

36 **Sec. 48.** Chapter 503 of NRS is hereby amended by adding
37 thereto a new section to read as follows:

38 1. *The Department shall develop and implement a process by*
39 *which a person with a criminal history may petition the*
40 *Department to review the criminal history of the person to*
41 *determine if the person's criminal history will disqualify the*
42 *person from obtaining a falconry license pursuant to*
43 *NRS 503.583.*

44 2. *Not later than 60 days after a petition is submitted to the*
45 *Department pursuant to subsection 1, the Department shall inform*



1 *the person of the determination of the Department of whether the*
2 *person's criminal history will disqualify the person from obtaining*
3 *a falconry license. The Department may rescind a determination*
4 *of disqualification or qualification at any time.*

5 3. *The Department may provide instructions to a person who*
6 *receives a determination of disqualification to remedy the*
7 *determination of disqualification. A person may resubmit a*
8 *petition pursuant to subsection 1 not earlier than 6 months after*
9 *receiving instructions pursuant to this subsection if the person*
10 *remedies the determination of disqualification.*

11 4. *A person with a criminal history may petition the*
12 *Department at any time, including, without limitation, before*
13 *obtaining any education or paying any fee required to obtain a*
14 *falconry license from the Department.*

15 5. *A person may submit a new petition to the Department not*
16 *earlier than 2 years after the final determination of the initial*
17 *petition submitted to the Department.*

18 6. *The Department may impose a fee of up to \$25 upon the*
19 *person to fund the administrative costs in complying with the*
20 *provisions of this section. The Department may waive such fees or*
21 *allow such fees to be covered by funds from a scholarship or*
22 *grant.*

23 7. *The Department shall post on its Internet website:*

24 (a) *The requirements to obtain a falconry license from the*
25 *Department; and*

26 (b) *A list of crimes, if any, that would disqualify a person from*
27 *obtaining a falconry license from the Department.*

28 8. *The Department shall, on or before the 20th day of*
29 *January, April, July and October, submit to the Director of the*
30 *Legislative Counsel Bureau in an electronic format prescribed by*
31 *the Director, a report that includes:*

32 (a) *The number of petitions submitted to the Department*
33 *pursuant to subsection 1;*

34 (b) *The number of determinations of disqualification made by*
35 *the Department pursuant to subsection 1;*

36 (c) *The reasons for such determinations; and*

37 (d) *Any other information that is requested by the Director or*
38 *which the Department determines would be helpful.*

39 9. *The Director shall transmit a compilation of the*
40 *information received pursuant to subsection 8 to the Legislative*
41 *Commission quarterly, unless otherwise directed by the*
42 *Commission.*



1 **Sec. 49.** Chapter 504 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *The Department shall develop and implement a process by*
4 *which a person with a criminal history may petition the*
5 *Department to review the criminal history of the person to*
6 *determine if the person's criminal history will disqualify the*
7 *person from obtaining a master guide license or subguide license*
8 *pursuant to NRS 504.390.*

9 2. *Not later than 60 days after a petition is submitted to the*
10 *Department pursuant to subsection 1, the Department shall inform*
11 *the person of the determination of the Department of whether the*
12 *person's criminal history will disqualify the person from obtaining*
13 *a license. The Department may rescind a determination of*
14 *disqualification or qualification at any time.*

15 3. *The Department may provide instructions to a person who*
16 *receives a determination of disqualification to remedy the*
17 *determination of disqualification. A person may resubmit a*
18 *petition pursuant to subsection 1 not earlier than 6 months after*
19 *receiving instructions pursuant to this subsection if the person*
20 *remedies the determination of disqualification.*

21 4. *A person with a criminal history may petition the*
22 *Department at any time, including, without limitation, before*
23 *obtaining any education or paying any fee required to obtain a*
24 *license from the Department.*

25 5. *A person may submit a new petition to the Department not*
26 *earlier than 2 years after the final determination of the initial*
27 *petition submitted to the Department.*

28 6. *The Department may impose a fee of up to \$25 upon the*
29 *person to fund the administrative costs in complying with the*
30 *provisions of this section. The Department may waive such fees or*
31 *allow such fees to be covered by funds from a scholarship or*
32 *grant.*

33 7. *The Department shall post on its Internet website:*

34 (a) *The requirements to obtain a license from the Department;*
35 *and*

36 (b) *A list of crimes, if any, that would disqualify a person from*
37 *obtaining a license from the Department.*

38 8. *The Department shall, on or before the 20th day of*
39 *January, April, July and October, submit to the Director of the*
40 *Legislative Counsel Bureau in an electronic format prescribed by*
41 *the Director, a report that includes:*

42 (a) *The number of petitions submitted to the Department*
43 *pursuant to subsection 1;*

44 (b) *The number of determinations of disqualification made by*
45 *the Department pursuant to subsection 1;*



1 (c) *The reasons for such determinations; and*
2 (d) *Any other information that is requested by the Director or*
3 *which the Department determines would be helpful.*

4 9. *The Director shall transmit a compilation of the*
5 *information received pursuant to subsection 8 to the Legislative*
6 *Commission quarterly, unless otherwise directed by the*
7 *Commission.*

8 **Sec. 50.** Chapter 505 of NRS is hereby amended by adding
9 thereto a new section to read as follows:

10 1. *The Department shall develop and implement a process by*
11 *which a person with a criminal history may petition the*
12 *Department to review the criminal history of the person to*
13 *determine if the person's criminal history will disqualify the*
14 *person from obtaining a fur dealer's license pursuant to*
15 *NRS 502.240.*

16 2. *Not later than 60 days after a petition is submitted to the*
17 *Department pursuant to subsection 1, the Department shall inform*
18 *the person of the determination of the Department of whether the*
19 *person's criminal history will disqualify the person from obtaining*
20 *a license. The Department may rescind a determination of*
21 *disqualification or qualification at any time.*

22 3. *The Department may provide instructions to a person who*
23 *receives a determination of disqualification to remedy the*
24 *determination of disqualification. A person may resubmit a*
25 *petition pursuant to subsection 1 not earlier than 6 months after*
26 *receiving instructions pursuant to this subsection if the person*
27 *remedies the determination of disqualification.*

28 4. *A person with a criminal history may petition the*
29 *Department at any time, including, without limitation, before*
30 *obtaining any education or paying any fee required to obtain a*
31 *license from the Department.*

32 5. *A person may submit a new petition to the Department not*
33 *earlier than 2 years after the final determination of the initial*
34 *petition submitted to the Department.*

35 6. *The Department may impose a fee of up to \$25 upon the*
36 *person to fund the administrative costs in complying with the*
37 *provisions of this section. The Department may waive such fees or*
38 *allow such fees to be covered by funds from a scholarship or*
39 *grant.*

40 7. *The Department shall post on its Internet website:*

41 (a) *The requirements to obtain a license from the Department;*
42 *and*

43 (b) *A list of crimes, if any, that would disqualify a person from*
44 *obtaining a license from the Department.*



1 8. *The Department shall, on or before the 20th day of*
2 *January, April, July and October, submit to the Director of the*
3 *Legislative Counsel Bureau in an electronic format prescribed by*
4 *the Director, a report that includes:*

5 (a) *The number of petitions submitted to the Department*
6 *pursuant to subsection 1;*

7 (b) *The number of determinations of disqualification made by*
8 *the Department pursuant to subsection 1;*

9 (c) *The reasons for such determinations; and*

10 (d) *Any other information that is requested by the Director or*
11 *which the Department determines would be helpful.*

12 9. *The Director shall transmit a compilation of the*
13 *information received pursuant to subsection 8 to the Legislative*
14 *Commission quarterly, unless otherwise directed by the*
15 *Commission.*

16 **Sec. 51.** Chapter 534 of NRS is hereby amended by adding
17 thereto a new section to read as follows:

18 1. *The State Engineer shall develop and implement a process*
19 *by which a person with a criminal history may petition the State*
20 *Engineer to review the criminal history of the person to determine*
21 *if the person's criminal history will disqualify the person from*
22 *obtaining a license to drill pursuant to NRS 534.140.*

23 2. *Not later than 60 days after a petition is submitted to the*
24 *State Engineer pursuant to subsection 1, the State Engineer shall*
25 *inform the person of the determination of the State Engineer of*
26 *whether the person's criminal history will disqualify the person*
27 *from obtaining a license. The State Engineer may rescind a*
28 *determination of disqualification or qualification at any time.*

29 3. *The State Engineer may provide instructions to a person*
30 *who receives a determination of disqualification to remedy the*
31 *determination of disqualification. A person may resubmit a*
32 *petition pursuant to subsection 1 not earlier than 6 months after*
33 *receiving instructions pursuant to this subsection if the person*
34 *remedies the determination of disqualification.*

35 4. *A person with a criminal history may petition the State*
36 *Engineer at any time, including, without limitation, before*
37 *obtaining any education or paying any fee required to obtain a*
38 *license from the State Engineer.*

39 5. *A person may submit a new petition to the State Engineer*
40 *not earlier than 2 years after the final determination of the initial*
41 *petition submitted to the State Engineer.*

42 6. *The State Engineer may impose a fee of up to \$25 upon the*
43 *person to fund the administrative costs in complying with the*
44 *provisions of this section. The State Engineer may waive such fees*



1 *or allow such fees to be covered by funds from a scholarship or*
2 *grant.*

3 *7. The State Engineer shall post on its Internet website:*

4 *(a) The requirements to obtain a license from the State*
5 *Engineer; and*

6 *(b) A list of crimes, if any, that would disqualify a person from*
7 *obtaining a license from the State Engineer.*

8 *8. The State Engineer shall, on or before the 20th day of*
9 *January, April, July and October, submit to the Director of the*
10 *Legislative Counsel Bureau in an electronic format prescribed by*
11 *the Director, a report that includes:*

12 *(a) The number of petitions submitted to the State Engineer*
13 *pursuant to subsection 1;*

14 *(b) The number of determinations of disqualification made by*
15 *the State Engineer pursuant to subsection 1;*

16 *(c) The reasons for such determinations; and*

17 *(d) Any other information that is requested by the Director or*
18 *which the State Engineer determines would be helpful.*

19 *9. The Director shall transmit a compilation of the*
20 *information received pursuant to subsection 8 to the Legislative*
21 *Commission quarterly, unless otherwise directed by the*
22 *Commission.*

23 **Sec. 52.** NRS 534.190 is hereby amended to read as follows:

24 534.190 Any person violating any of the provisions of NRS
25 534.010 to 534.180, inclusive, *and section 51 of this act* shall be
26 guilty of a misdemeanor.

27 **Sec. 53.** Chapter 544 of NRS is hereby amended by adding
28 thereto a new section to read as follows:

29 *1. The Director shall develop and implement a process by*
30 *which a person with a criminal history may petition the Director to*
31 *review the criminal history of the person to determine if the*
32 *person's criminal history will disqualify the person from obtaining*
33 *a license and a permit pursuant to NRS 544.120.*

34 *2. Not later than 60 days after a petition is submitted to*
35 *the Director pursuant to subsection 1, the Director shall inform*
36 *the person of the determination of the Director of whether the*
37 *person's criminal history will disqualify the person from obtaining*
38 *a license and a permit. The Director may rescind a determination*
39 *of disqualification or qualification at any time.*

40 *3. The Director may provide instructions to a person who*
41 *receives a determination of disqualification to remedy the*
42 *determination of disqualification. A person may resubmit a*
43 *petition pursuant to subsection 1 not earlier than 6 months after*
44 *receiving instructions pursuant to this subsection if the person*
45 *remedies the determination of disqualification.*



1 4. A person with a criminal history may petition the Director
2 at any time, including, without limitation, before obtaining any
3 education or paying any fee required to obtain a license and a
4 permit from the Director.

5 5. A person may submit a new petition to the Director not
6 earlier than 2 years after the final determination of the initial
7 petition submitted to the Director.

8 6. The Director may impose a fee of up to \$25 upon the
9 person to fund the administrative costs in complying with the
10 provisions of this section. The Director may waive such fees or
11 allow such fees to be covered by funds from a scholarship or
12 grant.

13 7. The Director shall post on its Internet website:

14 (a) The requirements to obtain a license and a permit from the
15 Director; and

16 (b) A list of crimes, if any, that would disqualify a person from
17 obtaining a license and a permit from the Director.

18 8. The Director of the State Department of Conservation and
19 Natural Resources shall, on or before the 20th day of January,
20 April, July and October, submit to the Director of the Legislative
21 Counsel Bureau in an electronic format prescribed by the Director
22 of the Legislative Counsel Bureau, a report that includes:

23 (a) The number of petitions submitted to the Director of the
24 State Department of Conservation and Natural Resources
25 pursuant to subsection 1;

26 (b) The number of determinations of disqualification made by
27 the Director of the State Department of Conservation and Natural
28 Resources pursuant to subsection 1;

29 (c) The reasons for such determinations; and

30 (d) Any other information that is requested by the Director of
31 the Legislative Counsel Bureau or which the Director of the State
32 Department of Conservation and Natural Resources determines
33 would be helpful.

34 9. The Director of the Legislative Counsel Bureau shall
35 transmit a compilation of the information received pursuant to
36 subsection 8 to the Legislative Commission quarterly, unless
37 otherwise directed by the Commission.

38 **Sec. 54.** NRS 544.070 is hereby amended to read as follows:

39 544.070 As used in NRS 544.070 to 544.240, inclusive, *and*
40 *section 53 of this act*, unless the context requires otherwise:

41 1. "Director" means the Director of the State Department of
42 Conservation and Natural Resources.

43 2. "Operation" means:

44 (a) The performance of weather modification and control
45 activities pursuant to a single contract entered into for the purpose of



1 producing, or attempting to produce, a certain modifying effect
2 within one geographical area over one continuing time interval not
3 exceeding 1 year; or

4 (b) If the performance of weather modification and control
5 activities is to be undertaken individually or jointly by a person or
6 persons to be benefited and not undertaken pursuant to a contract,
7 the performance of weather modification and control activities
8 entered into for the purpose of producing, or attempting to produce,
9 a certain modifying effect within one geographical area over one
10 continuing time interval not exceeding 1 year.

11 3. "Research and development" means theoretical analysis,
12 exploration and experimentation and the extension of investigative
13 findings and theories of a scientific or technical nature into practical
14 application for experimental and demonstration purposes, including
15 the experimental production and testing of models, devices,
16 equipment, materials and processes.

17 4. "Weather modification and control" means changing or
18 controlling, or attempting to change or control, by artificial methods
19 the natural development of any or all atmospheric cloud forms or
20 precipitation forms which occur in the troposphere.

21 **Sec. 55.** NRS 544.220 is hereby amended to read as follows:

22 544.220 1. The Director may suspend or revoke any license
23 or permit issued if it appears that the licensee no longer possesses
24 the qualifications necessary for the issuance of a new license or
25 permit. The Director may suspend or revoke any license or permit if
26 it appears that the licensee has violated any of the provisions of
27 NRS 544.070 to 544.240, inclusive **§**, *and section 53 of this act.*
28 Such suspension or revocation shall occur only after notice to the
29 licensee and a reasonable opportunity granted such licensee to be
30 heard respecting the grounds for the proposed suspension or
31 revocation. The Director may refuse to renew the license of, or to
32 issue another permit to, any applicant who has failed to comply with
33 any provisions of NRS 544.070 to 544.240, inclusive **§**, *and*
34 *section 53 of this act.*

35 2. The Director may modify the terms of a permit after
36 issuance thereof if the licensee is first given notice and a reasonable
37 opportunity for a hearing respecting the grounds for the proposed
38 modification and if it appears to the Director that it is necessary for
39 the protection of the health or the property of any person to make
40 the modification proposed.

41 **Sec. 56.** NRS 544.240 is hereby amended to read as follows:

42 544.240 Any person violating any of the provisions of NRS
43 544.070 to 544.240, inclusive, *and section 53 of this act*, or any
44 lawful regulation or order issued pursuant thereto shall be guilty of a



1 misdemeanor and a continuing violation is punishable as a separate
2 offense for each day during which it occurs.

3 **Sec. 57.** Chapter 555 of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 *1. The Director shall develop and implement a process by*
6 *which a person with a criminal history may petition the Director to*
7 *review the criminal history of the person to determine if the*
8 *person's criminal history will disqualify the person from obtaining*
9 *a license as a government applicator pursuant to NRS 555.2772 or*
10 *a business license or license as an applicator pursuant to*
11 *NRS 555.290.*

12 *2. Not later than 60 days after a petition is submitted to*
13 *the Director pursuant to subsection 1, the Director shall inform*
14 *the person of the determination of the Director of whether the*
15 *person's criminal history will disqualify the person from obtaining*
16 *a license. The Director may rescind a determination of*
17 *disqualification or qualification at any time.*

18 *3. The Director may provide instructions to a person who*
19 *receives a determination of disqualification to remedy the*
20 *determination of disqualification. A person may resubmit a*
21 *petition pursuant to subsection 1 not earlier than 6 months after*
22 *receiving instructions pursuant to this subsection if the person*
23 *remedies the determination of disqualification.*

24 *4. A person with a criminal history may petition the Director*
25 *at any time, including, without limitation, before obtaining any*
26 *education or paying any fee required to obtain a license from the*
27 *Director.*

28 *5. A person may submit a new petition to the Director not*
29 *earlier than 2 years after the final determination of the initial*
30 *petition submitted to the Director.*

31 *6. The Director may impose a fee of up to \$25 upon the*
32 *person to fund the administrative costs in complying with the*
33 *provisions of this section. The Director may waive such fees or*
34 *allow such fees to be covered by funds from a scholarship or*
35 *grant.*

36 *7. The Director shall post on its Internet website:*

37 *(a) The requirements to obtain a license from the Director;*
38 *and*

39 *(b) A list of crimes, if any, that would disqualify a person from*
40 *obtaining a license from the Director.*

41 *8. The Director of the State Department of Agriculture shall,*
42 *on or before the 20th day of January, April, July and October,*
43 *submit to the Director of the Legislative Counsel Bureau in an*
44 *electronic format prescribed by the Director, a report that*
45 *includes:*



1 (a) *The number of petitions submitted to the Director of the*
2 *State Department of Agriculture pursuant to subsection 1;*

3 (b) *The number of determinations of disqualification made by*
4 *the Director of the State Department of Agriculture pursuant to*
5 *subsection 1;*

6 (c) *The reasons for such determinations; and*

7 (d) *Any other information that is requested by the Director of*
8 *the Legislative Counsel Bureau or which the Director of the State*
9 *Department of Agriculture determines would be helpful.*

10 9. *The Director of the Legislative Counsel Bureau shall*
11 *transmit a compilation of the information received pursuant to*
12 *subsection 8 to the Legislative Commission quarterly, unless*
13 *otherwise directed by the Commission.*

14 **Sec. 58.** NRS 555.2605 is hereby amended to read as follows:

15 555.2605 As used in NRS 555.2605 to 555.460, inclusive, *and*
16 *section 57 of this act*, unless the context otherwise requires, the
17 words and terms defined in NRS 555.261 to 555.2695, inclusive,
18 have the meanings ascribed to them in those sections.

19 **Sec. 59.** NRS 555.273 is hereby amended to read as follows:

20 555.273 All state agencies, municipal corporations and public
21 utilities or any other governmental agency and any government
22 applicator is subject to the provisions of NRS 555.2605 to 555.460,
23 inclusive, *and section 57 of this act*, and rules adopted thereunder
24 concerning the application of restricted-use pesticides by any
25 person.

26 **Sec. 60.** NRS 555.350 is hereby amended to read as follows:

27 555.350 1. The Director may suspend, pending inquiry, for
28 not longer than 10 days, and, after opportunity for a hearing, may
29 revoke, suspend or modify any business license or license issued to
30 an applicator or government applicator under NRS 555.2605 to
31 555.460, inclusive, *and section 57 of this act* if the Director finds
32 that:

33 (a) The licensee is no longer qualified;

34 (b) The licensee has engaged in fraudulent business practices in
35 pest control;

36 (c) The licensee has made false or fraudulent claims through any
37 media by misrepresenting the effect of materials or methods to be
38 used;

39 (d) The licensee has applied known ineffective or improper
40 materials;

41 (e) The licensee has operated faulty or unsafe equipment;

42 (f) The licensee has made any application of materials in a
43 manner inconsistent with labeling or any restriction imposed by
44 regulation of the Director, or otherwise in a faulty, careless or
45 negligent manner;



1 (g) The licensee has violated any of the provisions of NRS
2 555.2605 to 555.460, inclusive, *and section 57 of this act*, or
3 regulations adopted pursuant thereto;

4 (h) The licensee has engaged in the business of pest control
5 without having a licensed agent, operator, primary principal or
6 principal in direct on-the-job supervision;

7 (i) The licensee has aided or abetted a licensed or an unlicensed
8 person to evade the provisions of NRS 555.2605 to 555.460,
9 inclusive, *and section 57 of this act*, combined or conspired with
10 such a licensee or an unlicensed person to evade the provisions, or
11 allowed the license to be used by an unlicensed person;

12 (j) The licensee was intentionally guilty of fraud or deception in
13 the procurement of the license;

14 (k) The licensee was intentionally guilty of fraud, falsification or
15 deception in the issuance of an inspection report on wood-
16 destroying pests or other report or record required by regulation;

17 (l) The licensee has been convicted of, or entered a plea of nolo
18 contendere to, a category A or B felony or a category C, D or E
19 felony if the conviction occurred or the plea was entered for the
20 category C, D or E felony during the immediately preceding 10
21 years in any court of competent jurisdiction in the United States or
22 any other country; or

23 (m) The licensee has failed to provide adequate instruction or
24 supervision to any unlicensed employee working under the
25 supervision of the licensee.

26 2. A business license and any license issued to a principal of
27 the business as an applicator is suspended automatically, without
28 action of the Director, if the proof of public liability and property
29 damage or drift insurance filed pursuant to NRS 555.330 is
30 cancelled, and the licenses remain suspended until the insurance is
31 re-established.

32 3. If the licensee is a natural person, any licensee against whom
33 the Director initiates disciplinary action pursuant to this section
34 shall, within 30 days after receiving written notice of the
35 disciplinary action from the Director and in accordance with any
36 regulations adopted by the Department, submit to the Director any
37 document or other information required by the Department to
38 perform a background check of the licensee. Any document or other
39 information submitted pursuant to this subsection must be
40 accompanied by the appropriate fees, if any, specified in regulations
41 adopted by the Department for performing the background check. A
42 willful failure of a licensee to comply with the requirements of this
43 subsection constitutes an additional ground for the revocation,
44 suspension or modification of the license pursuant to this section.



1 **Sec. 61.** NRS 555.460 is hereby amended to read as follows:

2 555.460 Any person violating the provisions of NRS 555.2605
3 to 555.420, inclusive, *and section 57 of this act*, or the regulations
4 adopted pursuant thereto, is guilty of a misdemeanor and, in
5 addition to any criminal penalty, shall pay to the Department an
6 administrative fine of not more than \$5,000 per violation. If an
7 administrative fine is imposed pursuant to this section, the costs of
8 the proceeding, including investigative costs and attorney's fees,
9 may be recovered by the Department.

10 **Sec. 62.** NRS 555.470 is hereby amended to read as follows:

11 555.470 1. The Director shall adopt regulations specifying a
12 schedule of fines which may be imposed, upon notice and a hearing,
13 for each violation of the provisions of NRS 555.2605 to 555.460,
14 inclusive **[]**, *and section 57 of this act*. The maximum fine that
15 may be imposed by the Director for each violation must not exceed
16 \$5,000 per day. All fines collected by the Director pursuant to this
17 subsection must be remitted to the county treasurer of the county in
18 which the violation occurred for credit to the county school district
19 fund.

20 2. The Director may:

21 (a) In addition to imposing a fine pursuant to subsection 1, issue
22 an order requiring a violator to take appropriate action to correct the
23 violation; or

24 (b) Request the district attorney of the appropriate county to
25 investigate or file a criminal complaint against any person that the
26 State Board of Agriculture suspects may have violated any provision
27 of NRS 555.2605 to 555.460, inclusive **[]**, *and section 57 of this*
28 *act*.

29 **Sec. 63.** Chapter 557 of NRS is hereby amended by adding
30 thereto a new section to read as follows:

31 1. *The Department shall develop and implement a process by*
32 *which a person with a criminal history may petition the*
33 *Department to review the criminal history of the person to*
34 *determine if the person's criminal history will disqualify the*
35 *person from registering as a grower, handler or producer*
36 *pursuant to NRS 557.200.*

37 2. *Not later than 60 days after a petition is submitted to the*
38 *Department pursuant to subsection 1, the Department shall inform*
39 *the person of the determination of the Department of whether the*
40 *person's criminal history will disqualify the person from*
41 *registration. The Department may rescind a determination of*
42 *disqualification or qualification at any time.*

43 3. *The Department may provide instructions to a person who*
44 *receives a determination of disqualification to remedy the*
45 *determination of disqualification. A person may resubmit a*



1 *petition pursuant to subsection 1 not earlier than 6 months after*
2 *receiving instructions pursuant to this subsection if the person*
3 *remedies the determination of disqualification.*

4 4. *A person with a criminal history may petition the*
5 *Department at any time, including, without limitation, before*
6 *obtaining any education or paying any fee required to obtain a*
7 *registration from the Department.*

8 5. *A person may submit a new petition to the Department not*
9 *earlier than 2 years after the final determination of the initial*
10 *petition submitted to the Department.*

11 6. *The Department may impose a fee of up to \$25 upon the*
12 *person to fund the administrative costs in complying with the*
13 *provisions of this section. The Department may waive such fees or*
14 *allow such fees to be covered by funds from a scholarship or*
15 *grant.*

16 7. *The Department shall post on its Internet website:*

17 (a) *The requirements to register with the Department; and*

18 (b) *A list of crimes, if any, that would disqualify a person from*
19 *obtaining a registration from the Department.*

20 8. *The Department shall, on or before the 20th day of*
21 *January, April, July and October, submit to the Director of the*
22 *Legislative Counsel Bureau in an electronic format prescribed by*
23 *the Director, a report that includes:*

24 (a) *The number of petitions submitted to the Department*
25 *pursuant to subsection 1;*

26 (b) *The number of determinations of disqualification made by*
27 *the Department pursuant to subsection 1;*

28 (c) *The reasons for such determinations; and*

29 (d) *Any other information that is requested by the Director or*
30 *which the Department determines would be helpful.*

31 9. *The Director shall transmit a compilation of the*
32 *information received pursuant to subsection 8 to the Legislative*
33 *Commission quarterly, unless otherwise directed by the*
34 *Commission.*

35 **Sec. 64.** NRS 557.100 is hereby amended to read as follows:

36 557.100 As used in NRS 557.100 to 557.290, inclusive, *and*
37 *section 63 of this act*, unless the context otherwise requires, the
38 words and terms defined in NRS 557.110 to 557.180, inclusive,
39 have the meanings ascribed to them in those sections.

40 **Sec. 65.** NRS 557.190 is hereby amended to read as follows:

41 557.190 The provisions of NRS 557.100 to 557.290, inclusive,
42 *and section 63 of this act* do not apply to the Department or an
43 institution of higher education which grows or cultivates industrial
44 hemp pursuant to NRS 557.010 to 557.080, inclusive.



1 **Sec. 66.** NRS 557.280 is hereby amended to read as follows:

2 557.280 1. The Department may refuse to issue or renew,
3 suspend or revoke the registration of a grower, handler or producer
4 for a violation of any provision of NRS 557.100 to 557.290,
5 inclusive, *and section 63 of this act*, the regulations adopted
6 pursuant thereto or any lawful order of the Department.

7 2. In addition to any other penalty provided by law, the
8 Department may impose an administrative fine on any person who
9 violates any of the provisions of NRS 557.100 to 557.290, inclusive,
10 *and section 63 of this act*, the regulations adopted pursuant thereto
11 or any lawful order of the Department in an amount not to exceed
12 \$2,500.

13 3. All fines collected by the Department pursuant to subsection
14 2 must be deposited with the State Treasurer for credit to the State
15 General Fund.

16 **Sec. 67.** Chapter 576 of NRS is hereby amended by adding
17 thereto a new section to read as follows:

18 1. *The Department shall develop and implement a process by
19 which a person with a criminal history may petition the
20 Department to review the criminal history of the person to
21 determine if the person's criminal history will disqualify the
22 person from obtaining a license as a broker, dealer, commission
23 merchant or agent pursuant to NRS 576.030.*

24 2. *Not later than 60 days after a petition is submitted to the
25 Department pursuant to subsection 1, the Department shall inform
26 the person of the determination of the Department of whether the
27 person's criminal history will disqualify the person from obtaining
28 a license. The Department may rescind a determination of
29 disqualification or qualification at any time.*

30 3. *The Department may provide instructions to a person who
31 receives a determination of disqualification to remedy the
32 determination of disqualification. A person may resubmit a
33 petition pursuant to subsection 1 not earlier than 6 months after
34 receiving instructions pursuant to this subsection if the person
35 remedies the determination of disqualification.*

36 4. *A person with a criminal history may petition the
37 Department at any time, including, without limitation, before
38 obtaining any education or paying any fee required to obtain a
39 license from the Department.*

40 5. *A person may submit a new petition to the Department not
41 earlier than 2 years after the final determination of the initial
42 petition submitted to the Department.*

43 6. *The Department may impose a fee of up to \$25 upon the
44 person to fund the administrative costs in complying with the
45 provisions of this section. The Department may waive such fees or*



1 *allow such fees to be covered by funds from a scholarship or*
2 *grant.*

3 *7. The Department shall post on its Internet website:*

4 *(a) The requirements to obtain a license from the Department;*
5 *and*

6 *(b) A list of crimes, if any, that would disqualify a person from*
7 *obtaining a license from the Department.*

8 *8. The Department shall, on or before the 20th day of*
9 *January, April, July and October, submit to the Director of the*
10 *Legislative Counsel Bureau in an electronic format prescribed by*
11 *the Director, a report that includes:*

12 *(a) The number of petitions submitted to the Department*
13 *pursuant to subsection 1;*

14 *(b) The number of determinations of disqualification made by*
15 *the Department pursuant to subsection 1;*

16 *(c) The reasons for such determinations; and*

17 *(d) Any other information that is requested by the Director or*
18 *which the Department determines would be helpful.*

19 *9. The Director shall transmit a compilation of the*
20 *information received pursuant to subsection 8 to the Legislative*
21 *Commission quarterly, unless otherwise directed by the*
22 *Commission.*

23 **Sec. 68.** Chapter 581 of NRS is hereby amended by adding
24 thereto a new section to read as follows:

25 *1. The State Sealer of Consumer Equitability shall develop*
26 *and implement a process by which a person with a criminal*
27 *history may petition the State Sealer of Consumer Equitability to*
28 *review the criminal history of the person to determine if the*
29 *person's criminal history will disqualify the person from obtaining*
30 *a certificate of registration pursuant to NRS 581.103.*

31 *2. Not later than 60 days after a petition is submitted to the*
32 *State Sealer of Consumer Equitability pursuant to subsection 1,*
33 *the State Sealer of Consumer Equitability shall inform the person*
34 *of the determination of the State Sealer of Consumer Equitability*
35 *of whether the person's criminal history will disqualify the person*
36 *from obtaining a certificate of registration. The State Sealer of*
37 *Consumer Equitability may rescind a determination of*
38 *disqualification or qualification at any time.*

39 *3. The State Sealer of Consumer Equitability may provide*
40 *instructions to a person who receives a determination of*
41 *disqualification to remedy the determination of disqualification. A*
42 *person may resubmit a petition pursuant to subsection 1 not*
43 *earlier than 6 months after receiving instructions pursuant to this*
44 *subsection if the person remedies the determination of*
45 *disqualification.*



1 4. A person with a criminal history may petition the State
2 Sealer of Consumer Equitability at any time, including, without
3 limitation, before obtaining any education or paying any fee
4 required to obtain a certificate of registration from the State
5 Sealer of Consumer Equitability.

6 5. A person may submit a new petition to the State Sealer of
7 Consumer Equitability not earlier than 2 years after the final
8 determination of the initial petition submitted to the State Sealer of
9 Consumer Equitability.

10 6. The State Sealer of Consumer Equitability may impose a
11 fee of up to \$25 upon the person to fund the administrative costs
12 in complying with the provisions of this section. The State Sealer
13 of Consumer Equitability may waive such fees or allow such fees
14 to be covered by funds from a scholarship or grant.

15 7. The State Sealer of Consumer Equitability shall post on its
16 Internet website:

17 (a) The requirements to obtain a certificate of registration
18 from the State Sealer of Consumer Equitability; and

19 (b) A list of crimes, if any, that would disqualify a person from
20 obtaining a certificate of registration from the State Sealer of
21 Consumer Equitability.

22 8. The State Sealer of Consumer Equitability shall, on or
23 before the 20th day of January, April, July and October, submit to
24 the Director of the Legislative Counsel Bureau in an electronic
25 format prescribed by the Director, a report that includes:

26 (a) The number of petitions submitted to the State Sealer of
27 Consumer Equitability pursuant to subsection 1;

28 (b) The number of determinations of disqualification made
29 by the State Sealer of Consumer Equitability pursuant to
30 subsection 1;

31 (c) The reasons for such determinations; and

32 (d) Any other information that is requested by the Director or
33 which the State Sealer of Consumer Equitability determines would
34 be helpful.

35 9. The Director shall transmit a compilation of the
36 information received pursuant to subsection 8 to the Legislative
37 Commission quarterly, unless otherwise directed by the
38 Commission.

39 **Sec. 69.** Chapter 582 of NRS is hereby amended by adding
40 thereto a new section to read as follows:

41 1. The State Sealer of Consumer Equitability shall develop
42 and implement a process by which a person with a criminal
43 history may petition the State Sealer of Consumer Equitability to
44 review the criminal history of the person to determine if the



1 *person's criminal history will disqualify the person from obtaining*
2 *a license as a public weighmaster pursuant to NRS 582.028.*

3 *2. Not later than 60 days after a petition is submitted to the*
4 *State Sealer of Consumer Equitability pursuant to subsection 1,*
5 *the State Sealer of Consumer Equitability shall inform the person*
6 *of the determination of the State Sealer of Consumer Equitability*
7 *of whether the person's criminal history will disqualify the person*
8 *from obtaining a license. The State Sealer of Consumer*
9 *Equitability may rescind a determination of disqualification or*
10 *qualification at any time.*

11 *3. The State Sealer of Consumer Equitability may provide*
12 *instructions to a person who receives a determination of*
13 *disqualification to remedy the determination of disqualification. A*
14 *person may resubmit a petition pursuant to subsection 1 not*
15 *earlier than 6 months after receiving instructions pursuant to this*
16 *subsection if the person remedies the determination of*
17 *disqualification.*

18 *4. A person with a criminal history may petition the State*
19 *Sealer of Consumer Equitability at any time, including, without*
20 *limitation, before obtaining any education or paying any fee*
21 *required to obtain a license from the State Sealer of Consumer*
22 *Equitability.*

23 *5. A person may submit a new petition to the State Sealer of*
24 *Consumer Equitability not earlier than 2 years after the final*
25 *determination of the initial petition submitted to the State Sealer of*
26 *Consumer Equitability.*

27 *6. The State Sealer of Consumer Equitability may impose a*
28 *fee of up to \$25 upon the person to fund the administrative costs*
29 *in complying with the provisions of this section. The State Sealer*
30 *of Consumer Equitability may waive such fees or allow such fees*
31 *to be covered by funds from a scholarship or grant.*

32 *7. The State Sealer of Consumer Equitability shall post on its*
33 *Internet website:*

34 *(a) The requirements to obtain a license from the State Sealer*
35 *of Consumer Equitability; and*

36 *(b) A list of crimes, if any, that would disqualify a person from*
37 *obtaining a license from the State Sealer of Consumer*
38 *Equitability.*

39 *8. The State Sealer of Consumer Equitability shall, on or*
40 *before the 20th day of January, April, July and October, submit to*
41 *the Director of the Legislative Counsel Bureau in an electronic*
42 *format prescribed by the Director, a report that includes:*

43 *(a) The number of petitions submitted to the State Sealer of*
44 *Consumer Equitability pursuant to subsection 1;*



1 ***(b) The number of determinations of disqualification made***
2 ***by the State Sealer of Consumer Equitability pursuant to***
3 ***subsection 1;***

4 ***(c) The reasons for such determinations; and***

5 ***(d) Any other information that is requested by the Director or***
6 ***which the State Sealer of Consumer Equitability determines would***
7 ***be helpful.***

8 ***9. The Director shall transmit a compilation of the***
9 ***information received pursuant to subsection 8 to the Legislative***
10 ***Commission quarterly, unless otherwise directed by the***
11 ***Commission.***

12 **Sec. 70.** Chapter 584 of NRS is hereby amended by adding
13 thereto a new section to read as follows:

14 ***1. The Director shall develop and implement a process by***
15 ***which a person with a criminal history may petition the Director to***
16 ***review the criminal history of the person to determine if the***
17 ***person's criminal history will disqualify the person from obtaining***
18 ***a milk tester's license pursuant to NRS 584.215.***

19 ***2. Not later than 60 days after a petition is submitted to***
20 ***the Director pursuant to subsection 1, the Director shall inform***
21 ***the person of the determination of the Director of whether the***
22 ***person's criminal history will disqualify the person from obtaining***
23 ***a license. The Director may rescind a determination of***
24 ***disqualification or qualification at any time.***

25 ***3. The Director may provide instructions to a person who***
26 ***receives a determination of disqualification to remedy the***
27 ***determination of disqualification. A person may resubmit a***
28 ***petition pursuant to subsection 1 not earlier than 6 months after***
29 ***receiving instructions pursuant to this subsection if the person***
30 ***remedies the determination of disqualification.***

31 ***4. A person with a criminal history may petition the Director***
32 ***at any time, including, without limitation, before obtaining any***
33 ***education or paying any fee required to obtain a license from the***
34 ***Director.***

35 ***5. A person may submit a new petition to the Director not***
36 ***earlier than 2 years after the final determination of the initial***
37 ***petition submitted to the Director.***

38 ***6. The Director may impose a fee of up to \$25 upon the***
39 ***person to fund the administrative costs in complying with the***
40 ***provisions of this section. The Director may waive such fees or***
41 ***allow such fees to be covered by funds from a scholarship or***
42 ***grant.***

43 ***7. The Director shall post on its Internet website:***

44 ***(a) The requirements to obtain a license from the Director;***
45 ***and***



1 (b) *A list of crimes, if any, that would disqualify a person from*
2 *obtaining a license from the Director.*

3 8. *The Director of the State Department of Agriculture shall,*
4 *on or before the 20th day of January, April, July and October,*
5 *submit to the Director of the Legislative Counsel Bureau in an*
6 *electronic format prescribed by the Director, a report that*
7 *includes:*

8 (a) *The number of petitions submitted to the Director of the*
9 *State Department of Agriculture pursuant to subsection 1;*

10 (b) *The number of determinations of disqualification made by*
11 *the Director of the State Department of Agriculture pursuant to*
12 *subsection 1;*

13 (c) *The reasons for such determinations; and*

14 (d) *Any other information that is requested by the Director of*
15 *the Legislative Counsel Bureau or which the Director of the State*
16 *Department of Agriculture determines would be helpful.*

17 9. *The Director of the Legislative Counsel Bureau shall*
18 *transmit a compilation of the information received pursuant to*
19 *subsection 8 to the Legislative Commission quarterly, unless*
20 *otherwise directed by the Commission.*

21 **Sec. 71.** NRS 584.285 is hereby amended to read as follows:

22 584.285 Any person violating any provision of NRS 584.215
23 to 584.285, inclusive, *and section 70 of this act* shall be guilty of a
24 misdemeanor.

25 **Sec. 72.** Chapter 587 of NRS is hereby amended by adding
26 thereto a new section to read as follows:

27 1. *The Director shall develop and implement a process by*
28 *which a person with a criminal history may petition the Director to*
29 *review the criminal history of the person to determine if the*
30 *person's criminal history will disqualify the person from obtaining*
31 *a license or registration pursuant to this chapter.*

32 2. *Not later than 60 days after a petition is submitted to*
33 *the Director pursuant to subsection 1, the Director shall inform*
34 *the person of the determination of the Director of whether the*
35 *person's criminal history will disqualify the person from obtaining*
36 *a license or registration. The Director may rescind a*
37 *determination of disqualification or qualification at any time.*

38 3. *The Director may provide instructions to a person who*
39 *receives a determination of disqualification to remedy the*
40 *determination of disqualification. A person may resubmit a*
41 *petition pursuant to subsection 1 not earlier than 6 months after*
42 *receiving instructions pursuant to this subsection if the person*
43 *remedies the determination of disqualification.*

44 4. *A person with a criminal history may petition the Director*
45 *at any time, including, without limitation, before obtaining any*



1 *education or paying any fee required to obtain a license or*
2 *registration from the Director.*

3 5. *A person may submit a new petition to the Director not*
4 *earlier than 2 years after the final determination of the initial*
5 *petition submitted to the Director.*

6 6. *The Director may impose a fee of up to \$25 upon the*
7 *person to fund the administrative costs in complying with the*
8 *provisions of this section. The Director may waive such fees or*
9 *allow such fees to be covered by funds from a scholarship or*
10 *grant.*

11 7. *The Director shall post on its Internet website:*

12 (a) *The requirements to obtain a license or registration from*
13 *the Director; and*

14 (b) *A list of crimes, if any, that would disqualify a person from*
15 *obtaining a license or registration from the Director.*

16 8. *The Director of the State Department of Agriculture shall,*
17 *on or before the 20th day of January, April, July and October,*
18 *submit to the Director of the Legislative Counsel Bureau in an*
19 *electronic format prescribed by the Director of the Legislative*
20 *Counsel Bureau, a report that includes:*

21 (a) *The number of petitions submitted to the Director of the*
22 *State Department of Agriculture pursuant to subsection 1;*

23 (b) *The number of determinations of disqualification made by*
24 *the Director of the State Department of Agriculture pursuant to*
25 *subsection 1;*

26 (c) *The reasons for such determinations; and*

27 (d) *Any other information that is requested by the Director of*
28 *the Legislative Counsel Bureau or which the Director of the State*
29 *Department of Agriculture determines would be helpful.*

30 9. *The Director of the Legislative Counsel Bureau shall*
31 *transmit a compilation of the information received pursuant to*
32 *subsection 8 to the Legislative Commission quarterly, unless*
33 *otherwise directed by the Commission.*

34 **Sec. 73.** Chapter 599A of NRS is hereby amended by adding
35 thereto a new section to read as follows:

36 1. *The board of county commissioners of any county and the*
37 *governing body of an incorporated city shall develop and*
38 *implement a process by which a person with a criminal history*
39 *may petition the board of county commissioners of any county and*
40 *the governing body of an incorporated city to review the criminal*
41 *history of the person to determine if the person's criminal history*
42 *will disqualify the person from obtaining a license pursuant to*
43 *NRS 599A.050.*

44 2. *Not later than 60 days after a petition is submitted to the*
45 *board of county commissioners of any county and the governing*



1 *body of an incorporated city pursuant to subsection 1, the board of*
2 *county commissioners of any county and the governing body of an*
3 *incorporated city shall inform the person of the determination of*
4 *the board of county commissioners of any county and the*
5 *governing body of an incorporated city of whether the person's*
6 *criminal history will disqualify the person from obtaining a*
7 *license. The board of county commissioners of any county and the*
8 *governing body of an incorporated city may rescind a*
9 *determination of disqualification or qualification at any time.*

10 3. *The board of county commissioners of any county and the*
11 *governing body of an incorporated city may provide instructions to*
12 *a person who receives a determination of disqualification to*
13 *remedy the determination of disqualification. A person may*
14 *resubmit a petition pursuant to subsection 1 not earlier than 6*
15 *months after receiving instructions pursuant to this subsection if*
16 *the person remedies the determination of disqualification.*

17 4. *A person with a criminal history may petition the board of*
18 *county commissioners of any county and the governing body of an*
19 *incorporated city at any time, including, without limitation, before*
20 *obtaining any education or paying any fee required to obtain a*
21 *license from the board of county commissioners of any county and*
22 *the governing body of an incorporated city.*

23 5. *A person may submit a new petition to the board of county*
24 *commissioners of any county and the governing body of an*
25 *incorporated city not earlier than 2 years after the final*
26 *determination of the initial petition submitted to the board of*
27 *county commissioners of any county and the governing body of an*
28 *incorporated city.*

29 6. *The board of county commissioners of any county and the*
30 *governing body of an incorporated city may impose a fee of up to*
31 *\$25 upon the person to fund the administrative costs in complying*
32 *with the provisions of this section. The board of county*
33 *commissioners of any county and the governing body of an*
34 *incorporated city may waive such fees or allow such fees to be*
35 *covered by funds from a scholarship or grant.*

36 7. *The board of county commissioners of any county and the*
37 *governing body of an incorporated city shall post on its Internet*
38 *website:*

39 (a) *The requirements to obtain a license from the board of*
40 *county commissioners or the governing body, as applicable; and*

41 (b) *A list of crimes, if any, that would disqualify a person from*
42 *obtaining a license from the board of county commissioners of any*
43 *county and the governing body of an incorporated city.*



1 8. *The board of county commissioners of any county and the*
2 *governing body of an incorporated city shall, on or before the 20th*
3 *day of January, April, July and October, submit to the Director of*
4 *the Legislative Counsel Bureau in an electronic format prescribed*
5 *by the Director, a report that includes:*

6 (a) *The number of petitions submitted to the board of county*
7 *commissioners of any county and the governing body of an*
8 *incorporated city pursuant to subsection 1;*

9 (b) *The number of determinations of disqualification made by*
10 *the board of county commissioners of any county and the*
11 *governing body of an incorporated city pursuant to subsection 1;*

12 (c) *The reasons for such determinations; and*

13 (d) *Any other information that is requested by the Director or*
14 *which the board of county commissioners of any county and the*
15 *governing body of an incorporated city determines would be*
16 *helpful.*

17 9. *The Director shall transmit a compilation of the*
18 *information received pursuant to subsection 8 to the Legislative*
19 *Commission quarterly, unless otherwise directed by the*
20 *Commission.*

21 **Sec. 74.** Chapter 599B of NRS is hereby amended by adding
22 thereto a new section to read as follows:

23 1. *The Division shall develop and implement a process by*
24 *which a person with a criminal history may petition the Division to*
25 *review the criminal history of the person to determine if the*
26 *person's criminal history will disqualify the person from obtaining*
27 *a registration pursuant to NRS 599B.080.*

28 2. *Not later than 60 days after a petition is submitted to*
29 *the Division pursuant to subsection 1, the Division shall inform*
30 *the person of the determination of the Division of whether the*
31 *person's criminal history will disqualify the person from obtaining*
32 *a registration. The Division may rescind a determination of*
33 *disqualification or qualification at any time.*

34 3. *The Division may provide instructions to a person who*
35 *receives a determination of disqualification to remedy the*
36 *determination of disqualification. A person may resubmit a*
37 *petition pursuant to subsection 1 not earlier than 6 months after*
38 *receiving instructions pursuant to this subsection if the person*
39 *remedies the determination of disqualification.*

40 4. *A person with a criminal history may petition the Division*
41 *at any time, including, without limitation, before obtaining any*
42 *education or paying any fee required to obtain a registration from*
43 *the Division.*



1 5. *A person may submit a new petition to the Division not*
2 *earlier than 2 years after the final determination of the initial*
3 *petition submitted to the Division.*

4 6. *The Division may impose a fee of up to \$25 upon the*
5 *person to fund the administrative costs in complying with the*
6 *provisions of this section. The Division may waive such fees or*
7 *allow such fees to be covered by funds from a scholarship or*
8 *grant.*

9 7. *The Division shall post on its Internet website:*

10 (a) *The requirements to obtain a registration from the*
11 *Division; and*

12 (b) *A list of crimes, if any, that would disqualify a person from*
13 *obtaining a registration from the Division.*

14 8. *The Division shall, on or before the 20th day of January,*
15 *April, July and October, submit to the Director of the Legislative*
16 *Counsel Bureau in an electronic format prescribed by the*
17 *Director, a report that includes:*

18 (a) *The number of petitions submitted to the Division pursuant*
19 *to subsection 1;*

20 (b) *The number of determinations of disqualification made by*
21 *the Division pursuant to subsection 1;*

22 (c) *The reasons for such determinations; and*

23 (d) *Any other information that is requested by the Director or*
24 *which the Division determines would be helpful.*

25 9. *The Director shall transmit a compilation of the*
26 *information received pursuant to subsection 8 to the Legislative*
27 *Commission quarterly, unless otherwise directed by the*
28 *Commission.*

29 **Sec. 75.** Chapter 618 of NRS is hereby amended by adding
30 thereto a new section to read as follows:

31 1. *The Division shall develop and implement a process by*
32 *which a person with a criminal history may petition the Division to*
33 *review the criminal history of the person to determine if the*
34 *person's criminal history will disqualify the person from obtaining*
35 *a license or certification pursuant to this chapter.*

36 2. *Not later than 60 days after a petition is submitted to*
37 *the Division pursuant to subsection 1, the Division shall inform*
38 *the person of the determination of the Division of whether the*
39 *person's criminal history will disqualify the person from obtaining*
40 *a license or certification. The Division may rescind a*
41 *determination of disqualification or qualification at any time.*

42 3. *The Division may provide instructions to a person who*
43 *receives a determination of disqualification to remedy the*
44 *determination of disqualification. A person may resubmit a*
45 *petition pursuant to subsection 1 not earlier than 6 months after*



1 *receiving instructions pursuant to this subsection if the person*
2 *remedies the determination of disqualification.*

3 *4. A person with a criminal history may petition the Division*
4 *at any time, including, without limitation, before obtaining any*
5 *education or paying any fee required to obtain a license or*
6 *certification from the Division.*

7 *5. A person may submit a new petition to the Division not*
8 *earlier than 2 years after the final determination of the initial*
9 *petition submitted to the Division.*

10 *6. The Division may impose a fee of up to \$25 upon the*
11 *person to fund the administrative costs in complying with the*
12 *provisions of this section. The Division may waive such fees or*
13 *allow such fees to be covered by funds from a scholarship or*
14 *grant.*

15 *7. The Division shall post on its Internet website:*

16 *(a) The requirements to obtain a license or certification from*
17 *the Division; and*

18 *(b) A list of crimes, if any, that would disqualify a person from*
19 *obtaining a license or certification from the Division.*

20 *8. The Division shall, on or before the 20th day of January,*
21 *April, July and October, submit to the Director of the Legislative*
22 *Counsel Bureau in an electronic format prescribed by the*
23 *Director, a report that includes:*

24 *(a) The number of petitions submitted to the Division pursuant*
25 *to subsection 1;*

26 *(b) The number of determinations of disqualification made by*
27 *the Division pursuant to subsection 1;*

28 *(c) The reasons for such determinations; and*

29 *(d) Any other information that is requested by the Director or*
30 *which the Division determines would be helpful.*

31 *9. The Director shall transmit a compilation of the*
32 *information received pursuant to subsection 8 to the Legislative*
33 *Commission quarterly, unless otherwise directed by the*
34 *Commission.*

35 **Sec. 76.** Chapter 706 of NRS is hereby amended by adding
36 thereto a new section to read as follows:

37 *1. The Authority shall develop and implement a process by*
38 *which a person with a criminal history may petition the Authority*
39 *to review the criminal history of the person to determine if the*
40 *person's criminal history will disqualify the person from obtaining*
41 *a driver's permit pursuant to NRS 706.462.*

42 *2. Not later than 60 days after a petition is submitted to*
43 *the Authority pursuant to subsection 1, the Authority shall inform*
44 *the person of the determination of the Authority of whether the*
45 *person's criminal history will disqualify the person from obtaining*



1 *a driver's permit. The Authority may rescind a determination of*
2 *disqualification or qualification at any time.*

3 3. *The Authority may provide instructions to a person who*
4 *receives a determination of disqualification to remedy the*
5 *determination of disqualification. A person may resubmit a*
6 *petition pursuant to subsection 1 not earlier than 6 months after*
7 *receiving instructions pursuant to this subsection if the person*
8 *remedies the determination of disqualification.*

9 4. *A person with a criminal history may petition the Authority*
10 *at any time, including, without limitation, before obtaining any*
11 *education or paying any fee required to obtain a driver's permit*
12 *from the Authority.*

13 5. *A person may submit a new petition to the Authority not*
14 *earlier than 2 years after the final determination of the initial*
15 *petition submitted to the Authority.*

16 6. *The Authority may impose a fee of up to \$25 upon the*
17 *person to fund the administrative costs in complying with the*
18 *provisions of this section. The Authority may waive such fees or*
19 *allow such fees to be covered by funds from a scholarship or*
20 *grant.*

21 7. *The Authority shall post on its Internet website:*

22 (a) *The requirements to obtain a driver's permit from the*
23 *Authority; and*

24 (b) *A list of crimes, if any, that would disqualify a person from*
25 *obtaining a driver's permit from the Authority.*

26 8. *The Authority shall, on or before the 20th day of January,*
27 *April, July and October, submit to the Director of the Legislative*
28 *Counsel Bureau in an electronic format prescribed by the*
29 *Director, a report that includes:*

30 (a) *The number of petitions submitted to the Authority*
31 *pursuant to subsection 1;*

32 (b) *The number of determinations of disqualification made by*
33 *the Authority pursuant to subsection 1;*

34 (c) *The reasons for such determinations; and*

35 (d) *Any other information that is requested by the Director or*
36 *which the Authority determines would be helpful.*

37 9. *The Director shall transmit a compilation of the*
38 *information received pursuant to subsection 8 to the Legislative*
39 *Commission quarterly, unless otherwise directed by the*
40 *Commission.*

41 **Sec. 77.** NRS 706.011 is hereby amended to read as follows:

42 706.011 As used in NRS 706.011 to 706.791, inclusive, *and*
43 *section 76 of this act*, unless the context otherwise requires, the
44 words and terms defined in NRS 706.013 to 706.146, inclusive,
45 have the meanings ascribed to them in those sections.



1 **Sec. 78.** NRS 706.158 is hereby amended to read as follows:

2 706.158 The provisions of NRS 706.011 to 706.791, inclusive,
3 *and section 76 of this act* relating to brokers do not apply to any
4 person whom the Authority determines is:

5 1. A motor club which holds a valid certificate of authority
6 issued by the Commissioner of Insurance;

7 2. A bona fide charitable organization, such as a nonprofit
8 corporation or a society, organization or association for educational,
9 religious, scientific or charitable purposes; or

10 3. A broker of transportation services provided by an entity
11 that is exempt pursuant to NRS 706.745 from the provisions of NRS
12 706.386 or 706.421.

13 **Sec. 79.** NRS 706.163 is hereby amended to read as follows:

14 706.163 The provisions of NRS 706.011 to 706.861, inclusive,
15 *and section 76 of this act* do not apply to vehicles leased to or
16 owned by:

17 1. The Federal Government or any instrumentality thereof.

18 2. Any state or a political subdivision thereof.

19 **Sec. 80.** NRS 706.2885 is hereby amended to read as follows:

20 706.2885 1. A certificate of public convenience and
21 necessity, permit or license issued in accordance with this chapter is
22 not a franchise and may be revoked.

23 2. The Authority may at any time, for good cause shown, after
24 investigation and hearing and upon 5 days' written notice to the
25 grantee, suspend any certificate, permit or license issued in
26 accordance with the provisions of NRS 706.011 to 706.791,
27 inclusive, *and section 76 of this act* for a period not to exceed 60
28 days.

29 3. Upon receipt of a written complaint or on its own motion,
30 the Authority may, after investigation and hearing, revoke any
31 certificate, permit or license. If service of the notice required by
32 subsection 2 cannot be made or if the grantee relinquishes the
33 grantee's interest in the certificate, permit or license by so notifying
34 the Authority in writing, the Authority may revoke the certificate,
35 permit or license without a hearing.

36 4. Except as otherwise provided in NRS 706.1519, the
37 proceedings thereafter are governed by the provisions of chapter
38 233B of NRS.

39 **Sec. 81.** NRS 706.461 is hereby amended to read as follows:

40 706.461 When:

41 1. A complaint has been filed with the Authority alleging that
42 any vehicle is being operated without a certificate of public
43 convenience and necessity or contract carrier's permit as required by
44 NRS 706.011 to 706.791, inclusive ~~§~~, *and section 76 of this act*;
45 or



- 1 2. The Authority has reason to believe that any:
2 (a) Person is advertising to provide:
3 (1) The services of a fully regulated carrier in intrastate
4 commerce; or
5 (2) Towing services,
6 ↪ without including the number of the person's certificate of public
7 convenience and necessity or permit in each advertisement; or
8 (b) Provision of NRS 706.011 to 706.791, inclusive, *and section*
9 *76 of this act* is being violated,
10 ↪ the Authority shall investigate the operations or advertising and
11 may, after a hearing, order the owner or operator of the vehicle or
12 the person advertising to cease and desist from any operation or
13 advertising in violation of NRS 706.011 to 706.791, inclusive **H** ,
14 *and section 76 of this act*. The Authority shall enforce compliance
15 with the order pursuant to the powers vested in the Authority by
16 NRS 706.011 to 706.791, inclusive, *and section 76 of this act* or by
17 other law.

18 **Sec. 82.** NRS 706.736 is hereby amended to read as follows:

19 706.736 1. Except as otherwise provided in subsection 2, the
20 provisions of NRS 706.011 to 706.791, inclusive, *and section 76 of*
21 *this act* do not apply to:

22 (a) The transportation by a contractor licensed by the State
23 Contractors' Board of the contractor's own equipment in the
24 contractor's own vehicles from job to job.

25 (b) Any person engaged in transporting the person's own
26 personal effects in the person's own vehicle, but the provisions of
27 this subsection do not apply to any person engaged in transportation
28 by vehicle of property sold or to be sold, or used by the person in
29 the furtherance of any commercial enterprise other than as provided
30 in paragraph (d), or to the carriage of any property for
31 compensation.

32 (c) Special mobile equipment.

33 (d) The vehicle of any person, when that vehicle is being used in
34 the production of motion pictures, including films to be shown in
35 theaters and on television, industrial training and educational films,
36 commercials for television and video discs and tapes.

37 (e) A private motor carrier of property which is used for any
38 convention, show, exhibition, sporting event, carnival, circus or
39 organized recreational activity.

40 (f) A private motor carrier of property which is used to attend
41 livestock shows and sales.

42 (g) The transportation by a private school of persons or property
43 in connection with the operation of the school or related school
44 activities, so long as the vehicle that is used to transport the persons
45 or property does not have a gross vehicle weight rating of 26,001



1 pounds or more and is not registered pursuant to NRS 706.801 to
2 706.861, inclusive.

3 2. Unless exempted by a specific state statute or a specific
4 federal statute, regulation or rule, any person referred to in
5 subsection 1 is subject to:

6 (a) The provisions of paragraph (d) of subsection 1 of NRS
7 706.171 and NRS 706.235 to 706.256, inclusive, 706.281, 706.457
8 and 706.458.

9 (b) All rules and regulations adopted by reference pursuant to
10 paragraph (b) of subsection 1 of NRS 706.171 concerning the safety
11 of drivers and vehicles.

12 (c) All standards adopted by regulation pursuant to
13 NRS 706.173.

14 3. The provisions of NRS 706.311 to 706.453, inclusive,
15 706.471, 706.473, 706.475 and 706.6411 which authorize the
16 Authority to issue:

17 (a) Except as otherwise provided in paragraph (b), certificates of
18 public convenience and necessity and contract carriers' permits and
19 to regulate rates, routes and services apply only to fully regulated
20 carriers.

21 (b) Certificates of public convenience and necessity to operators
22 of tow cars and to regulate rates for towing services performed
23 without the prior consent of the owner of the vehicle or the person
24 authorized by the owner to operate the vehicle apply to operators of
25 tow cars.

26 4. Any person who operates pursuant to a claim of an
27 exemption provided by this section but who is found to be operating
28 in a manner not covered by any of those exemptions immediately
29 becomes liable, in addition to any other penalties provided in this
30 chapter, for the fee appropriate to the person's actual operation as
31 prescribed in this chapter, computed from the date when that
32 operation began.

33 5. As used in this section, "private school" means a nonprofit
34 private elementary or secondary educational institution that is
35 licensed in this State.

36 **Sec. 83.** NRS 706.756 is hereby amended to read as follows:

37 706.756 1. Except as otherwise provided in subsection 2, any
38 person who:

39 (a) Operates a vehicle or causes it to be operated in any carriage
40 to which the provisions of NRS 706.011 to 706.861, inclusive, *and*
41 *section 76 of this act* apply without first obtaining a certificate,
42 permit or license, or in violation of the terms thereof;

43 (b) Fails to make any return or report required by the provisions
44 of NRS 706.011 to 706.861, inclusive, *and section 76 of this act*, or



1 by the Authority or the Department pursuant to the provisions of
2 NRS 706.011 to 706.861, inclusive **[§]**, *and section 76 of this act*;

3 (c) Violates, or procures, aids or abets the violating of, any
4 provision of NRS 706.011 to 706.861, inclusive **[§]**, *and section 76*
5 *of this act*;

6 (d) Fails to obey any order, decision or regulation of the
7 Authority or the Department;

8 (e) Procures, aids or abets any person in the failure to obey such
9 an order, decision or regulation of the Authority or the Department;

10 (f) Advertises, solicits, proffers bids or otherwise is held out to
11 perform transportation as a common or contract carrier in violation
12 of any of the provisions of NRS 706.011 to 706.861, inclusive **[§]**,
13 *and section 76 of this act*;

14 (g) Advertises as providing:

15 (1) The services of a fully regulated carrier; or

16 (2) Towing services,

17 ↪ without including the number of the person's certificate of public
18 convenience and necessity or contract carrier's permit in each
19 advertisement;

20 (h) Knowingly offers, gives, solicits or accepts any rebate,
21 concession or discrimination in violation of the provisions of this
22 chapter;

23 (i) Knowingly, willfully and fraudulently seeks to evade or
24 defeat the purposes of this chapter;

25 (j) Operates or causes to be operated a vehicle which does not
26 have the proper identifying device;

27 (k) Displays or causes or permits to be displayed a certificate,
28 permit, license or identifying device, knowing it to be fictitious or to
29 have been cancelled, revoked, suspended or altered;

30 (l) Lends or knowingly permits the use of by one not entitled
31 thereto any certificate, permit, license or identifying device issued to
32 the person so lending or permitting the use thereof; or

33 (m) Refuses or fails to surrender to the Authority or Department
34 any certificate, permit, license or identifying device which has been
35 suspended, cancelled or revoked pursuant to the provisions of this
36 chapter,

37 ↪ is guilty of a misdemeanor, and upon conviction thereof shall be
38 punished by a fine of not less than \$100 nor more than \$1,000, or by
39 imprisonment in the county jail for not more than 6 months, or by
40 both fine and imprisonment.

41 2. Any person who, in violation of the provisions of NRS
42 706.386, operates as a fully regulated common motor carrier without
43 first obtaining a certificate of public convenience and necessity or
44 any person who, in violation of the provisions of NRS 706.421,



1 operates as a contract motor carrier without first obtaining a permit
2 is guilty of a misdemeanor and shall be punished:

3 (a) For a first offense within a period of 12 consecutive months,
4 by a fine of not less than \$500 nor more than \$1,000. In addition to
5 the fine, the person may be punished by imprisonment in the county
6 jail for not more than 6 months.

7 (b) For a second offense within a period of 12 consecutive
8 months and for each subsequent offense that is committed within a
9 period of 12 consecutive months of any prior offense under this
10 subsection, by a fine of \$1,000. In addition to the fine, the person
11 may be punished by imprisonment in the county jail for not more
12 than 6 months.

13 3. Any person who, in violation of the provisions of NRS
14 706.386, operates or permits the operation of a vehicle in passenger
15 service without first obtaining a certificate of public convenience
16 and necessity is guilty of a gross misdemeanor.

17 4. If a law enforcement officer witnesses a violation of any
18 provision of subsection 2 or 3, the law enforcement officer may
19 cause the vehicle to be towed immediately from the scene and
20 impounded in accordance with NRS 706.476.

21 5. The fines provided in this section are mandatory and must
22 not be reduced under any circumstances by the court.

23 6. Any bail allowed must not be less than the appropriate fine
24 provided for by this section.

25 **Sec. 84.** NRS 706.758 is hereby amended to read as follows:

26 706.758 1. It is unlawful for any person to advertise services
27 for which a certificate of public convenience and necessity or a
28 contract carrier's permit is required pursuant to NRS 706.011 to
29 706.791, inclusive, *and section 76 of this act*, unless the person has
30 been issued such a certificate or permit.

31 2. If, after notice and a hearing, the Authority determines that a
32 person has engaged in advertising in a manner that violates the
33 provisions of this section, the Authority may, in addition to any
34 penalty, punishment or disciplinary action authorized by the
35 provisions of NRS 706.011 to 706.791, inclusive, *and section 76 of*
36 *this act*, issue an order to the person to cease and desist the unlawful
37 advertising and to:

38 (a) Cause any telephone number included in the advertising,
39 other than a telephone number to a provider of paging services, to be
40 disconnected.

41 (b) Request the provider of paging services to change the
42 number of any beeper which is included in the advertising or
43 disconnect the paging services to such a beeper, and to inform the
44 provider of paging services that the request is made pursuant to this
45 section.



1 3. If a person fails to comply with paragraph (a) of subsection
2 2 within 5 days after the date that the person receives an order
3 pursuant to subsection 2, the Authority may request the Commission
4 to order the appropriate provider of telephone service to disconnect
5 any telephone number included in the advertisement, except for a
6 telephone number to a provider of paging services. If a person fails
7 to comply with paragraph (b) of subsection 2 within 5 days after the
8 date the person receives an order pursuant to subsection 2, the
9 Authority may request the provider of paging services to switch
10 the beeper number or disconnect the paging services provided to the
11 person, whichever the provider deems appropriate.

12 4. If the provider of paging services receives a request from a
13 person pursuant to subsection 2 or a request from the Authority
14 pursuant to subsection 3, it shall:

15 (a) Disconnect the paging service to the person; or

16 (b) Switch the beeper number of the paging service provided to
17 the person.

18 ➔ If the provider of paging services elects to switch the number
19 pursuant to paragraph (b), the provider shall not forward or offer to
20 forward the paging calls from the previous number, or provide or
21 offer to provide a recorded message that includes the new beeper
22 number.

23 5. As used in this section:

24 (a) "Advertising" includes, but is not limited to, the issuance of
25 any sign, card or device, or the permitting or allowing of any sign or
26 marking on a motor vehicle, in any building, structure, newspaper,
27 magazine or airway transmission, on the Internet or in any directory
28 under the listing of "fully regulated carrier" with or without any
29 limiting qualifications.

30 (b) "Beeper" means a portable electronic device which is used to
31 page the person carrying it by emitting an audible or a vibrating
32 signal when the device receives a special radio signal.

33 (c) "Provider of paging services" means an entity, other than a
34 public utility, that provides paging service to a beeper.

35 (d) "Provider of telephone service" has the meaning ascribed to
36 it in NRS 707.355.

37 **Sec. 85.** NRS 706.781 is hereby amended to read as follows:

38 706.781 In addition to all the other remedies provided by NRS
39 706.011 to 706.861, inclusive, *and section 76 of this act*, for the
40 prevention and punishment of any violation of the provisions thereof
41 and of all orders of the Authority or the Department, the Authority
42 or the Department may compel compliance with the provisions of
43 NRS 706.011 to 706.861, inclusive, *and section 76 of this act*, and
44 with the orders of the Authority or the Department by proceedings
45 in mandamus, injunction or by other civil remedies.



1 **Sec. 86.** This act becomes effective on July 1, 2019.

⑩



