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FIRST REPRINT

A.B. 74

ASSEMBLY BILL NO. 74—COMMITTEE ON EDUCATION

(ON BEHALF OF THE JOINT INTERIM STANDING
COMMITTEE ON EDUCATION)

PREFILED JANUARY 30, 2023

Referred to Committee on Education

SUMMARY—Revises provisions relating to higher education.
(BDR 34-377)

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

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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 higher education; authorizing the Board of Regents of the University of Nevada to enter into an agreement to affiliate with a public or private entity for certain purposes; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Board of Regents of the University of Nevada to
2 establish policies governing the contracts that faculty members and employees of
3 the Nevada System of Higher Education may enter into or benefit from. (NRS
4 396.255) Existing law also authorizes certain faculty members of the System to bid
5 or enter into a contract with a governmental agency if the contract complies with
6 the policies established by the Board of Regents. (NRS 281.221)

7 Existing law requires that mechanics and workers employed on certain public
8 construction projects be paid at least the wage then prevailing for the type of work
9 that the mechanic or worker performs in the region in which the public work is
10 located. (NRS 338.020) Under existing law, any contract for construction work of
11 the System for which the estimated cost exceeds \$100,000 is subject to the
12 prevailing wage requirements. (NRS 338.075)

13 **Section 1** of this bill authorizes the Board of Regents to enter into an agreement
14 with a public or private entity, whether for profit or not for profit, to promote and
15 enhance an educational program or student life at an institution within the System.
16 **Section 1** requires that such an agreement include certain provisions, including,
17 without limitation, a provision stating that the prevailing wage requirements apply
18 to any construction work performed under the agreement. **Section 2** of this bill
19 establishes that any such agreement is subject to the policies established by the



20 Board of Regents governing contracts that faculty members and employees of the
21 System may enter into or benefit from.

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

1 **Section 1.** Chapter 396 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. The Board of Regents may enter into an agreement to*
4 *affiliate with a publicly or privately owned entity, whether for*
5 *profit or not for profit, to further promote and enhance an*
6 *educational program or student life at an institution within the*
7 *System.*

8 *2. An agreement entered into pursuant to this section must*
9 *include, without limitation:*

- 10 (a) *Standards that must be met by the entity;*
11 (b) *An allocation of any costs or profits that must be shared*
12 *between the entity and the institution;*
13 (c) *Identification of shared goals and responsibilities;*
14 (d) *Provisions governing the joint employment and supervision*
15 *of employees, if applicable;*
16 (e) *Provisions governing the shared review and allocation of*
17 *the use of facilities, resources and employees, if applicable; and*
18 (f) *A provision stating that the requirements of NRS 338.020 to*
19 *338.090, inclusive, apply to any construction work performed*
20 *under the agreement even if the construction work does not*
21 *qualify as a public work, as defined in NRS 338.010.*

22 **Sec. 2.** NRS 396.255 is hereby amended to read as follows:
23 396.255 The Board of Regents shall, to carry out the purposes
24 of subsection 3 of NRS 281.221, subsection 3 of NRS 281.230,
25 subsection 3 of NRS 281A.430 and NRS 396.1215, *and section 1 of*
26 *this act*, establish policies governing the contracts that faculty
27 members and employees of the System may enter into or benefit
28 from.

29 **Sec. 3.** This act becomes effective on July 1, 2023.

