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ASSEMBLY BILL NO. 99—ASSEMBLYMEN ELLISON, WHEELER,  
DICKMAN, O’NEILL; BLACK, HAFEN, HANSEN, HARDY,  
KASAMA, LEAVITT, MATTHEWS, MCARTHUR, ROBERTS,  
TITUS AND TOLLES

FEBRUARY 8, 2021

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JOINT SPONSORS: SENATORS GOICOECHEA;  
PICKARD AND SEEVERS GANSERT

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Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing public works.  
(BDR 28-686)

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.

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AN ACT relating to public works; increasing the estimated thresholds above which prevailing wage requirements apply to certain public construction projects; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under existing law, any contract for a public work and any contract for  
2 construction work of the Nevada System of Higher Education whose cost exceeds  
3 \$100,000 is subject to the prevailing wage requirements. (NRS 338.075, 338.080)  
4 **Sections 2 and 3** of this bill raise the minimum threshold for the applicability of  
5 prevailing wage requirements to such contracts that exceed \$250,000. **Section 1** of  
6 this bill makes a conforming change to raise the minimum threshold for the  
7 applicability of certain general employment provisions to any contract for  
8 construction work of the Nevada System of Higher Education for which the  
9 estimated cost exceeds \$250,000. **Section 4** of this bill provides that the  
10 amendatory provisions of this bill do not apply to a public work or other  
11 construction project awarded before July 1, 2021.

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

1       **Section 1.** NRS 338.018 is hereby amended to read as follows:

2       338.018 The provisions of NRS 338.013 to 338.018, inclusive,  
3 apply to any contract for construction work of the Nevada System of  
4 Higher Education for which the estimated cost exceeds ~~[\$100,000]~~  
5 **\$250,000** even if the construction work does not qualify as a public  
6 work, as defined in NRS 338.010.

7       **Sec. 2.** NRS 338.075 is hereby amended to read as follows:

8       338.075 The provisions of NRS 338.020 to 338.090, inclusive,  
9 apply to any contract for construction work of the Nevada System of  
10 Higher Education for which the estimated cost exceeds ~~[\$100,000]~~  
11 **\$250,000** even if the construction work does not qualify as a public  
12 work, as defined in NRS 338.010.

13       **Sec. 3.** NRS 338.080 is hereby amended to read as follows:

14       338.080 None of the provisions of NRS 338.020 to 338.090,  
15 inclusive, apply to:

16       1. Any work, construction, alteration, repair or other  
17 employment performed, undertaken or carried out, by or for any  
18 railroad company or any person operating the same, whether such  
19 work, construction, alteration or repair is incident to or in  
20 conjunction with a contract to which a public body is a party, or  
21 otherwise.

22       2. Apprentices recorded under the provisions of chapter 610 of  
23 NRS.

24       3. Any contract for a public work whose estimated cost is less  
25 than ~~[\$100,000.]~~ **\$250,000**. A unit of the project must not be  
26 separated from the total project, even if that unit is to be completed  
27 at a later time, in order to lower the estimated cost of the project  
28 below ~~[\$100,000.]~~ **\$250,000**.

29       **Sec. 4.** 1. The amendatory provisions of this act do not apply  
30 to a public work or other project of construction, repair or  
31 reconstruction that is awarded before July 1, 2021.

32       2. As used in this section, “public work” has the meaning  
33 ascribed to it in NRS 338.010.

34       **Sec. 5.** This act becomes effective on July 1, 2021.

