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SENATE BILL NO. 21—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTIES)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Government Affairs

SUMMARY—Revises certain classifications based on populations.  
(BDR 20-391)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
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 classifications based on population; revising the population bases that apply to certain provisions of the Nevada Revised Statutes; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law provides that, except as otherwise provided or required by the  
2 context, “population” is defined for the entire Nevada Revised Statutes as the  
3 number of people in a specified area as determined by the last preceding national  
4 decennial census conducted by the Bureau of the Census of the United States  
5 Department of Commerce pursuant to the United States Constitution and as  
6 reported by the Secretary of Commerce to the Governor of Nevada. (NRS 0.050)  
7 The Nevada Supreme Court has upheld classifications in statutes based on the  
8 population of entities if the classification is rationally related to the subject matter  
9 and purpose of the statute, applies prospectively to all such entities that might come  
10 within its designated class and does not create an odious, absurd or bizarre  
11 distinction. (*County of Clark v. City of Las Vegas*, 97 Nev. 260, 264 (1981)) This  
12 bill revises the classifications of populations in certain provisions of the Nevada  
13 Revised Statutes in order to determine whether such classifications continue to  
14 meet the conditions expressed by the Nevada Supreme Court.



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

1     **Section 1.** NRS 244.1507 is hereby amended to read as  
2 follows:

3     244.1507 1. Except as otherwise provided in subsection 2,  
4 the board of county commissioners of a county whose population is  
5 less than ~~45,000~~ **52,000** may by ordinance direct that:

6     (a) The powers and duties of two or more county offices be  
7 combined into one county office.

8     (b) The powers and duties of one county office be allocated  
9 between two or more county offices.

10    2. A board of county commissioners shall not take the action  
11 described in subsection 1 unless:

12    (a) The board determines that the combining or separating of the  
13 applicable county offices will benefit the public;

14    (b) The board determines that the combining or separating of the  
15 applicable county offices will not create:

16       (1) An ethical, legal or practical conflict of interest; or

17       (2) A situation in which the powers and duties assigned to a  
18 county office are incompatible with the proper performance of that  
19 office in the public interest;

20    (c) The board submits to the residents of the county, in the form  
21 of an advisory ballot question pursuant to NRS 295.230, a proposal  
22 to combine or separate the applicable county offices; and

23    (d) A majority of the voters voting on the advisory ballot  
24 question approves the proposal.

25    3. If the combining or separating of county offices pursuant to  
26 this section will result in the elimination of one or more county  
27 offices, the combining or separating of offices must not become  
28 effective until the earlier of the date on which:

29    (a) The normal term of office of the person whose office will be  
30 eliminated expires; or

31    (b) The person whose office will be eliminated resigns.

32    4. If the combining or separating of county offices pursuant to  
33 this section results in the powers and duties of one county office  
34 being transferred to another county office, the county office to  
35 which the powers and duties are transferred shall be deemed to be  
36 the county office from which the powers and duties were transferred  
37 for the purposes of any applicable provision of law authorizing or  
38 requiring the performance or exercise of those powers and duties, as  
39 appropriate.

40    **Sec. 2.** NRS 244.2795 is hereby amended to read as follows:

41     244.2795 1. Except as otherwise provided in NRS 244.189,  
42 244.276, 244.279, 244.2815, 244.2825, 244.2833, 244.2835,



1 244.284, 244.287, 244.290, 278.479 to 278.4965, inclusive, and  
2 subsection 3 of NRS 496.080, except as otherwise required by  
3 federal law, except as otherwise required pursuant to a cooperative  
4 agreement entered into pursuant to NRS 277.050 or 277.053 or an  
5 interlocal agreement in existence on or before October 1, 2004,  
6 except if the board of county commissioners is entering into a joint  
7 development agreement for real property owned by the county to  
8 which the board of county commissioners is a party, except for a  
9 lease of residential property with a term of 1 year or less, except for  
10 the sale or lease of real property to a public utility, as defined in  
11 NRS 704.020, to be used for a public purpose, except for the sale or  
12 lease of real property to the State or another governmental entity and  
13 except for the sale or lease of real property larger than 1 acre which  
14 is approved by the voters at a primary or general election or special  
15 election, the board of county commissioners shall, when offering  
16 any real property for sale or lease:

17 (a) Except as otherwise provided in this paragraph and  
18 paragraph (h) of subsection 1 of NRS 244.281, obtain two  
19 independent appraisals of the real property before selling or leasing  
20 it. If the board of county commissioners holds a public hearing on  
21 the matter of the fair market value of the real property, one  
22 independent appraisal of the real property is sufficient before selling  
23 or leasing it. The appraisal or appraisals, as applicable, must have  
24 been prepared not more than 6 months before the date on which the  
25 real property is offered for sale or lease.

26 (b) Select the one independent appraiser or two independent  
27 appraisers, as applicable, from the list of appraisers established  
28 pursuant to subsection 2.

29 (c) Verify the qualifications of each appraiser selected pursuant  
30 to paragraph (b). The determination of the board of county  
31 commissioners as to the qualifications of the appraiser is conclusive.

32 2. The board of county commissioners shall adopt by ordinance  
33 the procedures for creating or amending a list of appraisers qualified  
34 to conduct appraisals of real property offered for sale or lease by the  
35 board. The list must:

36 (a) Contain the names of all persons qualified to act as a general  
37 appraiser in the same county as the real property that may be  
38 appraised; and

39 (b) Be organized at random and rotated from time to time.

40 3. An appraiser chosen pursuant to subsection 1 must provide a  
41 disclosure statement which includes, without limitation, all sources  
42 of income that may constitute a conflict of interest and any  
43 relationship with the real property owner or the owner of an  
44 adjoining real property.



1 4. An appraiser shall not perform an appraisal on any real  
2 property for sale or lease by the board of county commissioners if:

3 (a) The appraiser has an interest in the real property or an  
4 adjoining property;

5 (b) The real property is located in a county whose population is  
6 ~~[45,000]~~ 52,000 or more and any person who is related to the  
7 appraiser has an interest in the real property or an adjoining property  
8 and the relationship between the appraiser and the person is within  
9 the third degree of consanguinity or affinity; or

10 (c) The real property is located in a county whose population is  
11 less than ~~[45,000]~~ 52,000 and any person who is related to the  
12 appraiser has an interest in the real property or an adjoining property  
13 and the relationship between the appraiser and the person is within  
14 the second degree of consanguinity or affinity.

15 5. If real property is sold or leased in violation of the  
16 provisions of this section:

17 (a) The sale or lease is void; and

18 (b) Any change to an ordinance or law governing the zoning or  
19 use of the real property is void if the change takes place within 5  
20 years after the date of the void sale or lease.

21 **Sec. 3.** NRS 244.2815 is hereby amended to read as follows:

22 244.2815 1. A board of county commissioners may sell, lease  
23 or otherwise dispose of real property for the purposes of  
24 redevelopment or economic development:

25 (a) Without first offering the real property to the public; and

26 (b) For less than fair market value of the real property.

27 2. Before a board of county commissioners may sell, lease or  
28 otherwise dispose of real property pursuant to this section, the board  
29 must:

30 (a) Except as otherwise provided in subsection 3, obtain an  
31 appraisal of the real property pursuant to NRS 244.2795; and

32 (b) Adopt a resolution finding that it is in the best interest of the  
33 public to sell, lease or otherwise dispose of the real property:

34 (1) Without offering the real property to the public; and

35 (2) For less than fair market value of the real property.

36 3. The board of county commissioners of a county whose  
37 population is less than ~~[45,000]~~ 52,000 may lease real property  
38 pursuant to this section without obtaining the appraisal otherwise  
39 required pursuant to subsection 2 if:

40 (a) The real property was acquired by the county directly from  
41 the Federal Government; and

42 (b) The terms and conditions under which the real property was  
43 acquired prohibit the sale of the real property and provide for the  
44 reversion of the title to the real property to the Federal Government  
45 upon demand by the Federal Government.



1 4. As used in this section:

2 (a) "Economic development" means:

3 (1) The establishment of new commercial enterprises or  
4 facilities within the county;

5 (2) The support, retention or expansion of existing  
6 commercial enterprises or facilities within the county;

7 (3) The establishment, retention or expansion of public,  
8 quasi-public or other facilities or operations within the county;

9 (4) The establishment of residential housing needed to  
10 support the establishment of new commercial enterprises or  
11 facilities or the expansion of existing commercial enterprises or  
12 facilities; or

13 (5) Any combination of the activities described in  
14 subparagraphs (1) to (4), inclusive,

15 ➔ to create and retain opportunities of employment for the residents  
16 of the county.

17 (b) "Redevelopment" has the meaning ascribed to it in  
18 NRS 279.408.

19 **Sec. 4.** NRS 244A.7645 is hereby amended to read as follows:

20 244A.7645 1. If a surcharge is imposed pursuant to NRS  
21 244A.7643 in a county whose population is 100,000 or more, the  
22 board of county commissioners of that county shall establish by  
23 ordinance an advisory committee to develop a plan to enhance the  
24 telephone system for reporting an emergency in that county and to  
25 oversee any money allocated for that purpose. The advisory  
26 committee must:

27 (a) Consist of not less than five members who:

28 (1) Are residents of the county;

29 (2) Possess knowledge concerning telephone systems for  
30 reporting emergencies; and

31 (3) Are not elected public officers.

32 (b) Subject to the provisions of subparagraph (3) of paragraph  
33 (a), include the chief law enforcement officer or his or her designee  
34 from each office of the county sheriff, metropolitan police  
35 department, police department of an incorporated city within the  
36 county and department, division or municipal court of a city or town  
37 that employs marshals within the county, as applicable.

38 2. If a surcharge is imposed pursuant to NRS 244A.7643 in a  
39 county whose population is less than 100,000, the board of county  
40 commissioners of that county shall establish by ordinance an  
41 advisory committee to develop a plan to enhance or improve the  
42 telephone system for reporting an emergency in that county and to  
43 oversee any money allocated for that purpose. The advisory  
44 committee must:

45 (a) Consist of not less than five members who:



- 1 (1) Are residents of the county;  
2 (2) Possess knowledge concerning telephone systems for  
3 reporting emergencies; and  
4 (3) Are not elected public officers.

5 (b) Include a representative of an incumbent local exchange  
6 carrier which provides service to persons in that county. As used in  
7 this paragraph, "incumbent local exchange carrier" has the meaning  
8 ascribed to it in 47 U.S.C. § 251(h)(1), as that section existed on  
9 October 1, 1999, and includes a local exchange carrier that is treated  
10 as an incumbent local exchange carrier pursuant to that section.

11 (c) Subject to the provisions of subparagraph (3) of paragraph  
12 (a), include the chief law enforcement officer or his or her designee  
13 from each office of the county sheriff, metropolitan police  
14 department, police department of an incorporated city within the  
15 county and department, division or municipal court of a city or town  
16 that employs marshals within the county, as applicable.

17 3. If a surcharge is imposed in a county pursuant to NRS  
18 244A.7643, the board of county commissioners of that county shall  
19 create a special revenue fund of the county for the deposit of the  
20 money collected pursuant to NRS 244A.7643. The money in the  
21 fund must be used only:

22 (a) To pay the costs of adopting and reviewing the 5-year master  
23 plan for the enhancement of the telephone system for reporting  
24 emergencies in the county that is required pursuant to  
25 NRS 244A.7643.

26 (b) With respect to the telephone system for reporting an  
27 emergency:

28 (1) In a county whose population is ~~45,000~~ 52,000 or more,  
29 to enhance the telephone system for reporting an emergency,  
30 including only:

31 (I) Paying recurring and nonrecurring charges for  
32 telecommunication services necessary for the operation of the  
33 enhanced telephone system;

34 (II) Paying costs for personnel and training associated  
35 with the routine maintenance and updating of the database for the  
36 system;

37 (III) Purchasing, leasing or renting the equipment and  
38 software necessary to operate the enhanced telephone system,  
39 including, without limitation, equipment and software that identify  
40 the number or location from which a call is made; and

41 (IV) Paying costs associated with any maintenance,  
42 upgrade and replacement of equipment and software necessary for  
43 the operation of the enhanced telephone system.



1 (2) In a county whose population is less than ~~145,000,~~  
2 **52,000**, to improve the telephone system for reporting an emergency  
3 in the county.

4 (c) With respect to purchasing and maintaining portable event  
5 recording devices and vehicular event recording devices, to pay:

6 (1) By an entity described in this subparagraph, costs  
7 associated with the acquisition, maintenance, storage of data,  
8 upgrade and replacement of equipment and software necessary for  
9 the operation of portable event recording devices and vehicular  
10 event recording devices or systems that consist of both portable  
11 event recording devices and vehicular event recording devices.  
12 Money may be expended pursuant to this subparagraph for the  
13 purchase and maintenance of portable event recording devices or  
14 vehicular event recording devices only by:

15 (I) The sheriff's office of a county;

16 (II) A metropolitan police department;

17 (III) A police department of an incorporated city;

18 (IV) A department, division or municipal court of a city  
19 or town that employs marshals;

20 (V) A department of alternative sentencing; or

21 (VI) A county school district that employs school police  
22 officers.

23 (2) Costs for personnel and training associated with  
24 maintaining, updating and operating the equipment, hardware and  
25 software necessary for portable event recording devices and  
26 vehicular event recording devices or systems that consist of both  
27 portable event recording devices and vehicular event recording  
28 devices.

29 (3) Costs for personnel and training associated with the  
30 maintenance, retention and redaction of audio and video events  
31 recorded on portable event recording devices and vehicular event  
32 recording devices or systems that consist of both portable event  
33 recording devices and vehicular event recording devices.

34 (d) To pay any costs associated with performing an analysis or  
35 audit pursuant to NRS 244A.7648 of the surcharges collected by  
36 telecommunications providers.

37 4. For the purposes described in subsection 3, money in the  
38 fund must be expended in the following order of priority:

39 (a) Paying the costs authorized pursuant to paragraph (a) of  
40 subsection 3 to adopt and review the 5-year master plan.

41 (b) If the county performs an analysis or audit described in NRS  
42 244A.7648, paying the costs associated authorized pursuant to  
43 paragraph (d) of subsection 3.

44 (c) Paying the costs authorized pursuant to paragraph (b) of  
45 subsection 3.



1 (d) If the county has imposed a portion of the surcharge for  
2 purposes of purchasing and maintaining portable event recording  
3 devices and vehicular event recording devices:

4 (1) Paying the costs authorized pursuant to paragraph (c) of  
5 subsection 3 other than costs related to personnel and training.

6 (2) Paying the costs authorized pursuant to paragraph (c) of  
7 subsection 3 related to personnel.

8 (3) Paying the costs authorized pursuant to paragraph (c) of  
9 subsection 3 related to training.

10 5. If money in the fund is distributed to a recipient and:

11 (a) The recipient has not used the money for any purpose  
12 authorized pursuant to subsection 3 within 6 months, the recipient  
13 must:

14 (1) Notify the board of county commissioners and the  
15 advisory committee; and

16 (2) Return the unused money.

17 (b) The recipient used any portion of the money for a purpose  
18 that is not authorized pursuant to subsection 3, the recipient must:

19 (1) Notify the board of county commissioners and the  
20 advisory committee; and

21 (2) Repay the portion of the money that was used for a  
22 purpose not authorized pursuant to subsection 3.

23 (c) The recipient was not entitled to receive all or a portion of  
24 the money, the recipient must:

25 (1) Notify the board of county commissioners and the  
26 advisory committee; and

27 (2) Repay all money to which the recipient was not entitled  
28 to receive.

29 6. If the balance in the fund created in a county whose  
30 population is 100,000 or more pursuant to subsection 3 which has  
31 not been committed for expenditure exceeds \$5,000,000 at the end  
32 of any fiscal year, the board of county commissioners shall  
33 reduce the amount of the surcharge imposed during the next fiscal  
34 year by the amount necessary to ensure that the unencumbered  
35 balance in the fund at the end of the next fiscal year does not exceed  
36 \$5,000,000.

37 7. If the balance in the fund created in a county whose  
38 population is ~~145,000~~ **52,000** or more but less than 100,000  
39 pursuant to subsection 3 which has not been committed for  
40 expenditure exceeds \$1,000,000 at the end of any fiscal year, the  
41 board of county commissioners shall reduce the amount of the  
42 surcharge imposed during the next fiscal year by the amount  
43 necessary to ensure that the unencumbered balance in the fund at the  
44 end of the next fiscal year does not exceed \$1,000,000.





1 8. If the balance in the fund created in a county whose  
2 population is less than ~~[45,000]~~ 52,000 pursuant to subsection 3  
3 which has not been committed for expenditure exceeds \$500,000 at  
4 the end of any fiscal year, the board of county commissioners shall  
5 reduce the amount of the surcharge imposed during the next fiscal  
6 year by the amount necessary to ensure that the unencumbered  
7 balance in the fund at the end of the next fiscal year does not exceed  
8 \$500,000.

9 **Sec. 5.** NRS 248.040 is hereby amended to read as follows:

10 248.040 1. Except as provided in NRS 248.045, each sheriff  
11 may:

12 (a) Appoint, in writing signed by him or her, one or more  
13 deputies, who may perform all the duties devolving on the sheriff of  
14 the county and such other duties as the sheriff may from time to  
15 time direct. The appointment of a deputy sheriff must not be  
16 construed to confer upon that deputy policymaking authority for the  
17 office of the sheriff or the county by which the deputy sheriff is  
18 employed.

19 (b) Except as otherwise provided in this paragraph, only remove  
20 a deputy who has completed a probationary period of 12 months for  
21 cause. A deputy who functions as the head of a department or an  
22 administrative employee or who has not completed the probationary  
23 period may be removed at the sheriff's pleasure.

24 2. For the purposes of paragraph (b) of subsection 1, in any  
25 county whose population is less than ~~[45,000,]~~ 52,000, "cause"  
26 includes, without limitation:

27 (a) Failure to be certified by the Peace Officers' Standards and  
28 Training Commission within the time required by NRS 289.550;

29 (b) Loss of the certification by the Peace Officers' Standards  
30 and Training Commission required by NRS 289.550; or

31 (c) Failure to maintain a valid driver's license.

32 ↪ This subsection does not limit or impair any internal grievance  
33 procedure, grievance procedure negotiated pursuant to chapter 288  
34 of NRS or administrative remedy otherwise available to a deputy.

35 3. No deputy sheriff is qualified to act as such unless he or she  
36 has taken an oath to discharge the duties of the office faithfully and  
37 impartially. The oath, together with the written appointment, must  
38 be recorded in the office of the recorder of the county within which  
39 the sheriff legally holds and exercises office. Revocations of such  
40 appointments must be recorded as provided in this subsection. From  
41 the time of the recording of the appointments or revocations therein,  
42 persons shall be deemed to have notice of the appointments or  
43 revocations.

44 4. The sheriff may require of his or her deputies such bonds as  
45 to the sheriff seem proper.



1       **Sec. 6.** NRS 241.020 is hereby amended to read as follows:

2       241.020 1. Except as otherwise provided by specific statute,  
3 all meetings of public bodies must be open and public, and all  
4 persons must be permitted to attend any meeting of these public  
5 bodies at a physical location or by means of a remote technology  
6 system. A meeting that is closed pursuant to a specific statute may  
7 only be closed to the extent specified in the statute allowing the  
8 meeting to be closed. All other portions of the meeting must be open  
9 and public, and the public body must comply with all other  
10 provisions of this chapter to the extent not specifically precluded by  
11 the specific statute. Public officers and employees responsible for  
12 these meetings shall make reasonable efforts to assist and  
13 accommodate persons with physical disabilities desiring to attend.

14       2. If any portion of a meeting is open to the public, the public  
15 officers and employees responsible for the meeting must make  
16 reasonable efforts to ensure the facilities for the meeting are large  
17 enough to accommodate the anticipated number of attendees. No  
18 violation of this chapter occurs if a member of the public is not  
19 permitted to attend a public meeting because the facilities for the  
20 meeting have reached maximum capacity if reasonable efforts were  
21 taken to accommodate the anticipated number of attendees. Nothing  
22 in this subsection requires a public body to incur any costs to secure  
23 a facility outside the control or jurisdiction of the public body or to  
24 upgrade, improve or otherwise modify an existing facility to  
25 accommodate the anticipated number of attendees.

26       3. Except in an emergency, written notice of all meetings must  
27 be given at least 3 working days before the meeting. The notice  
28 must include:

29       (a) The time, place and location of the meeting. If the meeting is  
30 held using a remote technology system pursuant to NRS 241.023  
31 and has no physical location, the notice must include information on  
32 how a member of the public may:

33           (1) Use the remote technology system to hear and observe  
34 the meeting;

35           (2) Participate in the meeting by telephone; and

36           (3) Provide live public comment during the meeting and, if  
37 authorized by the public body, provide prerecorded public comment.

38       (b) A list of the locations where the notice has been posted.

39       (c) The name, contact information and business address for the  
40 person designated by the public body from whom a member of the  
41 public may request the supporting material for the meeting  
42 described in subsection 7 and:

43           (1) A list of the locations where the supporting material is  
44 available to the public; or



1 (2) Information about how the supporting material may be  
2 found on the Internet website of the public body.

3 (d) An agenda consisting of:

4 (1) A clear and complete statement of the topics scheduled to  
5 be considered during the meeting.

6 (2) A list describing the items on which action may be taken  
7 and clearly denoting that action may be taken on those items by  
8 placing the term "for possible action" next to the appropriate item  
9 or, if the item is placed on the agenda pursuant to NRS 241.0365, by  
10 placing the term "for possible corrective action" next to the  
11 appropriate item.

12 (3) Periods devoted to comments by the general public, if  
13 any, and discussion of those comments. Comments by the general  
14 public must be taken:

15 (I) At the beginning of the meeting before any items on  
16 which action may be taken are heard by the public body and again  
17 before the adjournment of the meeting; or

18 (II) After each item on the agenda on which action may  
19 be taken is discussed by the public body, but before the public body  
20 takes action on the item.

21 ➤ The provisions of this subparagraph do not prohibit a public body  
22 from taking comments by the general public in addition to what is  
23 required pursuant to sub-subparagraph (I) or (II). Regardless of  
24 whether a public body takes comments from the general public  
25 pursuant to sub-subparagraph (I) or (II), the public body must allow  
26 the general public to comment on any matter that is not specifically  
27 included on the agenda as an action item at some time before  
28 adjournment of the meeting. No action may be taken upon a matter  
29 raised during a period devoted to comments by the general public  
30 until the matter itself has been specifically included on an agenda as  
31 an item upon which action may be taken pursuant to  
32 subparagraph (2).

33 (4) If any portion of the meeting will be closed to consider  
34 the character, alleged misconduct or professional competence of a  
35 person, the name of the person whose character, alleged misconduct  
36 or professional competence will be considered.

37 (5) If, during any portion of the meeting, the public body will  
38 consider whether to take administrative action regarding a person,  
39 the name of that person.

40 (6) Notification that:

41 (I) Items on the agenda may be taken out of order;

42 (II) The public body may combine two or more agenda  
43 items for consideration; and



1 (III) The public body may remove an item from the  
2 agenda or delay discussion relating to an item on the agenda at any  
3 time.

4 (7) Any restrictions on comments by the general public. Any  
5 such restrictions must be reasonable and may restrict the time, place  
6 and manner of the comments, but may not restrict comments based  
7 upon viewpoint.

8 4. Minimum public notice is:

9 (a) Posting a copy of the notice at the principal office of the  
10 public body. If the meeting is held using a remote technology  
11 system pursuant to NRS 241.023 and has no physical location,  
12 the public body must also post the notice to the Internet website  
13 of the public body not later than 9 a.m. of the third working day  
14 before the meeting is to be held unless the public body is unable to  
15 do so because of technical problems relating to the operation or  
16 maintenance of the Internet website of the public body.

17 (b) Posting the notice on the official website of the State  
18 pursuant to NRS 232.2175 not later than 9 a.m. of the third working  
19 day before the meeting is to be held, unless the public body is  
20 unable to do so because of technical problems relating to the  
21 operation or maintenance of the official website of the State.

22 (c) Providing a copy of the notice to any person who has  
23 requested notice of the meetings of the public body. A request for  
24 notice lapses 6 months after it is made. The public body shall inform  
25 the requester of this fact by enclosure with, notation upon or text  
26 included within the first notice sent. The notice must be:

27 (1) Delivered to the postal service used by the public body  
28 not later than 9 a.m. of the third working day before the meeting for  
29 transmittal to the requester by regular mail; or

30 (2) Transmitted to the requester by electronic mail sent not  
31 later than 9 a.m. of the third working day before the meeting.

32 5. For each of its meetings, a public body shall document in  
33 writing that the public body complied with the minimum public  
34 notice required by paragraph (a) of subsection 4. The documentation  
35 must be prepared by every person who posted a copy of the public  
36 notice and include, without limitation:

37 (a) The date and time when the person posted the copy of the  
38 public notice;

39 (b) The address of the location where the person posted the copy  
40 of the public notice; and

41 (c) The name, title and signature of the person who posted the  
42 copy of the notice.

43 6. Except as otherwise provided in paragraph (a) of subsection  
44 4, if a public body maintains a website on the Internet or its  
45 successor, the public body shall post notice of each of its meetings



1 on its website unless the public body is unable to do so because of  
2 technical problems relating to the operation or maintenance of its  
3 website. Notice posted pursuant to this subsection is supplemental to  
4 and is not a substitute for the minimum public notice required  
5 pursuant to subsection 4. The inability of a public body to post  
6 notice of a meeting pursuant to this subsection as a result of  
7 technical problems with its website shall not be deemed to be a  
8 violation of the provisions of this chapter.

9 7. Upon any request, a public body shall provide, at no charge,  
10 at least one copy of:

11 (a) An agenda for a public meeting;

12 (b) A proposed ordinance or regulation which will be discussed  
13 at the public meeting; and

14 (c) Subject to the provisions of subsection 8 or 9, as applicable,  
15 any other supporting material provided to the members of the public  
16 body for an item on the agenda, except materials:

17 (1) Submitted to the public body pursuant to a nondisclosure  
18 or confidentiality agreement which relates to proprietary  
19 information;

20 (2) Pertaining to the closed portion of such a meeting of the  
21 public body; or

22 (3) Declared confidential by law, unless otherwise agreed to  
23 by each person whose interest is being protected under the order of  
24 confidentiality.

25 ↪ The public body shall make at least one copy of the documents  
26 described in paragraphs (a), (b) and (c) available to the public at the  
27 meeting to which the documents pertain. As used in this subsection,  
28 "proprietary information" has the meaning ascribed to it in  
29 NRS 332.025.

30 8. Unless it must be made available at an earlier time pursuant  
31 to NRS 288.153, a copy of supporting material required to be  
32 provided upon request pursuant to paragraph (c) of subsection 7  
33 must be:

34 (a) If the supporting material is provided to the members of the  
35 public body before the meeting, made available to the requester at  
36 the time the material is provided to the members of the public body;  
37 or

38 (b) If the supporting material is provided to the members of the  
39 public body at the meeting, made available at the meeting to the  
40 requester at the same time the material is provided to the members  
41 of the public body.

42 ↪ If the requester has agreed to receive the information and material  
43 set forth in subsection 7 by electronic mail, the public body shall, if  
44 feasible, provide the information and material by electronic mail.



1 9. Unless the supporting material must be posted at an earlier  
2 time pursuant to NRS 288.153, and except as otherwise provided in  
3 subsection 11, the governing body of a county or city whose  
4 population is ~~[45,000]~~ 52,000 or more shall post the supporting  
5 material described in paragraph (c) of subsection 7 to its website not  
6 later than the time the material is provided to the members of the  
7 governing body or, if the supporting material is provided to the  
8 members of the governing body at a meeting, not later than 24 hours  
9 after the conclusion of the meeting. Such posting is supplemental to  
10 the right of the public to request the supporting material pursuant to  
11 subsection 7. The inability of the governing body, as a result of  
12 technical problems with its website, to post supporting material  
13 pursuant to this subsection shall not be deemed to be a violation of  
14 the provisions of this chapter.

15 10. Except as otherwise provided in subsection 11, a public  
16 body may provide the public notice, information or supporting  
17 material required by this section by electronic mail. Except as  
18 otherwise provided in this subsection, if a public body makes such  
19 notice, information or supporting material available by electronic  
20 mail, the public body shall inquire of a person who requests the  
21 notice, information or supporting material if the person will accept  
22 receipt by electronic mail. If a public body is required to post the  
23 public notice, information or supporting material on its website  
24 pursuant to this section, the public body shall inquire of a person  
25 who requests the notice, information or supporting material if the  
26 person will accept by electronic mail a link to the posting on the  
27 website when the documents are made available. The inability of a  
28 public body, as a result of technical problems with its electronic  
29 mail system, to provide a public notice, information or supporting  
30 material or a link to a website required by this section to a person  
31 who has agreed to receive such notice, information, supporting  
32 material or link by electronic mail shall not be deemed to be a  
33 violation of the provisions of this chapter.

34 11. If a public body holds a meeting using a remote technology  
35 system pursuant to NRS 241.023 and has no physical location for  
36 the meeting, the public body must:

- 37 (a) Have an Internet website; and  
38 (b) Post to its Internet website:

- 39 (1) The public notice required by this section; and  
40 (2) Supporting material not later than the time the material is  
41 provided to the members of the governing body or, if the supporting  
42 material is provided to the members of the governing body at a  
43 meeting, not later than 24 hours after the conclusion of the meeting.  
44 ↪ The inability of the governing body, as a result of technical  
45 problems with its Internet website, to post supporting material



1 pursuant to this subsection shall not be deemed to be a violation of  
2 the provisions of this chapter.

3 12. As used in this section, "emergency" means an unforeseen  
4 circumstance which requires immediate action and includes, but is  
5 not limited to:

6 (a) Disasters caused by fire, flood, earthquake or other natural  
7 causes; or

8 (b) Any impairment of the health and safety of the public.

9 **Sec. 7.** NRS 241.0355 is hereby amended to read as follows:

10 241.0355 1. A public body that is required to be composed of  
11 elected officials only may not take action by vote unless at least a  
12 majority of all the members of the public body vote in favor of the  
13 action. For purposes of this subsection, a public body may not count  
14 an abstention as a vote in favor of an action.

15 2. In a county whose population is ~~[45,000]~~ 52,000 or more,  
16 the provisions of subsection 5 of NRS 281A.420 do not apply to a  
17 public body that is required to be composed of elected officials only,  
18 unless before abstaining from the vote, the member of the public  
19 body receives and discloses the opinion of the legal counsel  
20 authorized by law to provide legal advice to the public body that the  
21 abstention is required pursuant to NRS 281A.420. The opinion of  
22 counsel must be in writing and set forth with specificity the factual  
23 circumstances and analysis leading to that conclusion.

24 **Sec. 8.** NRS 268.059 is hereby amended to read as follows:

25 268.059 1. Except as otherwise provided in NRS 268.048 to  
26 268.058, inclusive, 268.064, 278.479 to 278.4965, inclusive, and  
27 subsection 4 of NRS 496.080, except as otherwise required by  
28 federal law, except as otherwise required pursuant to a cooperative  
29 agreement entered into pursuant to NRS 277.050 or 277.053 or an  
30 interlocal agreement in existence on October 1, 2004, except if the  
31 governing body is entering into a joint development agreement for  
32 real property owned by the city to which the governing body is a  
33 party, except for a lease of residential property with a term of 1 year  
34 or less, except for the sale or lease of real property to a public  
35 utility, as defined in NRS 704.020, to be used for a public purpose,  
36 except for the sale or lease of real property to the State or another  
37 governmental entity and except for the sale or lease of real property  
38 larger than 1 acre which is approved by the voters at a primary or  
39 general election, primary or general city election or special election,  
40 the governing body shall, when offering any real property for sale or  
41 lease:

42 (a) Except as otherwise provided in this paragraph and  
43 paragraph (h) of subsection 1 of NRS 268.061, obtain two  
44 independent appraisals of the real property before selling or leasing  
45 it. If the governing body holds a public hearing on the matter of the



1 fair market value of the real property, one independent appraisal of  
2 the real property is sufficient before selling or leasing it. The  
3 appraisal or appraisals, as applicable, must be based on the zoning  
4 of the real property as set forth in the master plan for the city and  
5 must have been prepared not more than 6 months before the date on  
6 which real property is offered for sale or lease.

7 (b) Select the one independent appraiser or two independent  
8 appraisers, as applicable, from the list of appraisers established  
9 pursuant to subsection 2.

10 (c) Verify the qualifications of each appraiser selected pursuant  
11 to paragraph (b). The determination of the governing body as to the  
12 qualifications of the appraiser is conclusive.

13 2. The governing body shall adopt by ordinance the procedures  
14 for creating or amending a list of appraisers qualified to conduct  
15 appraisals of real property offered for sale or lease by the governing  
16 body. The list must:

17 (a) Contain the names of all persons qualified to act as a general  
18 appraiser in the same county as the real property that may be  
19 appraised; and

20 (b) Be organized at random and rotated from time to time.

21 3. An appraiser chosen pursuant to subsection 1 must provide a  
22 disclosure statement which includes, without limitation, all sources  
23 of income of the appraiser that may constitute a conflict of interest  
24 and any relationship of the appraiser with the property owner or the  
25 owner of an adjoining property.

26 4. An appraiser shall not perform an appraisal on any real  
27 property offered for sale or lease by the governing body if:

28 (a) The appraiser has an interest in the real property or an  
29 adjoining property;

30 (b) The real property is located in a city in a county whose  
31 population is ~~45,000~~ 52,000 or more and any person who is related  
32 to the appraiser has an interest in the real property or an adjoining  
33 property and the relationship between the appraiser and the person is  
34 within the third degree of consanguinity or affinity; or

35 (c) The real property is located in a city in a county whose  
36 population is less than ~~45,000~~ 52,000 and any person who is  
37 related to the appraiser has an interest in the real property or an  
38 adjoining property and the relationship between the appraiser and  
39 the person is within the second degree of consanguinity or affinity.

40 5. If real property is sold or leased in violation of the  
41 provisions of this section:

42 (a) The sale or lease is void; and

43 (b) Any change to an ordinance or law governing the zoning or  
44 use of the real property is void if the change takes place within 5  
45 years after the date of the void sale or lease.





1       **Sec. 9.** NRS 278.02095 is hereby amended to read as follows:  
2       278.02095 1. Except as otherwise provided in this section, in  
3 an ordinance relating to the zoning of land adopted or amended by a  
4 governing body, the definition of “single-family residence” must  
5 include a manufactured home.

6       2. Notwithstanding the provisions of subsection 1, a governing  
7 body shall adopt standards for the placement of a manufactured  
8 home that will not be affixed to a lot within a mobile home park  
9 which require that:

10       (a) The manufactured home:

11           (1) Be permanently affixed to a residential lot;

12           (2) Be manufactured within the 6 years immediately  
13 preceding the date on which it is affixed to the residential lot;

14           (3) Have exterior siding and roofing which is similar in  
15 color, material and appearance to the exterior siding and roofing  
16 primarily used on other single-family residential dwellings in the  
17 immediate vicinity of the manufactured home, as established by the  
18 governing body;

19           (4) Consist of more than one section; and

20           (5) Consist of at least 1,200 square feet of living area unless  
21 the governing body, by administrative variance or other expedited  
22 procedure established by the governing body, approves a lesser  
23 amount of square footage based on the size or configuration of the  
24 lot or the square footage of single-family residential dwellings in the  
25 immediate vicinity of the manufactured home; and

26       (b) If the manufactured home has an elevated foundation, the  
27 foundation is masked architecturally in a manner determined by the  
28 governing body.

29       ↪ The governing body of a local government in a county whose  
30 population is less than ~~45,000~~ 52,000 may adopt standards that are  
31 less restrictive than the standards set forth in this subsection.

32       3. Standards adopted by a governing body pursuant to  
33 subsection 2 must be objective and documented clearly and must not  
34 be adopted to discourage or impede the construction or provision of  
35 affordable housing, including, without limitation, the use of  
36 manufactured homes for affordable housing.

37       4. Before a building department issues a permit to place a  
38 manufactured home on a lot pursuant to this section, other than a  
39 new manufactured home, the owner must surrender the certificate of  
40 ownership to the Housing Division of the Department of Business  
41 and Industry. The Division shall provide proof of such a surrender  
42 to the owner who must submit that proof to the building department.

43       5. The provisions of this section do not abrogate a recorded  
44 restrictive covenant prohibiting manufactured homes, nor do the  
45 provisions apply within the boundaries of a historic district



1 established pursuant to NRS 384.005 or 384.100. An application to  
2 place a manufactured home on a residential lot pursuant to this  
3 section constitutes an attestation by the owner of the lot that the  
4 placement complies with all covenants, conditions and restrictions  
5 placed on the lot and that the lot is not located within a historic  
6 district.

7 6. As used in this section:

8 (a) "Manufactured home" has the meaning ascribed to it in  
9 NRS 489.113.

10 (b) "New manufactured home" has the meaning ascribed to it in  
11 NRS 489.125.

12 **Sec. 10.** NRS 278.030 is hereby amended to read as follows:

13 278.030 1. The governing body of each city whose  
14 population is 25,000 or more and of each county whose population  
15 is ~~[45,000]~~ 52,000 or more shall create by ordinance a planning  
16 commission to consist of seven members.

17 2. Cities whose population is less than 25,000 and counties  
18 whose population is less than ~~[45,000]~~ 52,000 may create by  
19 ordinance a planning commission to consist of seven members. If  
20 the governing body of any city whose population is less than 25,000  
21 or of any county whose population is less than ~~[45,000]~~ 52,000  
22 deems the creation of a planning commission unnecessary or  
23 inadvisable, the governing body may, in lieu of creating a planning  
24 commission as provided in this subsection, perform all the functions  
25 and have all of the powers which would otherwise be granted to and  
26 be performed by the planning commission.

27 **Sec. 11.** NRS 293.464 is hereby amended to read as follows:

28 293.464 1. If a court of competent jurisdiction orders a  
29 county to extend the deadline for voting beyond the statutory  
30 deadline in a particular election, the county clerk shall, as soon as  
31 practicable after receiving notice of the court's decision:

32 (a) Cause notice of the extended deadline to be published in a  
33 newspaper of general circulation in the county; and

34 (b) Transmit a notice of the extended deadline to each registered  
35 voter who received a mail ballot for the election and has not  
36 returned the mail ballot before the date on which the notice will be  
37 transmitted.

38 2. The notice required pursuant to paragraph (a) of subsection 1  
39 must be published:

40 (a) In a county whose population is ~~[47,500]~~ 52,000 or more, on  
41 at least 3 successive days.

42 (b) In a county whose population is less than ~~[47,500,]~~ 52,000,  
43 at least twice in successive issues of the newspaper.



1       **Sec. 12.** NRS 318.5121 is hereby amended to read as follows:  
2       318.5121 1. The board of trustees shall adopt by resolution  
3 the procedures for creating and maintaining a list of appraisers  
4 qualified to conduct appraisals of real property offered for sale by  
5 the board. The list must:

6       (a) Contain the names of all persons qualified to act as a general  
7 appraiser in the same county as the real property that may be  
8 appraised; and

9       (b) Be organized at random and rotated from time to time.

10       2. An appraiser chosen pursuant to subsection 1 must provide a  
11 disclosure statement which includes, without limitation, all sources  
12 of income that may constitute a conflict of interest and any  
13 relationship with the real property owner or the owner of an  
14 adjoining real property.

15       3. An appraiser shall not perform an appraisal on any real  
16 property for sale by the board of trustees if:

17       (a) The appraiser has an interest in the real property or an  
18 adjoining property;

19       (b) The real property is located in a county whose population is  
20 ~~[45,000]~~ 52,000 or more and any person who is related to the  
21 appraiser has an interest in the real property or an adjoining property  
22 and the relationship between the appraiser and the person is within  
23 the third degree of consanguinity or affinity; or

24       (c) The real property is located in a county whose population is  
25 less than ~~[45,000]~~ 52,000 and any person who is related to the  
26 appraiser has an interest in the real property or an adjoining property  
27 and the relationship between the appraiser and the person is within  
28 the second degree of consanguinity or affinity.

29       **Sec. 13.** NRS 350.0125 is hereby amended to read as follows:

30       350.0125 1. The commission in a county whose population is  
31 less than ~~[47,500]~~ 52,000 may request technical assistance from the  
32 Department of Taxation to carry out the duties of the commission.  
33 Upon such a request, the Department of Taxation shall provide to  
34 that commission such technical assistance to the extent that  
35 resources are available.

36       2. The board of county commissioners of a county whose  
37 population is ~~[47,500]~~ 52,000 or more shall provide the commission  
38 in that county with such staff as is necessary to carry out the duties  
39 of the commission. The staff provided to the commission pursuant  
40 to this subsection shall provide such technical assistance to the  
41 commission as the commission requires, except the staff shall not  
42 render an opinion on the merits of any proposal or other matter  
43 before the commission.



1       **Sec. 14.** NRS 361.453 is hereby amended to read as follows:

2       361.453 1. Except as otherwise provided in this section and  
3 NRS 354.705, 354.723, 387.3288 and 450.760, the total ad valorem  
4 tax levy for all public purposes must not exceed \$3.64 on each \$100  
5 of assessed valuation, or a lesser or greater amount fixed by the  
6 State Board of Examiners if the State Board of Examiners is  
7 directed by law to fix a lesser or greater amount for that fiscal year.

8       2. Any levy imposed by the Legislature for the repayment of  
9 bonded indebtedness or the operating expenses of the State of  
10 Nevada and any levy imposed by the board of county  
11 commissioners pursuant to NRS 387.195 that is in excess of 50  
12 cents on each \$100 of assessed valuation of taxable property within  
13 the county must not be included in calculating the limitation set  
14 forth in subsection 1 on the total ad valorem tax levied within the  
15 boundaries of the county, city or unincorporated town, if, in a  
16 county whose population is less than ~~[45,000.]~~ **52,000**, or in a city or  
17 unincorporated town located within that county:

18       (a) The combined tax rate certified by the Nevada Tax  
19 Commission was at least \$3.50 on each \$100 of assessed valuation  
20 on June 25, 1998;

21       (b) The governing body of that county, city or unincorporated  
22 town proposes to its registered voters an additional levy ad valorem  
23 above the total ad valorem tax levy for all public purposes set forth  
24 in subsection 1;

25       (c) The proposal specifies the amount of money to be derived,  
26 the purpose for which it is to be expended and the duration of the  
27 levy; and

28       (d) The proposal is approved by a majority of the voters voting  
29 on the question at a general election or a special election called for  
30 that purpose.

31       3. The duration of the additional levy ad valorem levied  
32 pursuant to subsection 2 must not exceed 5 years. The governing  
33 body of the county, city or unincorporated town may discontinue the  
34 levy before it expires and may not thereafter reimpose it in whole or  
35 in part without following the procedure required for its original  
36 imposition set forth in subsection 2.

37       4. A special election may be held pursuant to subsection 2 only  
38 if the governing body of the county, city or unincorporated town  
39 determines, by a unanimous vote, that an emergency exists. The  
40 determination made by the governing body is conclusive unless it is  
41 shown that the governing body acted with fraud or a gross abuse of  
42 discretion. An action to challenge the determination made by the  
43 governing body must be commenced within 15 days after the  
44 governing body's determination is final. As used in this subsection,  
45 "emergency" means any unexpected occurrence or combination of



1 occurrences which requires immediate action by the governing body  
2 of the county, city or unincorporated town to prevent or mitigate a  
3 substantial financial loss to the county, city or unincorporated town  
4 or to enable the governing body to provide an essential service to  
5 the residents of the county, city or unincorporated town.

6 **Sec. 15.** NRS 379.050 is hereby amended to read as follows:

7 379.050 1. Whenever a new county library is provided for in  
8 any county whose population is ~~[45,000]~~ 52,000 or more, the  
9 trustees of any district library in the county previously established  
10 may transfer all books, funds, equipment or other property in the  
11 possession of such trustees to the new library upon the demand of  
12 the trustees of the new library.

13 2. Whenever there are two or more county library districts in  
14 any county whose population is ~~[45,000]~~ 52,000 or more, the  
15 districts may merge into one county library district upon approval of  
16 the library trustees of the merging districts.

17 3. Whenever there is a city or a town library located adjacent to  
18 a county library district, the city or town library may:

19 (a) Merge with the county library district upon approval of the  
20 trustees of the merging library and district; or

21 (b) Subject to the limitations in NRS 379.0221, consolidate with  
22 the county library district.

23 4. All expenses incurred in making a transfer or merger must  
24 be paid out of the general fund of the new library.

25 **Sec. 16.** NRS 396.892 is hereby amended to read as follows:

26 396.892 1. Each student who receives a loan made pursuant  
27 to NRS 396.890 to 396.898, inclusive, shall repay the loan and  
28 accrued interest pursuant to the terms of the loan unless the student:

29 (a) Practices nursing in a rural area of Nevada or as an employee  
30 of the State for 6 months for each academic year for which he or she  
31 received a loan; or

32 (b) Practices nursing in any other area of Nevada for 1 year for  
33 each academic year for which he or she received a loan.

34 2. The Board of Regents may adopt regulations:

35 (a) Extending the time for completing the required practice  
36 beyond 5 years for persons who are granted extensions because of  
37 hardship; and

38 (b) Granting prorated credit towards repayment of a loan for  
39 time a person practices nursing as required, for cases in which the  
40 period for required practice is only partially completed,

41 ➔ and such other regulations as are necessary to carry out the  
42 provisions of NRS 396.890 to 396.898, inclusive.

43 3. As used in this section, "practices nursing in a rural area"  
44 means that the person practices nursing in an area located in a  
45 county whose population is less than ~~[47,500]~~ 52,000 at least half of



1 the total time the person spends in the practice of nursing, and not  
2 less than 20 hours per week.

3 **Sec. 17.** NRS 403.490 is hereby amended to read as follows:

4 403.490 1. To perform any work or construct any  
5 superstructure under this chapter wherein an expenditure of  
6 \$100,000 or more may be necessary, the board of county highway  
7 commissioners shall cause definite plans of such work or  
8 superstructure to be made, estimates of the amount of work to be  
9 done and the probable cost thereof, together with a copy of the  
10 specifications thereof.

11 2. Except as otherwise provided in subsection 3, upon receipt  
12 of the plans, estimates and specifications for a project for which the  
13 estimated cost is \$100,000 or more, the board of county highway  
14 commissioners shall advertise for bids and let contracts in the  
15 manner prescribed by chapter 332 or 338 of NRS, as applicable.

16 3. In a county whose population is less than ~~145,000,~~ 52,000,  
17 if the estimated cost of a project is \$100,000 or more but less than  
18 \$250,000, the board of county highway commissioners may hold a  
19 hearing to determine, by majority vote of the board, if the project  
20 can be performed by county employees or through the employment  
21 of day labor under the supervision of the board and by the use of its  
22 own machinery, tools and other equipment without advertising for  
23 bids and letting contracts pursuant to subsection 2. Notice for such a  
24 hearing must be provided not less than 15 days before the date of the  
25 hearing and must be published pursuant to the provisions of NRS  
26 238.010 to 238.080, inclusive. The board shall provide, in the notice  
27 and at least 15 days before the hearing at the office of the board and  
28 at the place of the hearing, the following information, without  
29 limitation:

30 (a) A list of:

31 (1) All county employees, if any, including supervisors, who  
32 will perform the work, including, without limitation, the  
33 classification of each employee and an estimate of the direct and  
34 indirect costs of the labor;

35 (2) The number of day laborers, if any, that will be employed  
36 to perform the work; and

37 (3) All machinery, tools and other equipment of the county to  
38 be used on the project.

39 (b) An estimate of:

40 (1) The direct and indirect costs of the labor of the county  
41 employees who will perform the work, if any;

42 (2) The direct and indirect costs of the labor of any day  
43 laborers who will be employed to perform the work pursuant to  
44 chapter 338 of NRS;



1 (3) The cost of any administrative support that will be  
2 required for the performance of the work;

3 (4) The total cost of the project, including, without  
4 limitation, the fair market value or, if available, the actual cost of all  
5 materials, supplies, equipment and labor necessary for the project;  
6 and

7 (5) The amount of savings to be realized by having county  
8 employees or day laborers perform the work.

9 4. In cases of emergency the board of county highway  
10 commissioners may let contracts for repairs in the manner  
11 prescribed by chapter 332 of NRS.

12 5. Nothing in this section shall prevent any county from  
13 opening, building, improving or repairing any public road or  
14 highway in the county through the work of county employees or the  
15 employment of day labor, under the supervision of the board of  
16 county highway commissioners and by the use of its own  
17 machinery, tools and other equipment, without letting contracts to  
18 the lowest responsible bidder, if the probable cost of the work does  
19 not exceed \$100,000.

20 **Sec. 18.** NRS 444A.040 is hereby amended to read as follows:

21 444A.040 1. The board of county commissioners in a county  
22 whose population is 100,000 or more, or its designee, shall make  
23 available for use in that county a program for:

24 (a) The separation at the source of recyclable material from  
25 other solid waste originating from residential premises and public  
26 buildings where services for the collection of solid waste are  
27 provided, including, without limitation, the placement of recycling  
28 containers on the premises of apartment complexes and  
29 condominiums where those services are provided.

30 (b) The establishment of recycling centers for the collection and  
31 disposal of recyclable material where existing recycling centers do  
32 not carry out the purposes of the program.

33 (c) The disposal of hazardous household products which are  
34 capable of causing harmful physical effects if inhaled, absorbed or  
35 ingested. This program may be included as a part of any other  
36 program made available pursuant to this subsection.

37 (d) The encouragement of businesses to reduce solid waste and  
38 to separate at the source recyclable material from other solid waste.  
39 This program must, without limitation, make information regarding  
40 solid waste reduction and recycling opportunities available to a  
41 business at the time the business applies for or renews a business  
42 license.

43 2. The board of county commissioners of a county whose  
44 population is ~~145,000~~ 52,000 or more but less than 100,000, or its  
45 designee:



1 (a) May make available for use in that county a program for the  
2 separation at the source of recyclable material from other solid  
3 waste originating from residential premises and public buildings  
4 where services for the collection of solid waste are provided,  
5 including, without limitation, the placement of recycling containers  
6 on the premises of apartment complexes and condominiums where  
7 those services are provided.

8 (b) Shall make available for use in that county a program for:

9 (1) The establishment of recycling centers for the collection  
10 and disposal of recyclable material where existing recycling centers  
11 do not carry out the purposes of the program established pursuant to  
12 paragraph (a).

13 (2) The disposal of hazardous household products which are  
14 capable of causing harmful physical effects if inhaled, absorbed or  
15 ingested. This program may be included as a part of any other  
16 program made available pursuant to this subsection.

17 3. The board of county commissioners of a county whose  
18 population is less than ~~[45,000,]~~ 52,000, or its designee, may make  
19 available for use in that county a program for:

20 (a) The separation at the source of recyclable material from  
21 other solid waste originating from residential premises and public  
22 buildings where services for the collection of solid waste are  
23 provided, including, without limitation, the placement of recycling  
24 containers on the premises of apartment complexes and  
25 condominiums where those services are provided.

26 (b) The establishment of recycling centers for the collection and  
27 disposal of recyclable material where existing recycling centers do  
28 not carry out the purposes of the program.

29 (c) The disposal of hazardous household products which are  
30 capable of causing harmful physical effects if inhaled, absorbed or  
31 ingested. This program may be included as a part of any other  
32 program made available pursuant to this subsection.

33 4. Any program made available pursuant to this section:

34 (a) Must not:

35 (1) Conflict with the standards adopted by the State  
36 Environmental Commission pursuant to NRS 444A.020; and

37 (2) Become effective until approved by the Department.

38 (b) May be based on the model plans adopted pursuant to  
39 NRS 444A.030.

40 5. The governing body of a municipality may adopt and carry  
41 out within the municipality such programs made available pursuant  
42 to this section as are deemed necessary and appropriate for that  
43 municipality.





1 6. Any municipality may, with the approval of the governing  
2 body of an adjoining municipality, participate in any program  
3 adopted by the adjoining municipality pursuant to subsection 5.

4 7. Persons residing on an Indian reservation or Indian colony  
5 may participate in any program adopted pursuant to subsection 5 by  
6 a municipality in which the reservation or colony is located if the  
7 governing body of the reservation or colony adopts an ordinance  
8 requesting such participation. Upon receipt of such a request, the  
9 governing body of the municipality shall make available to the  
10 residents of the reservation or colony those programs requested.

11 **Sec. 19.** NRS 455.125 is hereby amended to read as follows:

12 455.125 If an operator of a sewer main receives notice through  
13 an association for operators pursuant to paragraph (a) of subsection  
14 1 of NRS 455.110:

15 1. For a proposed excavation or demolition, the operator of the  
16 sewer main shall provide the person responsible for the excavation  
17 or demolition with the operator's best available information  
18 regarding the location of the connection of the sewer service lateral  
19 to the sewer main. The operator shall convey the information to the  
20 person responsible for the excavation or demolition in such manner  
21 as is determined by the operator which may include any one or more  
22 of the following methods, without limitation:

23 (a) Identification of the location of the connection of the sewer  
24 service lateral to the sewer main;

25 (b) Providing copies of documents relating to the location of the  
26 sewer service lateral within 2 working days; or

27 (c) Placement of a triangular green marking along the sewer  
28 main or the edge of the public right-of-way, pointing toward the real  
29 property serviced by the sewer service lateral to indicate that the  
30 location of the sewer service lateral is unknown.

31 2. The operator of a sewer main shall make its best efforts to  
32 comply with paragraph (a) or (c) of subsection 1 within 2 working  
33 days. If an operator of a sewer main cannot complete the  
34 requirements of paragraph (a) or (c) of subsection 1 within 2  
35 working days, then the operator and the person responsible for the  
36 excavation or demolition must mutually agree upon a reasonable  
37 amount of time within which the operator must comply.

38 3. A government, governmental agency or political subdivision  
39 of a government that operates a sewer main:

40 (a) Except as otherwise provided in subsection 4, in a county  
41 with a population of ~~45,000~~ 52,000 or more may not charge a  
42 person responsible for excavation or demolition in a public right-of-  
43 way for complying with this section.

44 (b) In a county with a population of less than ~~45,000~~ 52,000  
45 may charge a person responsible for excavation or demolition in a



1 public right-of-way for complying with this section in an amount  
2 that does not exceed the actual costs for the operator for compliance  
3 with this section. Costs assessed pursuant to this paragraph are not  
4 subject to the provisions of NRS 354.59881 to 354.59889, inclusive.

5 4. A government, governmental agency or political subdivision  
6 that operates a sewer main in a county with a population of ~~[45,000]~~  
7 **52,000** or more may charge a person responsible for excavation or  
8 demolition in a public right-of-way for complying with this section  
9 in an amount that does not exceed the actual costs for the operator  
10 for compliance with this section if:

11 (a) The sewer system of the operator services not more than 260  
12 accounts; and

13 (b) There is no natural gas pipeline located within the service  
14 area of the operator of the sewer main.

15 ➔ Costs assessed pursuant to this subsection are not subject to the  
16 provisions of NRS 354.59881 to 354.59889, inclusive.

17 5. If the operator of a sewer main has received the information  
18 required pursuant to NRS 455.131 or has otherwise identified the  
19 location of the sewer service lateral in the public right-of-way, then  
20 the operator of the sewer main shall be responsible thereafter to  
21 identify the location of the sewer service lateral from that  
22 information.

23 **Sec. 20.** NRS 463.750 is hereby amended to read as follows:

24 463.750 1. The Commission shall, with the advice and  
25 assistance of the Board, adopt regulations governing:

26 (a) The licensing and operation of interactive gaming; and

27 (b) The registration of service providers to perform any action  
28 described in paragraph (b) of subsection 6 of NRS 463.677.

29 2. The regulations adopted by the Commission pursuant to this  
30 section must:

31 (a) Establish the investigation fees for:

32 (1) A license to operate interactive gaming;

33 (2) A license for a manufacturer of interactive gaming  
34 systems;

35 (3) A license for an interactive gaming service provider to  
36 perform the actions described in paragraph (a) of subsection 6 of  
37 NRS 463.677; and

38 (4) Registration as a service provider to perform the actions  
39 described in paragraph (b) of subsection 6 of NRS 463.677.

40 (b) Provide that:

41 (1) A person must hold a license for a manufacturer of  
42 interactive gaming systems to supply or provide any interactive  
43 gaming system, including, without limitation, any piece of  
44 proprietary software or hardware;



1 (2) A person must hold a license for an interactive gaming  
2 service provider to perform the actions described in paragraph (a) of  
3 subsection 6 of NRS 463.677; and

4 (3) A person must be registered as a service provider to  
5 perform the actions described in paragraph (b) of subsection 6 of  
6 NRS 463.677.

7 (c) Except as otherwise provided in subsections 6 to 10,  
8 inclusive, set forth standards for the suitability of a person to be:

9 (1) Licensed as a manufacturer of interactive gaming  
10 systems;

11 (2) Licensed as an interactive gaming service provider as  
12 described in paragraph (a) of subsection 6 of NRS 463.677 that are  
13 as stringent as the standards for a nonrestricted license; or

14 (3) Registered as a service provider as described in paragraph  
15 (b) of subsection 6 of NRS 463.677 that are as stringent as the  
16 standards for a nonrestricted license.

17 (d) Set forth provisions governing:

18 (1) The initial fee for a license for an interactive gaming  
19 service provider as described in paragraph (a) of subsection 6 of  
20 NRS 463.677.

21 (2) The initial fee for registration as a service provider as  
22 described in paragraph (b) of subsection 6 of NRS 463.677.

23 (3) The fee for the renewal of such a license for such an  
24 interactive gaming service provider or registration as a service  
25 provider, as applicable, and any renewal requirements for such a  
26 license or registration, as applicable.

27 (4) Any portion of the license fee paid by a person licensed  
28 to operate interactive gaming, pursuant to subsection 1 of NRS  
29 463.770, for which an interactive gaming service provider may be  
30 liable to the person licensed to operate interactive gaming.

31 (e) Provide that gross revenue received by an establishment  
32 from the operation of interactive gaming is subject to the same  
33 license fee provisions of NRS 463.370 as the games and gaming  
34 devices of the establishment, unless federal law otherwise provides  
35 for a similar fee or tax.

36 (f) Set forth standards for the location and security of the  
37 computer system and for approval of hardware and software used in  
38 connection with interactive gaming.

39 (g) Define “interactive gaming system,” “manufacturer of  
40 interactive gaming systems,” “operate interactive gaming” and  
41 “proprietary hardware and software” as the terms are used in this  
42 chapter.

43 3. Except as otherwise provided in subsections 4 and 5, the  
44 Commission shall not approve a license for an establishment to  
45 operate interactive gaming unless:



1 (a) In a county whose population is 700,000 or more, the  
2 establishment is a resort hotel that holds a nonrestricted license to  
3 operate games and gaming devices.

4 (b) In a county whose population is ~~145,000~~ 52,000 or more but  
5 less than 700,000, the establishment is a resort hotel that holds a  
6 nonrestricted license to operate games and gaming devices or the  
7 establishment:

8 (1) Holds a nonrestricted license for the operation of games  
9 and gaming devices;

10 (2) Has more than 120 rooms available for sleeping  
11 accommodations in the same county;

12 (3) Has at least one bar with permanent seating capacity for  
13 more than 30 patrons that serves alcoholic beverages sold by the  
14 drink for consumption on the premises;

15 (4) Has at least one restaurant with permanent seating  
16 capacity for more than 60 patrons that is open to the public 24 hours  
17 each day and 7 days each week; and

18 (5) Has a gaming area that is at least 18,000 square feet in  
19 area with at least 1,600 slot machines, 40 table games, and a sports  
20 book and race pool.

21 (c) In all other counties, the establishment is a resort hotel that  
22 holds a nonrestricted license to operate games and gaming devices  
23 or the establishment:

24 (1) Has held a nonrestricted license for the operation of  
25 games and gaming devices for at least 5 years before the date of its  
26 application for a license to operate interactive gaming;

27 (2) Meets the definition of group 1 licensee as set forth in the  
28 regulations of the Commission on the date of its application for a  
29 license to operate interactive gaming; and

30 (3) Operates either:

31 (I) More than 50 rooms for sleeping accommodations in  
32 connection therewith; or

33 (II) More than 50 gaming devices in connection  
34 therewith.

35 4. The Commission may:

36 (a) Issue a license to operate interactive gaming to an affiliate of  
37 an establishment if:

38 (1) The establishment satisfies the applicable requirements  
39 set forth in subsection 3;

40 (2) The affiliate is located in the same county as the  
41 establishment; and

42 (3) The establishment has held a nonrestricted license for at  
43 least 5 years before the date on which the application is filed; and

44 (b) Require an affiliate that receives a license pursuant to this  
45 subsection to comply with any applicable provision of this chapter.



1 5. The Commission may issue a license to operate interactive  
2 gaming to an applicant that meets any qualifications established by  
3 federal law regulating the licensure of interactive gaming.

4 6. Except as otherwise provided in subsections 7, 8 and 9:

5 (a) A covered person may not be found suitable for licensure  
6 under this section within 5 years after February 21, 2013;

7 (b) A covered person may not be found suitable for licensure  
8 under this section unless such covered person expressly submits to  
9 the jurisdiction of the United States and of each state in which  
10 patrons of interactive gaming operated by such covered person after  
11 December 31, 2006, were located, and agrees to waive any statutes  
12 of limitation, equitable remedies or laches that otherwise would  
13 preclude prosecution for a violation of any provision of federal law  
14 or the law of any state in connection with such operation of  
15 interactive gaming after that date;

16 (c) A person may not be found suitable for licensure under this  
17 section within 5 years after February 21, 2013, if such person uses a  
18 covered asset for the operation of interactive gaming; and

19 (d) Use of a covered asset is grounds for revocation of an  
20 interactive gaming license, or a finding of suitability, issued under  
21 this section.

22 7. The Commission, upon recommendation of the Board, may  
23 waive the requirements of subsection 6 if the Commission  
24 determines that:

25 (a) In the case of a covered person described in paragraphs (a)  
26 and (b) of subsection 1 of NRS 463.014645:

27 (1) The covered person did not violate, directly or indirectly,  
28 any provision of federal law or the law of any state in connection  
29 with the ownership and operation of, or provision of services to, an  
30 interactive gaming facility that, after December 31, 2006, operated  
31 interactive gaming involving patrons located in the United States;  
32 and

33 (2) The assets to be used or that are being used by such  
34 person were not used after that date in violation of any provision of  
35 federal law or the law of any state;

36 (b) In the case of a covered person described in paragraph (c) of  
37 subsection 1 of NRS 463.014645, the assets that the person will use  
38 in connection with interactive gaming for which the covered person  
39 applies for a finding of suitability were not used after December 31,  
40 2006, in violation of any provision of federal law or the law of any  
41 state; and

42 (c) In the case of a covered asset, the asset was not used after  
43 December 31, 2006, in violation of any provision of federal law or  
44 the law of any state, and the interactive gaming facility in  
45 connection with which the asset was used was not used after that



1 date in violation of any provision of federal law or the law of any  
2 state.

3 8. With respect to a person applying for a waiver pursuant to  
4 subsection 7, the Commission shall afford the person an opportunity  
5 to be heard and present relevant evidence. The Commission shall act  
6 as finder of fact and is entitled to evaluate the credibility of  
7 witnesses and persuasiveness of the evidence. The affirmative votes  
8 of a majority of the whole Commission are required to grant or deny  
9 such waiver. The Board shall make appropriate investigations to  
10 determine any facts or recommendations that it deems necessary or  
11 proper to aid the Commission in making determinations pursuant to  
12 this subsection and subsection 7.

13 9. The Commission shall make a determination pursuant to  
14 subsections 7 and 8 with respect to a covered person or covered  
15 asset without regard to whether the conduct of the covered person or  
16 the use of the covered asset was ever the subject of a criminal  
17 proceeding for a violation of any provision of federal law or the law  
18 of any state, or whether the person has been prosecuted and the  
19 prosecution terminated in a manner other than with a conviction.

20 10. It is unlawful for any person, either as owner, lessee or  
21 employee, whether for hire or not, either solely or in conjunction  
22 with others, to operate interactive gaming:

23 (a) Until the Commission adopts regulations pursuant to this  
24 section; and

25 (b) Unless the person first procures, and thereafter maintains in  
26 effect, all appropriate licenses as required by the regulations adopted  
27 by the Commission pursuant to this section.

28 11. A person who violates subsection 10 is guilty of a category  
29 B felony and shall be punished by imprisonment in the state prison  
30 for a minimum term of not less than 1 year and a maximum term of  
31 not more than 10 years or by a fine of not more than \$50,000, or  
32 both.

33 **Sec. 21.** NRS 647.060 is hereby amended to read as follows:

34 647.060 1. At the time of purchase by any junk dealer of any  
35 hides or junk, the junk dealer shall require the person vending the  
36 hides or junk to subscribe a statement containing the following  
37 information:

38 (a) When, where and from whom the vendor obtained the  
39 property.

40 (b) The vendor's age, residence, including the city or town, and  
41 the street and number, if any, of the residence, and such other  
42 information as is reasonably necessary to enable the residence to be  
43 located.

44 (c) The name of the employer, if any, of the vendor and the  
45 place of business or employment of the employer.



1 2. Except as otherwise provided in subsection 3, the junk  
2 dealer shall on the next business day:

3 (a) File the original statement subscribed by the vendor in the  
4 office of the sheriff of the county where the purchase was made; and

5 (b) If the purchase was made in a city or town, file a copy of the  
6 statement with the chief of police of that city or town.

7 3. In a county whose population is less than ~~47,500,~~ 52,000,  
8 the original statement may be filed in the office of the sheriff's  
9 deputy for transmission to the sheriff.

10 **Sec. 22.** The Legislature declares that in enacting this act it has  
11 reviewed each of the classifications by population amended by this  
12 act, has considered the suggestions of the several counties and of  
13 other interested persons in this State relating to whether any should  
14 be retained unchanged or amended differently, and has found that  
15 each of the sections in which a criterion of population has been  
16 changed should not under present conditions apply to a county  
17 larger or smaller, as the case may be, than the new criterion  
18 established.

19 **Sec. 23.** This act becomes effective upon passage and  
20 approval.



