
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.

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.



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

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

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

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

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

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

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

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

4. A special election may be held pursuant to subsection 2 only if the governing body of the county, city or unincorporated town determines, by a unanimous vote, that an emergency exists. The determination made by the governing body is conclusive unless it is shown that the governing body acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the governing body must be commenced within 15 days after the governing body's determination is final. As used in this subsection, "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. 15.5.** NRS 387.331 is hereby amended to read as follows:

26 387.331 1. The tax on residential construction authorized by
27 this section is a specified amount which must be the same for each:

- 28 (a) Lot for a mobile home;
- 29 (b) Residential dwelling unit; and
- 30 (c) Suite in an apartment house,

31 ↪ imposed on the privilege of constructing apartment houses and
32 residential dwelling units and developing lots for mobile homes.

33 2. The board of trustees of any school district *in a county*
34 whose population is less than ~~[55,000]~~ **100,000 and is not a**
35 **consolidated municipality** may request that the board of county
36 commissioners of the county in which the school district is located
37 impose a tax on residential construction in the school district to
38 construct, remodel and make additions to school buildings.
39 Whenever the board of trustees takes that action, it shall notify the
40 board of county commissioners and shall specify the areas of the
41 county to be served by the buildings to be erected or enlarged.

42 3. If the board of county commissioners decides that the tax
43 should be imposed, it shall notify the Nevada Tax Commission. If
44 the Commission approves, the board of county commissioners may



1 then impose the tax, whose specified amount must not exceed
2 \$1,600.

3 4. The board shall collect the tax so imposed, in the areas of
4 the county to which it applies, and may require that administrative
5 costs, not to exceed 1 percent, be paid from the amount collected.

6 5. The money collected must be deposited with the county
7 treasurer in the school district's fund for capital projects to be held
8 and expended in the same manner as other money deposited in that
9 fund.

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

11 396.892 1. Each student who receives a loan made pursuant
12 to NRS 396.890 to 396.898, inclusive, shall repay the loan and
13 accrued interest pursuant to the terms of the loan unless the student:

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

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

19 2. The Board of Regents may adopt regulations:

20 (a) Extending the time for completing the required practice
21 beyond 5 years for persons who are granted extensions because of
22 hardship; and

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

26 ↪ and such other regulations as are necessary to carry out the
27 provisions of NRS 396.890 to 396.898, inclusive.

28 3. As used in this section, "practices nursing in a rural area"
29 means that the person practices nursing in an area located in a
30 county whose population is less than ~~[47,500]~~ 52,000 at least half of
31 the total time the person spends in the practice of nursing, and not
32 less than 20 hours per week.

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

34 403.490 1. To perform any work or construct any
35 superstructure under this chapter wherein an expenditure of
36 \$100,000 or more may be necessary, the board of county highway
37 commissioners shall cause definite plans of such work or
38 superstructure to be made, estimates of the amount of work to be
39 done and the probable cost thereof, together with a copy of the
40 specifications thereof.

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



1 3. In a county whose population is less than ~~145,000,~~ 52,000,
2 if the estimated cost of a project is \$100,000 or more but less than
3 \$250,000, the board of county highway commissioners may hold a
4 hearing to determine, by majority vote of the board, if the project
5 can be performed by county employees or through the employment
6 of day labor under the supervision of the board and by the use of its
7 own machinery, tools and other equipment without advertising for
8 bids and letting contracts pursuant to subsection 2. Notice for such a
9 hearing must be provided not less than 15 days before the date of the
10 hearing and must be published pursuant to the provisions of NRS
11 238.010 to 238.080, inclusive. The board shall provide, in the notice
12 and at least 15 days before the hearing at the office of the board and
13 at the place of the hearing, the following information, without
14 limitation:

15 (a) A list of:

16 (1) All county employees, if any, including supervisors, who
17 will perform the work, including, without limitation, the
18 classification of each employee and an estimate of the direct and
19 indirect costs of the labor;

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

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

24 (b) An estimate of:

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

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

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

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

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

38 4. In cases of emergency the board of county highway
39 commissioners may let contracts for repairs in the manner
40 prescribed by chapter 332 of NRS.

41 5. Nothing in this section shall prevent any county from
42 opening, building, improving or repairing any public road or
43 highway in the county through the work of county employees or the
44 employment of day labor, under the supervision of the board of
45 county highway commissioners and by the use of its own



1 machinery, tools and other equipment, without letting contracts to
2 the lowest responsible bidder, if the probable cost of the work does
3 not exceed \$100,000.

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

5 444A.040 1. The board of county commissioners in a county
6 whose population is 100,000 or more, or its designee, shall make
7 available for use in that county a program for:

8 (a) The separation at the source of recyclable material from
9 other solid waste originating from residential premises and public
10 buildings where services for the collection of solid waste are
11 provided, including, without limitation, the placement of recycling
12 containers on the premises of apartment complexes and
13 condominiums where those services are provided.

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

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

21 (d) The encouragement of businesses to reduce solid waste and
22 to separate at the source recyclable material from other solid waste.
23 This program must, without limitation, make information regarding
24 solid waste reduction and recycling opportunities available to a
25 business at the time the business applies for or renews a business
26 license.

27 2. The board of county commissioners of a county whose
28 population is ~~[45,000]~~ 52,000 or more but less than 100,000, or its
29 designee:

30 (a) May make available for use in that county a program for the
31 separation at the source of recyclable material from other solid
32 waste originating from residential premises and public buildings
33 where services for the collection of solid waste are provided,
34 including, without limitation, the placement of recycling containers
35 on the premises of apartment complexes and condominiums where
36 those services are provided.

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

38 (1) The establishment of recycling centers for the collection
39 and disposal of recyclable material where existing recycling centers
40 do not carry out the purposes of the program established pursuant to
41 paragraph (a).

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



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

4 (a) The separation at the source of recyclable material from
5 other solid waste originating from residential premises and public
6 buildings where services for the collection of solid waste are
7 provided, including, without limitation, the placement of recycling
8 containers on the premises of apartment complexes and
9 condominiums where those services are provided.

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

13 (c) 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 4. Any program made available pursuant to this section:

18 (a) Must not:

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

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

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

24 5. The governing body of a municipality may adopt and carry
25 out within the municipality such programs made available pursuant
26 to this section as are deemed necessary and appropriate for that
27 municipality.

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

31 7. Persons residing on an Indian reservation or Indian colony
32 may participate in any program adopted pursuant to subsection 5 by
33 a municipality in which the reservation or colony is located if the
34 governing body of the reservation or colony adopts an ordinance
35 requesting such participation. Upon receipt of such a request, the
36 governing body of the municipality shall make available to the
37 residents of the reservation or colony those programs requested.

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

39 455.125 If an operator of a sewer main receives notice through
40 an association for operators pursuant to paragraph (a) of subsection
41 1 of NRS 455.110:

42 1. For a proposed excavation or demolition, the operator of the
43 sewer main shall provide the person responsible for the excavation
44 or demolition with the operator's best available information
45 regarding the location of the connection of the sewer service lateral



1 to the sewer main. The operator shall convey the information to the
2 person responsible for the excavation or demolition in such manner
3 as is determined by the operator which may include any one or more
4 of the following methods, without limitation:

5 (a) Identification of the location of the connection of the sewer
6 service lateral to the sewer main;

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

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

13 2. The operator of a sewer main shall make its best efforts to
14 comply with paragraph (a) or (c) of subsection 1 within 2 working
15 days. If an operator of a sewer main cannot complete the
16 requirements of paragraph (a) or (c) of subsection 1 within 2
17 working days, then the operator and the person responsible for the
18 excavation or demolition must mutually agree upon a reasonable
19 amount of time within which the operator must comply.

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

22 (a) Except as otherwise provided in subsection 4, in a county
23 with a population of ~~[45,000]~~ **52,000** or more may not charge a
24 person responsible for excavation or demolition in a public right-of-
25 way for complying with this section.

26 (b) In a county with a population of less than ~~[45,000]~~ **52,000**
27 may charge a person responsible for excavation or demolition in a
28 public right-of-way for complying with this section in an amount
29 that does not exceed the actual costs for the operator for compliance
30 with this section. Costs assessed pursuant to this paragraph are not
31 subject to the provisions of NRS 354.59881 to 354.59889, inclusive.

32 4. A government, governmental agency or political subdivision
33 that operates a sewer main in a county with a population of ~~[45,000]~~
34 **52,000** or more may charge a person responsible for excavation or
35 demolition in a public right-of-way for complying with this section
36 in an amount that does not exceed the actual costs for the operator
37 for compliance with this section if:

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

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

42 ➤ Costs assessed pursuant to this subsection are not subject to the
43 provisions of NRS 354.59881 to 354.59889, inclusive.

44 5. If the operator of a sewer main has received the information
45 required pursuant to NRS 455.131 or has otherwise identified the



1 location of the sewer service lateral in the public right-of-way, then
2 the operator of the sewer main shall be responsible thereafter to
3 identify the location of the sewer service lateral from that
4 information.

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

6 463.750 1. The Commission shall, with the advice and
7 assistance of the Board, adopt regulations governing:

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

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

11 2. The regulations adopted by the Commission pursuant to this
12 section must:

13 (a) Establish the investigation fees for:

14 (1) A license to operate interactive gaming;

15 (2) A license for a manufacturer of interactive gaming
16 systems;

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

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

22 (b) Provide that:

23 (1) A person must hold a license for a manufacturer of
24 interactive gaming systems to supply or provide any interactive
25 gaming system, including, without limitation, any piece of
26 proprietary software or hardware;

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

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

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

35 (1) Licensed as a manufacturer of interactive gaming
36 systems;

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

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

43 (d) Set forth provisions governing:



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

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

6 (3) The fee for the renewal of such a license for such an
7 interactive gaming service provider or registration as a service
8 provider, as applicable, and any renewal requirements for such a
9 license or registration, as applicable.

10 (4) Any portion of the license fee paid by a person licensed
11 to operate interactive gaming, pursuant to subsection 1 of NRS
12 463.770, for which an interactive gaming service provider may be
13 liable to the person licensed to operate interactive gaming.

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

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

22 (g) Define “interactive gaming system,” “manufacturer of
23 interactive gaming systems,” “operate interactive gaming” and
24 “proprietary hardware and software” as the terms are used in this
25 chapter.

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

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

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

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

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

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

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



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

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

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

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

13 (3) Operates either:

14 (I) More than 50 rooms for sleeping accommodations in
15 connection therewith; or

16 (II) More than 50 gaming devices in connection
17 therewith.

18 4. The Commission may:

19 (a) Issue a license to operate interactive gaming to an affiliate of
20 an establishment if:

21 (1) The establishment satisfies the applicable requirements
22 set forth in subsection 3;

23 (2) The affiliate is located in the same county as the
24 establishment; and

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

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

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

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

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

35 (b) A covered person may not be found suitable for licensure
36 under this section unless such covered person expressly submits to
37 the jurisdiction of the United States and of each state in which
38 patrons of interactive gaming operated by such covered person after
39 December 31, 2006, were located, and agrees to waive any statutes
40 of limitation, equitable remedies or laches that otherwise would
41 preclude prosecution for a violation of any provision of federal law
42 or the law of any state in connection with such operation of
43 interactive gaming after that date;



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

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

7 7. The Commission, upon recommendation of the Board, may
8 waive the requirements of subsection 6 if the Commission
9 determines that:

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

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

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

21 (b) In the case of a covered person described in paragraph (c) of
22 subsection 1 of NRS 463.014645, the assets that the person will use
23 in connection with interactive gaming for which the covered person
24 applies for a finding of suitability were not used after December 31,
25 2006, in violation of any provision of federal law or the law of any
26 state; and

27 (c) In the case of a covered asset, the asset was not used after
28 December 31, 2006, in violation of any provision of federal law or
29 the law of any state, and the interactive gaming facility in
30 connection with which the asset was used was not used after that
31 date in violation of any provision of federal law or the law of any
32 state.

33 8. With respect to a person applying for a waiver pursuant to
34 subsection 7, the Commission shall afford the person an opportunity
35 to be heard and present relevant evidence. The Commission shall act
36 as finder of fact and is entitled to evaluate the credibility of
37 witnesses and persuasiveness of the evidence. The affirmative votes
38 of a majority of the whole Commission are required to grant or deny
39 such waiver. The Board shall make appropriate investigations to
40 determine any facts or recommendations that it deems necessary or
41 proper to aid the Commission in making determinations pursuant to
42 this subsection and subsection 7.

43 9. The Commission shall make a determination pursuant to
44 subsections 7 and 8 with respect to a covered person or covered
45 asset without regard to whether the conduct of the covered person or



1 the use of the covered asset was ever the subject of a criminal
2 proceeding for a violation of any provision of federal law or the law
3 of any state, or whether the person has been prosecuted and the
4 prosecution terminated in a manner other than with a conviction.

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

8 (a) Until the Commission adopts regulations pursuant to this
9 section; and

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

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

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

19 647.060 1. At the time of purchase by any junk dealer of any
20 hides or junk, the junk dealer shall require the person vending the
21 hides or junk to subscribe a statement containing the following
22 information:

23 (a) When, where and from whom the vendor obtained the
24 property.

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

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

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

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

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

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

40 **Sec. 22.** The Legislature declares that in enacting this act it has
41 reviewed each of the classifications by population amended by this
42 act, has considered the suggestions of the several counties and of
43 other interested persons in this State relating to whether any should
44 be retained unchanged or amended differently, and has found that
45 each of the sections in which a criterion of population has been



1 changed should not under present conditions apply to a county
2 larger or smaller, as the case may be, than the new criterion
3 established.

4 **Sec. 23.** This act becomes effective upon passage and
5 approval.

③



* S B 2 1 R 1 *