

Senate Bill No. 273—Senators Lange, D. Harris, Spearman, Flores, Hammond; Daly, Donate, Dondero Loop, Nguyen, Ohrenschall, Pazina, Scheible, Seevers Gansert and Stone

Joint Sponsors: Assemblymen Nguyen, Thomas, Brittney Miller, Monroe-Moreno, Bilbray-Axelrod; Backus, Carter, Considine, D’Silva, González, Hardy, Jauregui, C.H. Miller, Mosca, Summers-Armstrong, Watts and Yurek

CHAPTER.....

AN ACT relating to higher education; changing the name of the Nevada State College to the Nevada State University; designating the Nevada State University as a state college; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Article 11 of the Nevada Constitution requires the Nevada Legislature to provide for the establishment of a State University that is controlled by a Board of Regents whose duties are prescribed by law. (Nev. Const. Art. 11, § 4) Existing law provides for the establishment of the Nevada System of Higher Education, which consists of the State University and other educational institutions, programs and operations. (NRS 396.020) Assembly Bill No. 220 of the 70th Session of the Nevada Legislature established an advisory committee to examine the issue of locating a 4-year state college in Henderson, Nevada. (Chapter 513, Statutes of Nevada 1999, at page 2625) The advisory committee recommended naming the proposed state college the Nevada State College at Henderson. (Minutes of the Advisory Committee to Examine Locating a 4-Year State College in Henderson, February 4, 2000)

Section 5 of this bill changes the name of the Nevada State College to the Nevada State University and directs the Board of Regents of the University of Nevada to take all necessary steps to implement the name change. **Sections 1 and 5** of this bill designate Nevada State University as a state college. **Sections 2-4** of this bill make conforming changes to replace references in the Nevada Revised Statutes to the Nevada State College with references to Nevada State University. **Section 2** also removes a reference to Sierra Nevada College, which was acquired by the University of Nevada, Reno, in 2022. **Section 6** of this bill directs the Legislative Counsel, in preparing supplements to the Nevada Administrative Code, to reflect the name change made in **section 5**.

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

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

Section 1. NRS 396.005 is hereby amended to read as follows:
396.005 As used in this chapter, unless the context otherwise requires:



1. "Board of Regents" means the Board of Regents of the University of Nevada.

2. "Community college" means all of the community colleges within the Nevada System of Higher Education.

3. "State college" means all of the state colleges within the Nevada System of Higher Education ~~§~~ , *including, without limitation, the state college known as Nevada State University.*

4. "System" means the Nevada System of Higher Education.

5. "University" means all of the universities within the Nevada System of Higher Education.

Sec. 2. NRS 396.945 is hereby amended to read as follows:

396.945 1. The Board shall annually award the Memorial Scholarship to:

(a) Two recipients who are students enrolled at:

(1) The University of Nevada, Reno, *or* Great Basin College ; ~~for Sierra Nevada College;~~

(2) A nonprofit university which awards a bachelor's degree in education to residents of northern Nevada; or

(3) Any other college or university which awards a bachelor's degree in education and which is designated by the Board as an institution representative of northern Nevada; and

(b) Two recipients who are students enrolled at:

(1) The University of Nevada, Las Vegas, or Nevada State ~~College;~~ *University;*

(2) A nonprofit university which awards a bachelor's degree in education to residents of southern Nevada; or

(3) Any other college or university which awards a bachelor's degree in education and which is designated by the Board as an institution representative of southern Nevada.

2. The Board shall establish additional criteria governing the annual selection of each recipient of the Memorial Scholarship, which must include, without limitation, a requirement that a recipient:

(a) Be in or entering his or her senior year at an academic institution described in subsection 1;

(b) Satisfy the eligibility requirements for a Millennium Scholarship set forth in NRS 396.930;

(c) Except as otherwise provided in NRS 396.158, have a college grade point average of not less than 3.5 on a 4.0 grading scale or, if enrolled at an academic institution that does not use a grade point system to measure academic performance, present evidence acceptable to the Board that demonstrates a commensurate level of academic achievement;



(d) Have a declared major in elementary education or secondary education;

(e) Have a stated commitment to teaching in this State following graduation; and

(f) Have a record of community service.

3. A student who satisfies the criteria established pursuant to this section may apply for a Memorial Scholarship by submitting an application to the Office of the State Treasurer on a form provided on the Internet website of the State Treasurer.

4. The State Treasurer shall forward all applications received pursuant to subsection 3 to the Board. The Board shall review and evaluate each application received from the State Treasurer and select each recipient of the Memorial Scholarship in accordance with the criteria established pursuant to this section.

5. To the extent of available money in the account established pursuant to NRS 396.940, the annual Memorial Scholarship may be awarded to each selected recipient in an amount not to exceed \$5,000 to pay the educational expenses of the recipient for the school year which are authorized by subsection 6 and which are not otherwise paid for by the Millennium Scholarship awarded to the recipient.

6. A Memorial Scholarship must be used only:

(a) For the payment of registration fees and laboratory fees and expenses;

(b) To purchase required textbooks and course materials; and

(c) For other costs related to the attendance of the student at the academic institution in which he or she is enrolled.

7. As used in this section, "Board" means the Board of Trustees of the College Savings Plans of Nevada created by NRS 353B.005.

Sec. 3. NRS 278C.140 is hereby amended to read as follows:

278C.140 "Undertaking" means any enterprise to acquire, improve or equip, or any combination thereof:

1. In the case of counties:

(a) A drainage and flood control project, as defined in NRS 244A.027;

(b) An overpass project, as defined in NRS 244A.037;

(c) A sewerage project, as defined in NRS 244A.0505;

(d) A street project, as defined in NRS 244A.053;

(e) An underpass project, as defined in NRS 244A.055; or

(f) A water project, as defined in NRS 244A.056.

2. In the case of cities:



(a) A drainage project or flood control project, as defined in NRS 268.682;

(b) An overpass project, as defined in NRS 268.700;

(c) A sewerage project, as defined in NRS 268.714;

(d) A street project, as defined in NRS 268.722;

(e) An underpass project, as defined in NRS 268.726; or

(f) A water project, as defined in NRS 268.728.

3. In the case of a city with respect to any tax increment area created pursuant to a cooperative agreement between the city and the Nevada System of Higher Education pursuant to NRS 278C.155, in addition to the projects described in subsection 2:

(a) A project for any other infrastructure necessary or desirable for the principal campus of the Nevada State ~~College~~ **University** that is approved by the Board of Regents of the University of Nevada; or

(b) An educational facility or other capital project for the principal campus of the Nevada State ~~College~~ **University** that is owned by the Nevada System of Higher Education and approved by the Board of Regents of the University of Nevada.

4. In the case of a county or city with respect to any tax increment area created by an ordinance adopted pursuant to NRS 278C.157, in addition to the projects described in subsections 1 and 2:

(a) A natural resources project; or

(b) A rail project.

Sec. 4. NRS 278C.155 is hereby amended to read as follows:

278C.155 1. A tax increment area may be created pursuant to this section by a cooperative agreement between a city in which the principal campus of the Nevada State ~~College~~ **University** is located or intended to be located and the Nevada System of Higher Education, if the boundaries of the tax increment area include only land:

(a) On which the principal campus of the Nevada State ~~College~~ **University** is located or intended to be located; and

(b) Which:

(1) Consists of not more than 509 acres;

(2) Was transferred by the city creating the tax increment area to the Nevada System of Higher Education for the use of the Nevada State ~~College~~ **University**;

(3) Has never been subject to property taxation; and

(4) The Nevada System of Higher Education has agreed to continue to own for the term of the tax increment area.



↳ The provisions of NRS 278C.160, subsections 4, 6 and 7 of NRS 278C.170, NRS 278C.220, subsections 2 and 3 of NRS 278C.250 and paragraph (d) of subsection 6 of NRS 278C.250 do not apply to a tax increment area created pursuant to this section, but such a tax increment area is subject to the provisions of subsections 2 to 9, inclusive.

2. Whenever the governing body of a city in which the principal campus of the Nevada State [College] University is located or intended to be located and the Board of Regents of the University of Nevada determine that the interests of the city, the Nevada System of Higher Education and the public require an undertaking, the governing body and the Board of Regents may enter into a cooperative agreement pursuant to NRS 277.080 to 277.180, inclusive, which describes by reference to the general types of undertakings authorized pursuant to NRS 278C.140 and the undertakings proposed for the tax increment area, and which contains or refers to an exhibit filed with the clerk of the city and the Secretary of the Board of Regents which contains:

(a) A statement of the last finalized amount of the assessed valuation of the real property within the boundaries of the tax increment area, which boundaries must be in compliance with subsection 1, and a statement that, based upon the records of the county treasurer, no property taxes were collected on any of that property, or on any interest therein, during the most recent year for which those records are available; and

(b) A description of the tax increment area or its location, so that the various tracts of taxable real property and any taxable personal property may be identified and determined to be within or without the tax increment area, except that the description need not describe in complete detail each tract of real property proposed to be included within the tax increment area.

3. The governing body may, at any time after the effective date of a cooperative agreement entered into pursuant to this section, adopt a resolution that provisionally orders the undertakings and creation of the tax increment area.

4. The notice of the meeting required pursuant to subsection 3 of NRS 278C.170 must:

(a) Describe by reference the general types of undertakings authorized pursuant to NRS 278C.140 and the undertakings proposed for the tax increment area;

(b) Describe the last finalized amount of the assessed valuation of the real property within the boundaries of the tax increment area, and state that, based upon the records of the county treasurer, no



property taxes were collected on any of that property, or on any interest therein, during the most recent year for which those records are available;

(c) Describe the tax increment area or its location, so that the various tracts of taxable real or personal property may be identified and determined to be within or without the tax increment area; and

(d) State the date, time and place of the meeting described in subsection 1 of NRS 278C.170.

5. If, after considering all properly submitted and relevant written and oral complaints, protests, objections and other relevant comments and after considering any other relevant material, the governing body determines that the undertaking is in the public interest and defines that public interest, the governing body shall determine whether to proceed with the undertaking. If the governing body has ordered any modification to an undertaking and has determined to proceed, the governing body must consult with the Board of Regents to obtain its consent to the proposed modification. When the Board of Regents and the governing body are in agreement on the modification, if any, and a statement of the modification is filed with the clerk, if the governing body wants to proceed with the undertaking, the governing body shall adopt an ordinance in the same manner as any other ordinance:

(a) Overruling all complaints, protests and objections not otherwise acted upon;

(b) Ordering the undertaking;

(c) Describing the tax increment area to which the undertaking pertains; and

(d) Creating a tax increment account for the undertaking.

6. Money deposited in the tax increment account as described in subparagraph (2) of paragraph (a) of subsection 1 of NRS 278C.250 may be used to pay the capital costs of the undertaking directly, in addition to being used to pay the bond requirements of loans, money advanced or indebtedness incurred to finance or refinance an undertaking, and may continue to be used for those purposes until the expiration of the tax increment area pursuant to NRS 278C.300.

7. The Board of Regents may pledge to any securities it issues under a delegation pursuant to subsection 8, or irrevocably dedicate to the city that will issue securities hereunder, any revenues of the Nevada System of Higher Education derived from the campus of the Nevada System of Higher Education whose boundaries are included in whole or in part in the tax increment area, other than revenues from state appropriations and from student fees, and subject to any



covenants or restrictions in any instruments authorizing other securities. Such an irrevocable dedication must be for the term of the securities issued by the city and any securities refunding those securities and may also extend for the term of the tax increment area.

8. The city may delegate to the Board of Regents the authority to issue any security other than a general obligation security which the city is authorized to issue pursuant to this chapter, and in connection therewith, may irrevocably dedicate to the Board of Regents the revenues that are authorized pursuant to this chapter to be pledged or used to repay those securities, including, without limitation, all money in the tax increment account created pursuant to subsection 5. The irrevocable dedication of any security pursuant to this subsection must be for the term of the security issued by the Nevada System of Higher Education and any security refunding those securities and may also extend for the term of the tax increment area.

9. If the boundaries of a county school district include a tax increment area created pursuant to this section and the county school district operates a public school on property within the boundaries of that tax increment area, the county school district and the Nevada System of Higher Education shall consult with one another regarding funding for the operating costs of that public school.

Sec. 5. 1. The state college located in Henderson, Nevada, which was previously known as the Nevada State College or the Nevada State College at Henderson, shall be known as the Nevada State University. The Board of Regents of the University of Nevada shall take all steps necessary to implement the change in name made pursuant to this section.

2. The change in name made pursuant to this section shall have no effect whatever on any functions, rights, powers, obligations or liabilities of the state college located in Henderson, Nevada, which was previously known as the Nevada State College or the Nevada State College at Henderson, or on the classification of the institution as a state college for all purposes under the laws of this State.

Sec. 6. The Legislative Counsel shall, in preparing supplements to the Nevada Administrative Code, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.



Sec. 7. This act becomes effective on July 1, 2023.

