

SENATE BILL NO. 354—SENATOR WOODHOUSE

MARCH 18, 2019

Referred to Committee on Education

SUMMARY—Revises provisions relating to the Nevada System of Higher Education. (BDR 34-59)

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

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

AN ACT relating to the Nevada System of Higher Education; revising the selection and membership of the Board of Regents of the University of Nevada; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 The Nevada Constitution requires the Nevada Legislature to provide for: (1) the
2 establishment of a State University controlled by a Board of Regents, whose duties
3 are prescribed by law; and (2) the election of the Board of Regents of the
4 University of Nevada. (Nev. Const. Art. 11, §§ 4, 7; NRS 396.040) Assembly Joint
5 Resolution No. 5 of the 79th Session of the Nevada Legislature proposes to amend
6 the Nevada Constitution to eliminate the provisions concerning the Board of
7 Regents and to authorize the Legislature to provide by statute for the governance,
8 control and management of the State University. (File No. 34, Statutes of Nevada
9 2017, p. 4580)

10 If Assembly Joint Resolution No. 5 of the 79th Session of the Nevada
11 Legislature is agreed to and passed by the 2019 Legislature and approved and
12 ratified by the voters at the 2020 General Election, **section 5** of this bill eliminates
13 the 13 districts in existing law from which the members of the Board of Regents are
14 elected. (NRS 396.0415-396.046) **Section 1** of this bill reduces the number of
15 members serving on the Board of Regents from 13 to 9. Additionally, **section 1**
16 requires the Board of Regents to be composed of five members elected from
17 districts established by the Legislature and four members appointed by the
18 Governor. **Section 1** provides for 4-year terms for the members, and **section 4** of
19 this bill staggers the initial terms. **Sections 2 and 3** of this bill make conforming
20 changes.



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

1 **Section 1.** NRS 396.040 is hereby amended to read as follows:

2 396.040 1. The Board of Regents consists of ~~[13]~~ *nine*
3 members ~~[elected by the registered voters within the districts~~
4 ~~described in NRS 396.0415 to 396.046, inclusive.~~

5 ~~—2. The members of the Board of Regents must be elected]~~ as
6 follows:

7 (a) ~~[At the general election in 2002, and every 6 years thereafter,~~
8 ~~one member of the Board of Regents must be elected from districts~~
9 ~~2, 3, 5 and 10.]~~ *Five members elected by registered voters within*
10 *districts established by the Legislature.*

11 (b) ~~[At the general election in 2004, and every 6 years thereafter,~~
12 ~~one member of the Board of Regents must be elected from districts~~
13 ~~6, 7, 8, 11 and 13.~~

14 ~~—(c) At the general election in 2006, and every 6 years thereafter,~~
15 ~~one member of the Board of Regents must be elected from districts~~
16 ~~1, 4, 9 and 12.]~~ *Four members appointed by the Governor. The*
17 *Governor shall ensure that the members appointed pursuant to*
18 *this paragraph possess knowledge and experience in higher*
19 *education or business and represent the diversity of this State,*
20 *including, without limitation, different geographic regions of this*
21 *State, gender and ethnicity.*

22 ~~[3.]~~ 2. Each *elected* member of the Board of Regents must be a
23 resident of the district from which the member is elected. *After the*
24 *initial terms, each member of the Board of Regents serves for a*
25 *term of 4 years, which commences on the first Monday in January*
26 *and until his or her successor is elected or appointed, as*
27 *applicable.*

28 **Sec. 2.** NRS 396.050 is hereby amended to read as follows:

29 396.050 Before entering upon the discharge of the duties of the
30 Office of Regent, every person elected *or appointed* as a Regent
31 under the provisions of this chapter shall take and subscribe the
32 official oath and file the same in the Office of the Secretary of State.

33 **Sec. 3.** NRS 396.060 is hereby amended to read as follows:

34 396.060 In case of a vacancy in the Board of Regents caused
35 by death, resignation, removal, or otherwise, the Governor shall fill
36 the vacancy by *appointment if the vacancy was an appointed*
37 *member, or if the vacancy was an elected member, by* the
38 appointment of a qualified person to serve until the next succeeding
39 general election, when the vacancy shall be filled by election for the
40 remainder of the unexpired term of office of the Regent originally
41 elected.



1 **Sec. 4.** 1. Notwithstanding the provisions of NRS 396.040,
2 the terms of the elected members of the Board of Regents of the
3 University of Nevada who are incumbent on January 2, 2023, expire
4 on that date.

5 2. Three members of the Board of Regents must be selected at
6 the General Election held on November 8, 2022, and take office on
7 January 2, 2023. The terms of the members elected pursuant to this
8 subsection expire on January 5, 2025.

9 3. Two members of the Board of Regents must be selected at
10 the General Election held on November 8, 2022, and take office on
11 January 2, 2023. The terms of the members elected pursuant to this
12 subsection expire on January 3, 2027.

13 4. On or before January 1, 2023, two members of the Board of
14 Regents must be appointed by the Governor. The terms of the
15 members appointed pursuant to this subsection commence on
16 January 2, 2023, and expire on January 5, 2025.

17 5. On or before January 1, 2023, two members of the Board of
18 Regents must be appointed by the Governor. The terms of the
19 members appointed pursuant to this subsection commence on
20 January 2, 2023, and expire on January 3, 2027.

21 **Sec. 5.** NRS 396.0411, 396.0413, 396.0415, 396.0425,
22 396.043, 396.0435, 396.044, 396.0445, 396.045, 396.0451,
23 396.0453, 396.0455, 396.0456, 396.0457 and 396.046 are hereby
24 repealed.

25 **Sec. 6.** This act becomes effective on November 24, 2020,
26 only if the provisions of Assembly Joint Resolution No. 5 of the
27 79th Session of the Nevada Legislature are agreed to and passed by
28 the 2019 Legislature and approved and ratified by the voters at the
29 2020 General Election.

LEADLINES OF REPEALED SECTIONS

**396.0411 Maps of districts: Duties of Director of Legislative
Counsel Bureau.**

396.0413 Maps of districts: Duties of Secretary of State.

396.0415 District 1.

396.0425 District 2.

396.043 District 3.

396.0435 District 4.

396.044 District 5.

396.0445 District 6.

396.045 District 7.



396.0451 District 8.
396.0453 District 9.
396.0455 District 10.
396.0456 District 11.
396.0457 District 12.
396.046 District 13.

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