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SENATE BILL NO. 52—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE LIEUTENANT GOVERNOR)

PREFILED NOVEMBER 18, 2020

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Referred to Committee on Natural Resources

**SUMMARY**—Requires the establishment of a program for awarding a dark sky designation to certain sites in this State. (BDR 35-427)

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

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

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**AN ACT** relating to outdoor recreation; requiring the Administrator of the Division of Outdoor Recreation in the State Department of Conservation and Natural Resources to establish a program for awarding a dark sky designation to certain sites in this State; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law creates the Division of Outdoor Recreation in the State  
2 Department of Conservation and Natural Resources, which is headed by an  
3 Administrator. (NRS 232.1363, 407A.540, 407A.545) Under existing law, the  
4 Administrator is required to perform various duties relating to the promotion,  
5 coordination and advocacy of outdoor recreation in Nevada. (NRS 407A.570) This  
6 bill requires the Administrator to establish by regulation a program for awarding a  
7 dark sky designation to sites in Nevada, including communities, parks, reserves and  
8 byways. This bill requires the regulations to include: (1) categories for which a site  
9 may be awarded such a designation; (2) standards for awarding such a designation;  
10 and (3) procedures for applying for a such designation, for reviewing and  
11 suspending or revoking such a designation and for appealing such a suspension or  
12 revocation.

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1 WHEREAS, The International Dark-Sky Association estimates  
2 that approximately 30 to 60 percent of outdoor lighting in the United  
3 States, including lighting for architecture, parking, landscaping,  
4 advertising and streets, is wasted primarily because of unshielded  
5 outdoor lights; and

6 WHEREAS, The light that results from excessive or unnecessary  
7 outdoor lighting creates an artificial brightening of the night sky,  
8 which is known as light pollution; and

9 WHEREAS, In addition to obliterating views of the stars, light  
10 pollution, which requires a significant amount of natural resources  
11 to produce, may disrupt the normal biological rhythms of humans  
12 and wildlife; and

13 WHEREAS, From an economic perspective, property owners and  
14 municipalities can reduce their power costs and consumption by  
15 discontinuing the use of unshielded light fixtures; and

16 WHEREAS, The International Dark-Sky Association founded a  
17 program in 2001 that designates "International Dark Sky Places" as  
18 areas that possess varying degrees of exceptional or distinguished  
19 quality of starry nights and a nocturnal environment that is  
20 specifically protected for its scientific, natural and educational  
21 value, as well as for public enjoyment; and

22 WHEREAS, The International Dark Sky Places Program offers  
23 different types of designations, including, designations for  
24 communities, parks, reserves, sanctuaries and urban night sky  
25 places; and

26 WHEREAS, As of 2019, there are two International Dark Sky  
27 Places in Nevada: Great Basin National Park and the Massacre Rim  
28 Wilderness Study Area; and

29 WHEREAS, Establishing a state-level program for designating  
30 dark sky places in Nevada will complement the International Dark  
31 Sky Places Program and serve to specifically promote, preserve,  
32 protect and enhance Nevada's dark sky resources for their intrinsic  
33 value and their ecological, astronomical, cultural and economic  
34 importance; and

35 WHEREAS, The program will also raise awareness among  
36 Nevadans about light pollution and encourage them to transition  
37 from unshielded to shielded outdoor lighting to preserve and  
38 enhance dark skies throughout this State; and

39 WHEREAS, Designation of dark sky places in Nevada under the  
40 program will also attract tourists and other visitors to rural  
41 communities near Nevada's dark sky assets, thereby generating  
42 increased economic activity for surrounding communities and their  
43 small businesses; now, therefore,



1 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
2 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:  
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4 **Section 1.** NRS 407A.570 is hereby amended to read as  
5 follows:

6 407A.570 1. As the executive head of the Division, the  
7 Administrator, subject to administrative supervision by the Director,  
8 shall direct and supervise all administrative, fiscal, budget and  
9 technical activities of the Division and all programs administered by  
10 the Division as provided by law.

11 2. The Administrator may organize the Division into various  
12 sections and, from time to time, alter such organization and reassign  
13 responsibilities and duties as the Administrator may deem  
14 appropriate.

15 3. The Administrator shall:

16 (a) Coordinate all activities relating to marketing and business  
17 development for outdoor recreation, including, without limitation,  
18 marketing, advertising and securing media opportunities that reflect  
19 the opportunities for outdoor recreation in this State.

20 (b) Coordinate with the Department of Tourism and Cultural  
21 Affairs and the Office of Economic Development concerning the  
22 promotion and growth of any businesses and opportunities related to  
23 outdoor recreation.

24 (c) Promote economic development by working with the Office  
25 of Economic Development to attract outdoor recreation industries to  
26 this State and develop the growth of new business opportunities  
27 within this State.

28 (d) Coordinate with the Department, the Department of Wildlife  
29 and any other organization, association, group or other entity  
30 concerned with matters of conservation and natural resources  
31 regarding conservation and the implementation or interpretation of  
32 policies regarding natural resources.

33 (e) Promote the growth of the outdoor recreation economy in  
34 this State so that there is support for economic growth as well as  
35 stewardship and conservation of any natural resource in this State.

36 (f) Advocate for and coordinate outdoor recreation policy,  
37 management and promotion among state and federal agencies and  
38 local government entities in this State.

39 (g) Recommend policies and initiatives to the Director to  
40 enhance outdoor recreational amenities and experiences in this State  
41 and help implement such policies and initiatives.

42 (h) Create and maintain a statewide list of lands to be conserved,  
43 enhanced and publicized for outdoor recreation.

44 (i) Develop data regarding the impacts of outdoor recreation in  
45 this State.



1 (j) Advocate on behalf of the State for federal funding,  
2 including, without limitation, any funding opportunities that are  
3 available pursuant to the Land and Water Conservation Fund  
4 established by 54 U.S.C. § 200302.

5 (k) Promote the health and social benefits of outdoor recreation.

6 (l) Promote the engagement of communities that are diverse in  
7 outdoor recreation.

8 *(m) Establish by regulation a program for awarding a*  
9 *designation to sites in this State where the darkness of the night*  
10 *sky is relatively free of interference from artificial light. Such*  
11 *regulations must include, without limitation:*

12 *(1) The categories for which a site may be awarded a*  
13 *designation, including, without limitation, a community, park,*  
14 *reserve or byway;*

15 *(2) The standards for awarding a designation for each*  
16 *category established pursuant to subparagraph (1); and*

17 *(3) The procedures for:*

18 *(I) Applying for a designation;*

19 *(II) The review and reassessment of sites that have been*  
20 *awarded a designation;*

21 *(III) The suspension and revocation of a designation;*  
22 *and*

23 *(IV) Appealing the denial, suspension or revocation of a*  
24 *designation.*

25 **Sec. 2.** 1. This section becomes effective upon passage and  
26 approval.

27 2. Section 1 of this act becomes effective:

28 (a) Upon passage and approval for the purpose of adopting  
29 regulations and performing any other preparatory administrative  
30 tasks that are necessary to carry out the provisions of this act; and

31 (b) On October 1, 2021, for all other purposes.

