

ASSEMBLY BILL NO. 568—ASSEMBLYMEN THOMAS, GOLDWATER, CARPENTER, SEGERBLOM, CLABORN, MORTENSON, DE BRAGA, CHOWNING, GIUNCHIGLIANI, EVANS, BUCKLEY, KOIVISTO, BACHE, ANDERSON, MANENDO, OHRENSCHALL, PRICE, LESLIE, DINI AND PARNELL

MARCH 15, 1999

Referred to Committee on Education

SUMMARY—Provides for payment by others of cost of extending streets and utilities to site of new school. (BDR 34-1338)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to the construction of schools; requiring local governments and public utilities to provide necessary services to new sites; providing for the recovery of those costs; and providing other matters properly relating thereto.

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

1 **Section 1.** NRS 393.155 is hereby amended to read as follows:
2 393.155 ***1.*** The ~~{board of trustees of any school district in this state}~~
3 ***local government otherwise responsible for making the improvement*** may
4 expend money ~~{available for school construction}~~ to make necessary
5 improvements, including ~~{without limitation}~~ sidewalks, curbs, gutters,
6 street lights, traffic control signs or devices, fire hydrants, water and sewer
7 lines, street paving and drainage for flood control, which are not located on
8 the property of ~~{the}~~ ***a*** school district but are necessary or appropriate ~~{to~~
9 ~~*the school construction undertaken.}*~~ ***for the construction of a public***
10 ***school, and at the request of the board of trustees of the school district,***
11 ***shall make those improvements that are necessary, but the school district***
12 ***shall pay for any such improvement upon or immediately abutting its***
13 ***property. The local government may recover the cost of making the***

1 *improvements by assessment against the other properties benefited or to*
2 *be benefited upon their development. The assessment may be made at the*
3 *time of making the improvements or at any time thereafter.*

4 *2. A public utility providing electricity, gas, telephone service or*
5 *water to the area in which a public school is to be constructed shall make*
6 *that service available at the site at the request of the board of trustees of*
7 *the school district, and the school district shall pay for the appropriate*
8 *connection to the school. The public utility may recover the cost of*
9 *making the service available by charging special connection fees to*
10 *customers added along the lines constructed or improved to make the*
11 *service available, at the time of making the service available at the site of*
12 *the school or at any time thereafter.*

13 **Sec. 2.** NRS 278B.240 is hereby amended to read as follows:

14 278B.240 ~~[1.]~~ If an owner is required by a local government, as a
15 condition of the approval of the development, to construct or dedicate, or
16 both, a portion of the off-site facilities for which impact fees are imposed,
17 the off-site facilities must be credited against those impact fees.

18 ~~[2.—If a school district is required by a local government to construct or~~
19 ~~dedicate, or both, a portion of the off-site facilities for which impact fees~~
20 ~~are imposed, the local government shall, upon the request of the school~~
21 ~~district, reimburse or enter into an agreement to reimburse the school~~
22 ~~district for the cost of the off-site facilities constructed or dedicated, or~~
23 ~~both, minus the cost of the off-site facilities immediately adjacent to or~~
24 ~~providing connection to the school development which would be required~~
25 ~~by local ordinance in the absence of an ordinance authorizing impact fees.]~~

26 **Sec. 3.** Chapter 704 of NRS is hereby amended by adding thereto a
27 new section to read as follows:

28 *The commission shall, in the exercise of its authority to set or approve*
29 *the rates and charges of a public utility, take into account a right of that*
30 *public utility to recover by appropriate connection charges certain costs*
31 *incurred pursuant to NRS 393.155.*