

Assembly Bill No. 381—Assemblymen Bache, Neighbors, Giunchigliani, de Braga, Gibbons, Anderson, Berman, Brown, Buckley, Carpenter, Chowning, Freeman, Hettrick, Lee, Leslie, Manendo, Mortenson, Ocegüera, Parks, Parnell, Smith, Tiffany and Von Tobel

Joint Sponsors: Senators Amodei and Carlton

CHAPTER.....

AN ACT relating to local governments; revising the provisions relating to the incorporation and organization of cities; directing the Legislative Commission to conduct an interim study to develop and recommend proposed enabling legislation for the creation of an incorporated town; and providing other matters properly relating thereto.

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

**Section 1.** NRS 265.010 is hereby amended to read as follows:

265.010 No city or town in this state may be organized into an incorporated city unless *there were* more than ~~{250 electors}~~ *1,000 inhabitants* residing within the limits of the city or town ~~{cast ballots at the general election last}~~ *as determined by the last federal decennial census or the population certified by the governor pursuant to NRS 360.285, whichever is most recent*, preceding the application for incorporation.

**Sec. 2.** NRS 266.055 is hereby amended to read as follows:

266.055 Municipal corporations organized under the provisions of this chapter ~~{shall be, and the same are,}~~ *must be* divided into three classes:

1. Those cities having ~~{20,000}~~ *50,000* or more inhabitants ~~{shall be known as}~~ *are* cities of the first class.

2. Those cities having ~~{more than 5,000 and less than 20,000 inhabitants shall be known as}~~ *5,000 or more but less than 50,000 inhabitants are* cities of the second class.

3. ~~{All other cities shall be known as}~~ *Those cities having less than 5,000 inhabitants are* cities of the third class.

**Sec. 3.** NRS 266.060 is hereby amended to read as follows:

266.060 1. Whenever any city of the second class attains the population of ~~{20,000}~~ *50,000* or more, or any city of the third class attains the population of 5,000 or more, and that fact is ascertained:

(a) By actual census taken and certified to the governor by the mayor; or

(b) At the option of the city council, by the governor, pursuant to NRS 360.285, for 2 consecutive years, the governor shall declare, by public proclamation, that city to be of the first or second class, ~~{as the case may be,}~~ and the city thus changed is governed by the provisions of this chapter ~~{}~~ applicable to cities of the higher class.

2. An authenticated copy of the governor's proclamation must be filed in the office of the secretary of state.

**Sec. 4.** 1. The Legislative Commission shall appoint a subcommittee consisting of six legislators to conduct an interim study to develop and

recommend proposed enabling legislation for the creation of an incorporated town. The subcommittee must consist of:

(a) Two members appointed by the Majority Leader of the Senate from the membership of the Senate Standing Committee on Government Affairs during the immediately preceding session of the legislature;

(b) One member appointed by the Majority Leader of the Senate from the membership of the Senate Standing Committee on Taxation during the immediately preceding session of the legislature;

(c) Two members appointed by the Speaker of the Assembly from the membership of the Assembly Standing Committee on Government Affairs during the immediately preceding session of the legislature; and

(d) One member appointed by the Speaker of the Assembly from the membership of the Assembly Standing Committee on Taxation during the immediately preceding session of the legislature.

2. The subcommittee may appoint an advisory committee to assist the subcommittee in carrying out its duties. Such an advisory committee must include a member of the Committee on Local Government Finance and representatives of the Nevada League of Cities and Municipalities, the Nevada Association of Counties and the Nevada Taxpayers Association, or their successor organizations. Members of the advisory committee serve without compensation, but are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally while engaged in the business of the advisory committee. The per diem allowance and travel expenses must be paid from the legislative fund.

3. The subcommittee may form such subcommittees of its members as are necessary to study specific issues within the jurisdiction of the subcommittee.

4. The subcommittee shall meet as frequently as necessary to complete the recommendations for the proposed legislation.

5. In conducting the study, the subcommittee shall:

(a) Determine appropriate procedures for the incorporation of and the governmental structure of an incorporated town;

(b) Identify and analyze the appropriate mandatory and optional powers that the governing body of an incorporated town may exercise;

(c) Consider the consolidation of any taxing district that may overlap with the boundaries of an incorporated town; and

(d) Consider existing statutes governing incorporated cities and unincorporated towns, including, without limitation, population data, governmental structure and operations, and any other matter that the subcommittee determines is relevant to the study.

6. The subcommittee may submit recommended legislation that is approved by a majority of the members of the Assembly appointed to the subcommittee and a majority of the members of the Senate appointed to the subcommittee to the Legislative Commission.

7. The Legislative Commission shall submit a report of the results of the study and any recommendations for legislation to the 72nd session of the Nevada Legislature.

**Sec. 5.** This act becomes effective on passage and approval.