

ASSEMBLY BILL NO. 381—ASSEMBLYMEN BACHE, NEIGHBORS,
GIUNCHIGLIANI, DE BRAGA, GIBBONS, ANDERSON, BERMAN,
BROWN, BUCKLEY, CARPENTER, CHOWNING, FREEMAN,
HETRICK, LEE, LESLIE, MANENDO, MORTENSON, OCEGUERA,
PARKS, PARNELL, SMITH, TIFFANY AND VON TOBEL

MARCH 15, 2001

JOINT SPONSORS: SENATORS AMODEI AND CARLTON

Referred to Concurrent Committees on Government Affairs
and Elections, Procedures, and Ethics

SUMMARY—Makes various changes regarding cities and towns. (BDR 21-67)

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.

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:

- 1 **Section 1.** NRS 265.010 is hereby amended to read as follows:
2 265.010 No city or town in this state may be organized into an
3 incorporated city unless *there were* more than ~~{250 electors}~~ *1,000*
4 *inhabitants* residing within the limits of the city or town ~~{at least ballots at the~~
5 ~~general election last}~~ *as determined by the last federal decennial census*
6 *or the population certified by the governor pursuant to NRS 360.285,*
7 *whichever is most recent,* preceding the application for incorporation.
8 **Sec. 2.** NRS 266.055 is hereby amended to read as follows:
9 266.055 Municipal corporations organized under the provisions of this
10 chapter ~~{shall be, and the same are,}~~ *must be* divided into three classes:
11 1. Those cities having ~~{20,000}~~ *50,000* or more inhabitants ~~{shall be~~
12 ~~known as}~~ *are* cities of the first class.



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1 2. Those cities having ~~more than 5,000 and less than 20,000~~
2 ~~inhabitants shall be known as~~ *5,000 or more but less than 50,000*
3 *inhabitants are* cities of the second class.
4 3. ~~All other cities shall be known as~~ *Those cities having less than*
5 *5,000 inhabitants are* cities of the third class.
6 **Sec. 3.** NRS 266.060 is hereby amended to read as follows:
7 266.060 1. Whenever any city of the second class attains the
8 population of ~~20,000~~ *50,000* or more, or any city of the third class attains
9 the population of 5,000 or more, and that fact is ascertained:
10 (a) By actual census taken and certified to the governor by the
11 mayor; or
12 (b) At the option of the city council, by the governor, pursuant to NRS
13 360.285, for 2 consecutive years,
14 the governor shall declare, by public proclamation, that city to be of the
15 first or second class, ~~as the case may be,~~ and the city thus changed is
16 governed by the provisions of this chapter ~~it~~ applicable to cities of the
17 higher class.
18 2. An authenticated copy of the governor's proclamation must be filed
19 in the office of the secretary of state.
20 **Sec. 4.** 1. The Legislative Commission shall appoint a subcommittee
21 consisting of six legislators to conduct an interim study to develop and
22 recommend proposed enabling legislation for the creation of an
23 incorporated town. The subcommittee must consist of:
24 (a) Two members appointed by the Majority Leader of the Senate from
25 the membership of the Senate Standing Committee on Government Affairs
26 during the immediately preceding session of the legislature;
27 (b) One member appointed by the Majority Leader of the Senate from
28 the membership of the Senate Standing Committee on Taxation during the
29 immediately preceding session of the legislature;
30 (c) Two members appointed by the Speaker of the Assembly from the
31 membership of the Assembly Standing Committee on Government Affairs
32 during the immediately preceding session of the legislature; and
33 (d) One member appointed by the Speaker of the Assembly from the
34 membership of the Assembly Standing Committee on Taxation during the
35 immediately preceding session of the legislature.
36 2. The subcommittee may appoint an advisory committee to assist the
37 subcommittee in carrying out its duties. Such an advisory committee must
38 include a member of the Committee on Local Government Finance and
39 representatives of the Nevada League of Cities and Municipalities, the
40 Nevada Association of Counties and the Nevada Taxpayers Association, or
41 their successor organizations. Members of the advisory committee serve
42 without compensation, but are entitled to receive the per diem allowance
43 and travel expenses provided for state officers and employees generally
44 while engaged in the business of the advisory committee. The per diem
45 allowance and travel expenses must be paid from the legislative fund.
46 3. The subcommittee may form such subcommittees of its members as
47 are necessary to study specific issues within the jurisdiction of the
48 subcommittee.



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- 1 4. The subcommittee shall meet as frequently as necessary to complete
- 2 the recommendations for the proposed legislation.
- 3 5. In conducting the study, the subcommittee shall:
- 4 (a) Determine appropriate procedures for the incorporation of and the
- 5 governmental structure of an incorporated town;
- 6 (b) Identify and analyze the appropriate mandatory and optional powers
- 7 that the governing body of an incorporated town may exercise;
- 8 (c) Consider the consolidation of any taxing district that may overlap
- 9 with the boundaries of an incorporated town; and
- 10 (d) Consider existing statutes governing incorporated cities and
- 11 unincorporated towns, including, without limitation, population data,
- 12 governmental structure and operations, and any other matter that the
- 13 subcommittee determines is relevant to the study.
- 14 6. The subcommittee may submit recommended legislation that is
- 15 approved by a majority of the members of the Assembly appointed to the
- 16 subcommittee and a majority of the members of the Senate appointed to the
- 17 subcommittee to the Legislative Commission.
- 18 7. The Legislative Commission shall submit a report of the results of
- 19 the study and any recommendations for legislation to the 72nd session of
- 20 the Nevada Legislature.
- 21 **Sec. 5.** This act becomes effective on passage and approval.

