

ASSEMBLY BILL NO. 430—ASSEMBLYMEN CEGAVSKE AND HETTRICK

MARCH 19, 2001

Referred to Committee on Government Affairs

SUMMARY—Authorizes general improvement districts to charge owners of suspected dwelling units for services provided by district. (BDR 25-1275)

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 general improvement districts; authorizing a general improvement district to charge the owner of a suspected dwelling unit for services that are provided by the district; 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.** Chapter 318 of NRS is hereby amended by adding thereto a  
2     new section to read as follows:  
3     ***1. If the board has a reasonable belief that a dwelling unit which is***  
4     ***using services provided by the district exists within its jurisdiction, but***  
5     ***whose owner is not being charged for such services, the board may adopt***  
6     ***a resolution to charge the owner pursuant to NRS 318.197 for services***  
7     ***provided by the district.***  
8     ***2. A reasonable belief must be based on an affidavit from an***  
9     ***employee of the district setting forth the facts upon which the employee***  
10    ***of the district bases his belief, including, without limitation, personal***  
11    ***knowledge and visible indications of use of the unit as a dwelling unit.***  
12    ***Such an affidavit from an employee of the district creates a rebuttable***  
13    ***presumption that the dwelling unit exists and is receiving services***  
14    ***provided by the district for which the owner is not being charged.***  
15    ***3. If a board adopts a resolution to charge the owner for services***  
16    ***provided by the district, the board shall send a notice by certified mail,***  
17    ***return receipt requested, to the owner at the address listed in the real***  
18    ***property assessment roll in the county in which the property is located.***  
19    ***The notice must advise the owner that the general improvement district***  
20    ***will begin charging for the use of services provided by the general***  
21    ***improvement district to the suspected dwelling unit 30 days after the***  
22    ***owner receives the notice.***



- 1     4. *If the owner wishes to contest the existence of the suspected*  
2 *dwelling unit, he must request a hearing within 5 days after receiving the*  
3 *notice required by subsection 3. The owner must allow an employee of*  
4 *the district to inspect the premises of the suspected dwelling unit within 5*  
5 *days after contacting the board to request a hearing upon the suspected*  
6 *dwelling unit. The board shall schedule a hearing within 30 days after*  
7 *receiving such a request.*  
8     5. *If the owner refuses to allow an employee of the district to inspect*  
9 *the suspected dwelling unit, the owner must pay the fees assessed by the*  
10 *general improvement district pursuant to subsection 1.*  
11     6. *As used in this section:*  
12     (a) *“Dwelling unit” means a structure that is designed for residential*  
13 *occupancy by one or more persons for living and sleeping purposes,*  
14 *consisting of one or more rooms, including a bathroom and kitchen. The*  
15 *term does not include a hotel or a motel.*  
16     (b) *“Kitchen” means a room, all or part of which is designed or used*  
17 *for storage, refrigeration, cooking and preparation of food.*  
18     (c) *“Owner” means a person to whom the parcel of real property upon*  
19 *which the suspected dwelling unit is located is assessed in the most recent*  
20 *assessment roll available.*

