

CHAPTER.....

AN ACT relating to general improvement districts; authorizing a general improvement district in certain counties to charge owners of dwelling units which receive services provided by the district for which the owners are not being charged; 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. Chapter 318 of NRS is hereby amended by adding thereto a new section to read as follows:

1. If an employee of a general improvement district or other person has a reasonable belief that a dwelling unit exists that is not currently being charged for services provided by a general improvement district in a county whose population is less than 400,000, the employee or other person may submit an affidavit to the board of trustees of the district, setting forth the facts upon which the employee or other person bases his belief, including, without limitation, personal knowledge and visible indications of use of the property as a dwelling unit.

2. If a board of trustees receives an affidavit described in subsection 1, the board may set a date for a hearing to determine whether the unit referenced in the affidavit is being used as a dwelling unit. At least 30 days before the date of such a hearing, the board shall send a notice by certified mail, return receipt requested, to the owner of the property where the unit referenced in the affidavit is located at the address listed in the real property assessment roll in the county in which the property is located. The notice must specify the purpose, date, time and location of the hearing.

3. Except as otherwise provided in this subsection, if, after the hearing, the board determines that the unit referenced in the affidavit submitted pursuant to subsection 1 is being used as a dwelling unit, the board may adopt a resolution by the affirmative votes of not less than two-thirds of the total membership of the board to charge the owner pursuant to NRS 318.197 for the services provided by the district to the dwelling unit. The board shall not adopt such a resolution if the owner provides evidence satisfactory to the board that the unit referenced in the affidavit is not being used as a dwelling unit.

4. As used in this section:

(a) "Dwelling unit" means a structure that is designed for residential occupancy by one or more persons for living and sleeping purposes, consisting of one or more rooms, including a bathroom and kitchen. The term does not include a hotel or a motel.

(b) "Kitchen" means a room, all or part of which is designed or used for storage, refrigeration, cooking and preparation of food.

(c) "Owner" means a person to whom the parcel of real property upon which the unit referenced in an affidavit submitted pursuant to subsection 1 is located is assessed in the most recent assessment roll available.