

(REPRINTED WITH ADOPTED AMENDMENTS)  
SECOND REPRINT A.B. 499

ASSEMBLY BILL NO. 499—ASSEMBLYMEN WILLIAMS, ARBERRY,  
CHOWNING AND MANENDO

MARCH 19, 2001

Referred to Committee on Education

SUMMARY—Revises provisions governing policy for renovation or reconstruction of schools and authorizes use of money from fund for capital projects for continuation of pilot program for replacement of schools in certain school district. (BDR 34-861)

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 public schools; revising provisions governing the policy for the renovation or reconstruction of schools required of certain school districts; revising provisions governing the use of certain proceeds of bonds for a pilot program of a certain school district for the replacement of schools; requiring Clark County school district to continue its pilot program for the replacement of schools; authorizing a certain school district to use a certain amount of money from its fund for capital projects to finance the replacement of schools designated for its pilot program; 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 393.103 is hereby amended to read as follows:  
2     393.103 A school district that has more than 150,000 pupils enrolled  
3 shall develop and adopt a policy concerning the renovation or  
4 reconstruction of older buildings for schools or related facilities. As part of  
5 the policy, consideration must be given to the relative advantages and  
6 disadvantages of the renovation or reconstruction of older buildings for  
7 schools or related facilities as compared to the design, construction or  
8 purchase of new buildings for schools or related facilities ~~to~~ *, including,*  
9 *without limitation, an analysis of the costs to renovate or reconstruct*  
10 *existing buildings and facilities to comply with the Americans with*  
11 *Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., in comparison with*  
12 *the costs to construct or purchase new buildings and facilities.* The policy  
13 must include, without limitation, guidelines for use by the board of trustees  
14 in determining:



\* A B 4 9 9 R 2 \*

1 1. Whether older buildings should be renovated or reconstructed or  
2 whether new buildings to replace those older buildings should be  
3 constructed or purchased ~~+~~ , *including, without limitation, a*  
4 *determination of the costs to renovate or reconstruct existing buildings*  
5 *and facilities to comply with the Americans with Disabilities Act of 1990,*  
6 *42 U.S.C. §§ 12101 et seq., in comparison with the costs to construct or*  
7 *purchase new buildings and facilities.*

8 2. The manner in which the board of trustees will expend or disburse  
9 money that the board did not otherwise anticipate would be available to  
10 finance the renovation or reconstruction of older buildings and the  
11 construction or purchase of new buildings, if such money, in fact, becomes  
12 available.

13 **Sec. 2.** Section 3 of chapter 562, Statutes of Nevada 1999, at page  
14 2947, is hereby amended to read as follows:

15 Sec. 3. 1. The legislature hereby finds and declares that:

16 (a) The deterioration of school facilities has become a grave  
17 concern in this state;

18 (b) The local governments in the various portions of the state are  
19 currently faced with unique financial problems resulting from a  
20 variety of situations because in some local governments the  
21 population is rapidly increasing whereas in others the population is  
22 generally declining;

23 (c) Some local governments are still attempting to rehabilitate  
24 schools that were built around the turn of the last century and others  
25 cannot build new schools quickly enough to meet the needs of the  
26 children in the district; and

27 (d) Because of the unique variety of problems facing the local  
28 governments of this state a general law cannot be made applicable to  
29 ensure that children in more densely populated urban areas are  
30 provided with a safe environment which encourages learning.

31 2. The board of trustees of the Clark County School District shall  
32 establish a pilot program to replace schools. The school district may  
33 use an amount not to exceed ~~\$15~~ \$18 million from the proceeds of  
34 the bonds issued pursuant to subsection 3 or 4 of NRS 350.020 to:

35 (a) Evaluate older schools within the district to determine the need  
36 for renovation or reconstruction of those schools in furtherance of  
37 section 2 of this act; and

38 (b) Reconstruct one existing elementary school designated by the  
39 board of trustees from among the three schools analyzed in 1998 by  
40 the board of trustees in the study entitled "Rehab vs. Replacement  
41 Study/Phase Analysis." The board of trustees, upon designating the  
42 school to be reconstructed, shall with all deliberate speed commence  
43 the reconstruction of the designated school with a planned completion  
44 date ~~of July 1, 2001.~~ *as soon as is practicable.*

45 3. The purpose of this section is to provide authority to expend  
46 the proceeds of the bonds issued pursuant to subsection 3 or 4 of NRS  
47 350.020 for reconstruction that is additional to and does not replace,  
48 repeal or limit any existing authority to so expend such proceeds.



1           4. On or before February 1, 2001, the Clark County School  
2 District shall submit to the director of the legislative counsel bureau  
3 for transmission to the 71st session of the Nevada legislature an  
4 interim report regarding the pilot program to replace schools. The  
5 report must include, without limitation, the progress of the effort to  
6 evaluate the older schools conducted pursuant to paragraph (a) of  
7 subsection 2 of this section and the progress of the reconstruction of  
8 the designated elementary school.

9       **Sec. 3.** 1. The board of trustees of the Clark County School District  
10 shall continue the pilot program established pursuant to section 3 of  
11 chapter 562, Statutes of Nevada 1999, at page 2947.

12       2. Notwithstanding the provisions of NRS 387.328 to the contrary, the  
13 board of trustees of the Clark County School District may use an amount  
14 not to exceed \$90 million from the fund for capital projects created  
15 pursuant to NRS 387.328 to reconstruct at least five existing schools within  
16 the school district. The board of trustees shall select the schools designated  
17 for reconstruction in accordance with the policy adopted pursuant to NRS  
18 393.103 concerning the renovation or reconstruction of older buildings for  
19 schools or related facilities and any priorities for reconstruction set forth in  
20 that policy. The board of trustees, upon designating the schools to be  
21 reconstructed, shall with all deliberate speed commence the reconstruction  
22 of the designated schools with a planned completion date of July 1, 2005.

23       3. On or before February 1, 2003, the board of trustees of the Clark  
24 County School District shall submit to the director of the legislative  
25 counsel bureau for transmission to the 72nd session of the Nevada  
26 legislature an interim report regarding the pilot program to replace schools.  
27 The report must include, without limitation, the progress of the  
28 reconstruction of the designated schools.

29       **Sec. 4.** 1. This section and sections 2 and 3 of this act become  
30 effective on July 1, 2001.

31       2. Section 1 of this act becomes effective at 12:01 a.m. on July 1,  
32 2001.

