

(REPRINTED WITH ADOPTED AMENDMENTS)
SECOND REPRINT **S.B. 171**

SENATE BILL NO. 171—SENATOR RAWSON

FEBRUARY 15, 2001

JOINT SPONSORS: ASSEMBLYMEN BERMAN AND BEERS

Referred to Committee on Judiciary

SUMMARY—Revises standards for designation of gaming enterprise districts in certain locations. (BDR 41-116)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to gaming; revising the standards for designation of gaming enterprise districts in certain locations; 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 463.3086 is hereby amended to read as follows:
2 463.3086 1. If the location of a proposed establishment:
3 (a) Is not within the Las Vegas Boulevard gaming corridor or the rural
4 Clark County gaming zone; and
5 (b) Is not within a gaming enterprise district,
6 the commission shall not approve a nonrestricted license for the
7 establishment unless the location of the establishment is designated a
8 gaming enterprise district pursuant to this section.
9 2. If a person is proposing to operate an establishment with a
10 nonrestricted license and the location of the proposed establishment:
11 (a) Is not within the Las Vegas Boulevard gaming corridor or the rural
12 Clark County gaming zone; and
13 (b) Is not within a gaming enterprise district,
14 the person may petition the county, city or town having jurisdiction over
15 the location of the proposed establishment to designate the location of the
16 proposed establishment a gaming enterprise district pursuant to this
17 section.



1 3. If a person files a petition pursuant to subsection 2, the county, city
2 or town shall, at least 10 days before the date of the hearing on the petition,
3 mail a notice of the hearing to:
4 (a) Each owner of real property whose property line is less than 2,500
5 feet from the property line of the proposed establishment;
6 (b) Each tenant of a mobile home park whose property line is less than
7 2,500 feet from the property line of the proposed establishment; and
8 (c) Any advisory board that represents one or more owners of real
9 property or tenants of a mobile home park whose property line is less than
10 2,500 feet from the property line of the proposed establishment.
11 The notice must be written in language that is easy to understand and must
12 set forth the date, time, place and purpose of the hearing and contain a
13 physical description or map of the location of the proposed establishment.
14 The petitioner shall pay the costs of providing the notice that is required by
15 this subsection.
16 4. Any interested person is entitled to be heard at the hearing on the
17 petition.
18 5. The county, city or town shall cause the hearing on the petition to be
19 reported by a court reporter who is certified pursuant to chapter 656 of
20 NRS. The petitioner shall pay the costs of having the hearing reported.
21 6. At the hearing, the petitioner must prove by clear and convincing
22 evidence that:
23 (a) The roads, water, sanitation, utilities and related services to the
24 location are adequate;
25 (b) The proposed establishment will not unduly impact public services,
26 consumption of natural resources and the quality of life enjoyed by
27 residents of the surrounding neighborhoods;
28 (c) The proposed establishment will enhance, expand and stabilize
29 employment and the local economy;
30 (d) The proposed establishment will be located in an area planned or
31 zoned for that purpose pursuant to NRS 278.010 to 278.630, inclusive;
32 (e) The proposed establishment will not be detrimental to the health,
33 safety or general welfare of the community or be incompatible with the
34 surrounding area;
35 (f) On the date that the petition was filed, the property line of the
36 proposed establishment *and the property line of any related parcel of land*
37 was not less than:
38 (1) ~~Five~~ *Fifteen* hundred feet from the property line of a developed
39 residential district; and
40 (2) ~~Fifteen~~ *Twenty-five* hundred feet from the property line of a
41 public school, private school or structure used primarily for religious
42 services or worship; and
43 (g) The proposed establishment will not adversely affect:
44 (1) A developed residential district; or
45 (2) A public school, private school or structure used primarily for
46 religious services,
47 whose property line is within ~~2,500~~ *3,500* feet from the property line of
48 the proposed establishment ~~+~~



* S B 1 7 1 R 2 *

- 1 ~~7. A three fourths vote of the governing body of the county, city or~~
2 ~~town is required to} and the property line of any related parcel of land.~~
3 7. To grant the petition to designate the location of the proposed
4 establishment a gaming enterprise district pursuant to this section ~~H~~, a
5 majority plus one of the total membership of the governing body of the
6 county, city or town must vote to grant the petition. Notwithstanding the
7 provisions of subsection 4 of NRS 281.501, if any member of the
8 governing body abstains from voting, the number of votes necessary to
9 grant the petition is not reduced as though the member abstaining were
10 not a member of the governing body.
11 8. A county, city or town that denies a petition submitted pursuant to
12 this section shall not consider another petition concerning the same
13 location or any portion thereof for 1 year after the date of the denial.
14 9. As used in this section:
15 (a) "Developed residential district" means a parcel of land zoned
16 primarily for residential use in which at least one completed residential unit
17 has been constructed on the date that the petitioner files a petition pursuant
18 to this section.
19 (b) "Private school" has the meaning ascribed to it in NRS 394.103.
20 (c) "Public school" has the meaning ascribed to it in NRS 385.007.
21 (d) "Related parcel of land" means any parcel of land that is:
22 (1) Contiguous to the property line of a proposed establishment;
23 (2) Owned or leased by the petitioner or by any subsidiary company,
24 holding company, intermediate company or any other form of business
25 organization which controls, is controlled by or is under common control
26 with the petitioner; and
27 (3) Expected to be used for any purpose exclusively related to the
28 gaming activities at the proposed establishment.
29 Sec. 2. The amendatory provisions of this act apply to a petition to
30 designate the location of a proposed establishment a gaming enterprise
31 district pursuant to NRS 463.3086 that is filed on or after December 31,
32 2001.
33 Sec. 3. This act becomes effective on December 31, 2001.

