

EMERGENCY REQUEST of Speaker of the Assembly

Assembly Bill No. 574—Assemblymen Perkins and Anderson

CHAPTER.....

AN ACT relating to gaming; revising provisions governing the approval of a nonrestricted license for an establishment that is not a resort hotel in certain counties; revising provisions governing the moving of the location of an establishment and the transferring of its license to another location; 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. NRS 463.1605 is hereby amended to read as follows:

463.1605 1. Except as otherwise provided in subsection 3, the Commission shall not approve a nonrestricted license, other than for the operation of a race book or sports pool at an establishment which holds a nonrestricted license to operate both gaming devices and a gambling game, for an establishment in a county whose population is 100,000 or more unless the establishment is a resort hotel.

2. A county, city or town may require resort hotels to meet standards in addition to those required by this chapter as a condition of issuance of a gaming license by the county, city or town.

3. The Commission may approve a nonrestricted license for an establishment which is not a resort hotel at a new location if ~~the~~ :

(a) The establishment was acquired or displaced pursuant to a redevelopment project undertaken by an agency created pursuant to NRS 279.382 to 279.685, inclusive ~~H~~, in accordance with a final order of condemnation entered before the effective date of this act; or

(b) The establishment was acquired or displaced pursuant to a redevelopment project undertaken by an agency created pursuant to NRS 279.382 to 279.685, inclusive, in accordance with a final order of condemnation entered on or after the effective date of this act, and the new location of the establishment is within the same redevelopment area as the former location of the establishment.

Sec. 2. NRS 463.302 is hereby amended to read as follows:

463.302 1. Notwithstanding any other provision of law and except as otherwise provided in this section, the Board may, in its sole and absolute discretion, allow a licensee to move the location of its establishment and transfer its restricted or nonrestricted license to:

(a) A location within a redevelopment ~~{zone,}~~ *area created pursuant to chapter 279 of NRS*, if the redevelopment ~~{zone}~~ *area* is located in the same local governmental jurisdiction as the existing location of the establishment; ~~{or}~~

(b) Any other location, if the move and transfer are necessary because the existing location of the establishment has been taken by the State or a local government through condemnation or eminent domain ~~{}~~ *in accordance with a final order of condemnation entered before the effective date of this act; or*

(c) In any county other than a county whose population is 100,000 or more but less than 400,000, any other location within the same local governmental jurisdiction as the existing location of the establishment, if the move and transfer are necessary because the existing location of the establishment has been taken by the State or a local government through condemnation or eminent domain in accordance with a final order of condemnation entered on or after the effective date of this act.

2. The Board shall not approve a move and transfer pursuant to subsection 1 unless, before the move and transfer, the licensee receives all necessary approvals from the local government having jurisdiction over the location to which the establishment wants to move and transfer its license.

3. Before a move and transfer pursuant to subsection 1, the Board may require the licensee to apply for a new license pursuant to the provisions of this chapter.

4. The provisions of subsection 1 do not apply to an establishment that is:

(a) A resort hotel; or

(b) Located in a *county*, city *or town* which has established one or more gaming enterprise districts.

Sec. 3. 1. Notwithstanding the provisions of paragraph (b) of subsection 4 of NRS 463.302, as amended by section 2 of this act, the Nevada Gaming Control Board may, in its sole and absolute discretion, allow a licensee to move the location of its establishment and transfer its restricted or nonrestricted license pursuant to the provisions of NRS 463.302, as amended by section 2 of this act, if:

(a) The establishment holds a nonrestricted license on the effective date of this act but is not a resort hotel;

(b) The establishment is located in a county whose population is 400,000 or more and is located within a redevelopment area of the county on the effective date of this act;

(c) The establishment is acquired, displaced or relocated pursuant to a redevelopment project undertaken by an agency created pursuant to NRS 279.382 to 279.685, inclusive;

(d) The establishment is to be relocated within the redevelopment area of the county to a proposed location that is within 200 feet of the existing location of the establishment;

(e) The establishment will have a casino area that is less than or equal to the size of the casino area of the existing establishment; and

(f) The redevelopment agency and the board of county commissioners approve the move of the location of the establishment at a public hearing that is conducted in compliance with the provisions of subsection 2.

2. A public hearing to consider the move of the location of an establishment must comply with the following requirements:

(a) At least 10 days before the date of the public hearing, a notice of the hearing must be mailed to:

(1) Each owner of real property whose property line is less than 2,500 feet from the property line of the proposed location of the establishment;

(2) The owner, as listed on the county assessor's records, of each of the 30 separately owned parcels nearest the proposed location of the establishment, to the extent this notice does not duplicate the notice given pursuant to any other provision of this paragraph;

(3) Each tenant of a mobile home park whose property line is less than 2,500 feet from the property line of the proposed location of the establishment; and

(4) Any advisory board that represents one or more owners of real property or tenants of a mobile home park whose property line is less than 2,500 feet from the property line of the proposed location of the establishment.

(b) The notice mailed pursuant to paragraph (a) must be written in language that is easy to understand and must set forth the date, time, place and purpose of the public hearing and contain a physical description or map of the proposed location of the establishment.

(c) The licensee shall pay the costs of providing the notice that is required pursuant to paragraph (a).

(d) Any interested person is entitled to be heard at the public hearing.

Sec. 4. This act becomes effective upon passage and approval.

