

SENATE BILL NO. 107—SENATOR TITUS

FEBRUARY 21, 2005

Referred to Committee on Government Affairs

SUMMARY—Requires state and local governments to prepare and report inventories of capital improvements. (BDR 27-31)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 6)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 capital improvements; requiring local governments to conduct biennial inventories of capital improvements owned, leased or operated by the local governments; requiring certain entities of the State to conduct biennial inventories of capital improvements owned, leased or operated by the State; requiring local governments and those entities of the State to submit a report of such inventories to the Legislature; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires local governments to establish and maintain records of their property and equipment. (NRS 354.625) This bill requires local governmental entities, in addition to any records established and maintained pursuant to NRS 354.625, and certain entities of the State, to compile biennially a report concerning any capital improvements owned, leased or operated by the governmental entity. "Capital improvements" is defined to include buildings, jails and prisons, roads and highways, streets and alleys, parks and playgrounds, public utilities, publicly owned water mains and sewers, public convention facilities financed with public money, and all other publicly owned works and property.

This bill requires those governmental entities to biennially submit a copy of the report to the Director of the Legislative Counsel Bureau for transmission to each regular session of the Legislature.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 331 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Chief shall, for the period beginning on January 1 of each odd-numbered year and ending on December 31 of the next succeeding even-numbered year, compile a report concerning the capital improvements owned, leased or operated by the State except any capital improvements included in the report compiled pursuant to sections 3 and 4 of this act.

2. The report of the capital improvements required pursuant to subsection 1 must include:

(a) For each capital improvement owned, leased or operated by the State:

(1) The date of construction of the capital improvement;

(2) The cost of the capital improvement as a whole;

(3) The projected remaining useful life of the capital improvement;

(4) Any program for the operation or maintenance of the capital improvement; and

(5) Any plan for the restoration, repair or replacement of the capital improvement;

(b) A determination of whether the existing capital improvements are sufficient to provide services for the present and projected population of the State; and

(c) A list of proposed capital improvements that are necessary to provide services for the present and projected population of the State, including, without limitation:

(1) The identification of each proposed capital improvement; and

(2) An analysis justifying the need for each proposed capital improvement identified in subparagraph (1).

3. The Chief shall submit a copy of the report compiled pursuant to subsection 1 on or before February 1 of the odd-numbered year next succeeding the period to which the report pertains to the Director of the Legislative Counsel Bureau for distribution to each regular session of the Legislature.

4. As used in this section, "capital improvements" includes, without limitation:

(a) Public buildings;

(b) Jails and prisons;

(c) Public roads;

(d) Public highways;

(e) Public streets and alleys;



- 1 (f) *Public utilities;*
- 2 (g) *Publicly owned water mains and sewers;*
- 3 (h) *Public parks and playgrounds;*
- 4 (i) *Public convention facilities which are financed at least in*
- 5 *part with public money; and*
- 6 (j) *All other publicly owned works and property.*

7 **Sec. 2.** NRS 331.010 is hereby amended to read as follows:

8 331.010 As used in NRS 331.010 to 331.145, inclusive, *and*

9 *section 1 of this act*, unless the context otherwise requires:

10 1. "Buildings and Grounds Division" means the Buildings and

11 Grounds Division of the Department of Administration.

12 2. "Chief" means the Chief of the Buildings and Grounds

13 Division.

14 3. "Director" means the Director of the Department Of

15 Administration.

16 **Sec. 3.** NRS 1.360 is hereby amended to read as follows:

17 1.360 *1.* Under the direction of the Supreme Court, the Court

18 Administrator shall:

19 ~~[1-]~~ (a) Examine the administrative procedures employed in the

20 offices of the judges, clerks, court reporters and employees of all

21 courts of this State and make recommendations, through the Chief

22 Justice, for the improvement of those procedures;

23 ~~[2-]~~ (b) Examine the condition of the dockets of the courts and

24 determine the need for assistance by any court;

25 ~~[3-]~~ (c) Make recommendations to and carry out the directions of

26 the Chief Justice relating to the assignment of district judges where

27 district courts are in need of assistance;

28 ~~[4-]~~ (d) Develop a uniform system for collecting and compiling

29 statistics and other data regarding the operation of the State Court

30 System and transmit that information to the Supreme Court so that

31 proper action may be taken in respect thereto;

32 ~~[5-]~~ (e) Prepare and submit a budget of state appropriations

33 necessary for the maintenance and operation of the State Court

34 System and make recommendations in respect thereto;

35 ~~[6-]~~ (f) Develop procedures for accounting, internal auditing,

36 procurement and disbursement for the State Court System;

37 ~~[7-]~~ (g) Collect statistical and other data and make reports

38 relating to the expenditure of all public money for the maintenance

39 and operation of the State Court System and the offices connected

40 therewith;

41 ~~[8-]~~ (h) Compile statistics from the information required to be

42 maintained by the clerks of the district courts pursuant to NRS 3.275

43 and make reports as to the cases filed in the district courts;



~~[9-]~~ (i) Formulate and submit to the Supreme Court recommendations of policies or proposed legislation for the improvement of the State Court System;

~~[10-]~~ (j) On or before January 1 of each year, submit to the Director of the Legislative Counsel Bureau a written report compiling the information submitted to the Court Administrator pursuant to NRS 3.243, 4.175 and 5.045 during the immediately preceding fiscal year;

~~[11-]~~ (k) On or before January 1 of each odd-numbered year, submit to the Director of the Legislative Counsel Bureau a written report concerning:

~~[(a)]~~ (1) The distribution of money deposited in the special account created pursuant to NRS 176.0613 to assist with funding and establishing specialty court programs;

~~[(b)]~~ (2) The current status of any specialty court programs to which money from the account was allocated since the last report; and

~~[(c)]~~ (3) Such other related information as the Court Administrator deems appropriate;

~~[12-]~~ (l) On or before February 15 of each odd-numbered year, submit to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature a written report compiling the information submitted by clerks of courts to the Court Administrator pursuant to NRS 630.307 and 633.533 which includes only aggregate information for statistical purposes and excludes any identifying information related to a particular person; ~~and~~

~~—13-]~~ (m) *For the period beginning on January 1 of each odd-numbered year and ending on December 31 of the next succeeding even-numbered year, compile a report concerning the capital improvements owned, leased or operated by the State Court System, which must include:*

(I) For each capital improvement owned, leased or operated by the State Court System:

(I) The date of construction of the capital improvement;

(II) The cost of the capital improvement as a whole;

(III) The projected remaining useful life of the capital improvement;

(IV) Any program for the operation or maintenance of the capital improvement; and

(V) Any plan for the restoration, repair or replacement of the capital improvement;

(2) A determination of whether the existing capital improvements are sufficient to provide services for the State Court System; and



1 (3) *A list of proposed capital improvements that are*
2 *necessary to provide services for the State Court System,*
3 *including, without limitation:*

4 (I) *The identification of each proposed capital*
5 *improvement; and*

6 (II) *An analysis justifying the need for each proposed*
7 *capital improvement identified in subsubparagraph (I);*

8 (n) *Submit a copy of the report compiled pursuant to*
9 *paragraph (m) on or before February 1 of the odd-numbered year*
10 *next succeeding the period to which the report pertains to the*
11 *Director of the Legislative Counsel Bureau for distribution to each*
12 *regular session of the Legislature; and*

13 (o) *Attend to such other matters as may be assigned by the*
14 *Supreme Court or prescribed by law.*

15 2. *As used in this section, "capital improvements" includes,*
16 *without limitation, public buildings and all other publicly owned*
17 *works and property.*

18 **Sec. 4.** Chapter 218 of NRS is hereby amended by adding
19 thereto a new section to read as follows:

20 1. *The Director of the Legislative Counsel Bureau shall, for*
21 *the period beginning on January 1 of each odd-numbered year*
22 *and ending on December 31 of the next succeeding even-*
23 *numbered year, compile a report concerning the capital*
24 *improvements owned, leased or operated by the Legislature or the*
25 *Legislative Counsel Bureau.*

26 2. *The report of the capital improvements required pursuant*
27 *to subsection 1 must include:*

28 (a) *For each capital improvement owned, leased or operated by*
29 *the Legislature or the Legislative Counsel Bureau:*

30 (1) *The date of construction of the capital improvement;*

31 (2) *The cost of the capital improvement as a whole;*

32 (3) *The projected remaining useful life of the capital*
33 *improvement;*

34 (4) *Any program for the operation or maintenance of the*
35 *capital improvement; and*

36 (5) *Any plan for the restoration, repair or replacement of*
37 *the capital improvement;*

38 (b) *A determination of whether the existing capital*
39 *improvements are sufficient to provide services for the Legislature*
40 *and the Legislative Counsel Bureau; and*

41 (c) *A list of proposed capital improvements that are necessary*
42 *to provide services for the Legislature and the Legislative Counsel*
43 *Bureau, including, without limitation:*

44 (1) *The identification of each proposed capital*
45 *improvement; and*



1 (2) *An analysis justifying the need for each proposed*
2 *capital improvement identified in subparagraph (1).*

3 3. *The Director of the Legislative Counsel Bureau shall*
4 *distribute a copy of the report compiled pursuant to subsection 1 to*
5 *each regular session of the Legislature next succeeding the period*
6 *to which the report pertains.*

7 4. *As used in this section, "capital improvements" includes,*
8 *without limitation, public buildings and all other publicly owned*
9 *works and property.*

10 **Sec. 5.** Chapter 315 of NRS is hereby amended by adding
11 thereto a new section to read as follows:

12 1. *The State Authority shall, for the period beginning on*
13 *January 1 of each odd-numbered year and ending on December*
14 *31 of the next succeeding even-numbered year, compile a report*
15 *concerning the capital improvements owned, leased or operated by*
16 *the State Authority.*

17 2. *The report of the capital improvements required pursuant*
18 *to subsection 1 must include:*

19 (a) *For each capital improvement owned, leased or operated by*
20 *the State Authority:*

21 (1) *The date of construction of the capital improvement;*

22 (2) *The cost of the capital improvement as a whole;*

23 (3) *The projected remaining useful life of the capital*
24 *improvement;*

25 (4) *Any program for the operation or maintenance of the*
26 *capital improvement; and*

27 (5) *Any plan for the restoration, repair or replacement of*
28 *the capital improvement;*

29 (b) *A determination of whether the existing capital*
30 *improvements are sufficient to provide services for the present and*
31 *projected population within the area of operation of the State*
32 *Authority; and*

33 (c) *A list of proposed capital improvements that are necessary*
34 *to provide services for the present and projected population within*
35 *the area of operation of the State Authority, including, without*
36 *limitation:*

37 (1) *The identification of each proposed capital*
38 *improvement; and*

39 (2) *An analysis justifying the need for each proposed*
40 *capital improvement identified in subparagraph (1).*

41 3. *The State Authority shall submit a copy of the report*
42 *compiled pursuant to subsection 1 on or before February 1 of the*
43 *odd-numbered year next succeeding the period to which the report*
44 *pertains to the Director of the Legislative Counsel Bureau for*
45 *distribution to each regular session of the Legislature.*



1 **4. As used in this section, “capital improvements” includes,**
2 **without limitation:**

- 3 **(a) Public buildings;**
4 **(b) Public roads;**
5 **(c) Public highways;**
6 **(d) Public streets and alleys;**
7 **(e) Public utilities;**
8 **(f) Publicly owned water mains and sewers;**
9 **(g) Public parks and playgrounds; and**
10 **(h) All other publicly owned works and property.**

11 **Sec. 6.** NRS 315.962 is hereby amended to read as follows:

12 315.962 As used in NRS 315.961 to 315.996, inclusive, **and**
13 **section 5 of this act**, unless the context otherwise requires, the
14 words and terms defined in NRS 315.963 to 315.976, inclusive,
15 have the meanings ascribed to them in those sections.

16 **Sec. 7.** Chapter 354 of NRS is hereby amended by adding
17 thereto a new section to read as follows:

18 **1. In addition to the records and inventory controls**
19 **established and maintained pursuant to NRS 354.625, the**
20 **governing body of each local government shall, for the period**
21 **beginning on January 1 of each odd-numbered year and ending**
22 **on December 31 of the next succeeding even-numbered year,**
23 **compile a report concerning the capital improvements owned,**
24 **leased or operated by the local government.**

25 **2. The report of the capital improvements required pursuant**
26 **to subsection 1 must include:**

27 **(a) For each capital improvement owned, leased or operated by**
28 **the local government:**

29 **(1) The date of construction of the capital improvement;**

30 **(2) The cost of the capital improvement as a whole;**

31 **(3) The projected remaining useful life of the capital**
32 **improvement;**

33 **(4) Any program for the operation or maintenance of the**
34 **capital improvement; and**

35 **(5) Any plan for the restoration, repair or replacement of**
36 **the capital improvement;**

37 **(b) A determination of whether the existing capital**
38 **improvements are sufficient to provide services for the present and**
39 **projected population of the local government; and**

40 **(c) A list of proposed capital improvements that are necessary**
41 **to provide services for the present and projected population of the**
42 **local government, including, without limitation:**

43 **(1) The identification of each proposed capital**
44 **improvement; and**



1 (2) *An analysis justifying the need for each proposed*
2 *capital improvement identified in subparagraph (1).*

3 3. *The governing body shall submit a copy of the report*
4 *compiled pursuant to subsection 1 on or before February 1 of the*
5 *odd-numbered year next succeeding the period to which the report*
6 *pertains to the Director of the Legislative Counsel Bureau for*
7 *distribution to each regular session of the Legislature.*

8 4. *As used in this section, "capital improvements" includes,*
9 *without limitation:*

10 (a) *Public buildings;*

11 (b) *Jails and prisons;*

12 (c) *Public roads;*

13 (d) *Public highways;*

14 (e) *Public streets and alleys;*

15 (f) *Public utilities;*

16 (g) *Publicly owned water mains and sewers;*

17 (h) *Public parks and playgrounds;*

18 (i) *Public convention facilities which are financed at least in*
19 *part with public money; and*

20 (j) *All other publicly owned works and property.*

21 **Sec. 8.** NRS 354.470 is hereby amended to read as follows:

22 354.470 NRS 354.470 to 354.626, inclusive, *and section 7 of*
23 *this act* may be cited as the Local Government Budget and Finance
24 Act.

25 **Sec. 9.** Chapter 396 of NRS is hereby amended by adding
26 thereto a new section to read as follows:

27 1. *The Board of Regents shall biennially compile a report*
28 *concerning the capital improvements owned, leased or operated by*
29 *the System.*

30 2. *The report of the capital improvements required pursuant*
31 *to subsection 1 must include:*

32 (a) *For each capital improvement owned, leased or operated by*
33 *the System:*

34 (1) *The date of construction of the capital improvement;*

35 (2) *The cost of the capital improvement as a whole;*

36 (3) *The projected remaining useful life of the capital*
37 *improvement;*

38 (4) *Any program for the operation or maintenance of the*
39 *capital improvement; and*

40 (5) *Any plan for the restoration, repair or replacement of*
41 *the capital improvement;*

42 (b) *A determination of whether the existing capital*
43 *improvements are sufficient to provide services for the present and*
44 *projected student enrollment within the System; and*



1 (c) *A list of proposed capital improvements that are necessary*
2 *to provide services for the present and projected student*
3 *enrollment within the System, including, without limitation:*

4 (1) *The identification of each proposed capital*
5 *improvement; and*

6 (2) *An analysis justifying the need for each proposed*
7 *capital improvement identified in subparagraph (1).*

8 3. *The Board of Regents shall, on or before February 1 of*
9 *each odd-numbered year, submit a copy of the report compiled*
10 *pursuant to subsection 1 to the Director of the Legislative Counsel*
11 *Bureau for distribution to each regular session of the Legislature.*

12 4. *As used in this section, "capital improvements" includes,*
13 *without limitation:*

14 (a) *Public buildings;*

15 (b) *Public roads;*

16 (c) *Public highways;*

17 (d) *Public streets and alleys;*

18 (e) *Public utilities;*

19 (f) *Publicly owned water mains and sewers;*

20 (g) *Public parks and playgrounds; and*

21 (h) *All other publicly owned works and property.*

22 **Sec. 10.** The provisions of NRS 354.599 do not apply to any
23 additional expenses of a local government that are related to the
24 provisions of this act.



