
SENATE BILL NO. 11—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF CARSON CITY)

PREFILED JANUARY 31, 2005

Referred to Committee on Government Affairs

SUMMARY—Expands circumstances under which certain officers and employees in smaller counties may permissibly acquire interest in property within redevelopment area. (BDR 22-215)

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 redevelopment; expanding the circumstances under which certain officers and employees in smaller counties may permissibly acquire an interest in property within a redevelopment area; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law prohibits an officer or employee who is employed by a redevelopment agency or community from acquiring an interest in property within a redevelopment area within the community if the officer or employee is required in the course of his duties to participate in the formulation of or to approve plans or policies for the redevelopment of the redevelopment area. (NRS 279.454) Under existing law, the only exception to the prohibition is that an officer or employee may purchase or acquire property in the redevelopment area if he uses it as his residence. (NRS 279.454)

For counties whose population is less than 100,000 (currently counties other than Clark and Washoe Counties), this bill adds a second exception allowing an officer or employee to acquire any other interest in property within the redevelopment area if four specified criteria are satisfied.



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

1 **Section 1.** NRS 279.454 is hereby amended to read as follows:
2 279.454 1. Except as *otherwise* provided in ~~{subsection 2,}~~
3 *subsections 2 and 3*, no officer or employee of an agency or
4 community who in the course of his duties is required to participate
5 in the formulation of or to approve plans or policies for the
6 redevelopment of a redevelopment area may acquire any interest in
7 any property included within a redevelopment area within the
8 community. If any officer or employee owns, purchases or has or
9 acquires any direct or indirect financial interest in such property, he
10 shall immediately make a written disclosure of it to the agency and
11 the legislative body which must be entered on their minutes. ~~{Failure~~
12 ~~to disclose constitutes misconduct in office.~~

13 ~~—2.— Such}~~

14 2. *In a county whose population is 100,000 or more, such* an
15 officer or employee may purchase or acquire property in the
16 redevelopment area if he uses it for his residence.

17 3. *In a county whose population is less than 100,000, such an*
18 *officer or employee may:*

19 (a) *Purchase or acquire property in the redevelopment area if*
20 *he uses it for his residence; and*

21 (b) *Acquire any other interest in property included within a*
22 *redevelopment area within the community if each of the following*
23 *conditions are satisfied with respect to the interest that the officer*
24 *or employee proposes to acquire:*

25 (1) *With regard to the transaction pursuant to which the*
26 *officer or employee proposes to acquire the interest, the officer or*
27 *employee has, as soon as is practicable, disclosed to each other*
28 *party to the transaction that he is an officer or employee of an*
29 *agency or community who in the course of his duties is required to*
30 *participate in the formulation of or to approve plans or policies for*
31 *the redevelopment of the redevelopment area;*

32 (2) *The officer or employee has, before acquiring the*
33 *interest, caused notice of the proposed acquisition to be included*
34 *as an informational item on the agenda for a meeting of:*

35 (I) *The agency, if the officer or employee is an officer or*
36 *employee of an agency; or*

37 (II) *The legislative body of the community, if the officer*
38 *or employee is an officer or employee of a community;*

39 (3) *The proposed acquisition will not cause the officer or*
40 *employee to violate any of the provisions of NRS 281.411 to*
41 *281.581, inclusive; and*



1 (4) *The interest proposed to be acquired has not been*
2 *directly benefited by any action on the part of the agency or*
3 *legislative body of the community that employs the officer or*
4 *employee during the 5 years immediately preceding the date on*
5 *which the interest will be acquired.*

6 4. *Except as otherwise provided in this subsection, if an*
7 *officer or employee of an agency or community acquires an*
8 *interest in property within a redevelopment area pursuant to*
9 *paragraph (b) of subsection 3, the agency or legislative body of the*
10 *community that employs the officer or employee shall ensure that*
11 *any action it takes in connection with a redevelopment project in*
12 *the redevelopment area does not directly benefit the interest of the*
13 *officer or employee. The prohibition described in this subsection*
14 *applies only during the period consisting of:*

15 (a) *The period in which the duties of the officer or employee*
16 *require him to participate in the formulation of or to approve*
17 *plans or policies for the redevelopment of the redevelopment area;*
18 *and*

19 (b) *One additional year after the date on which such duties*
20 *cease.*

21 5. *For the purposes of subsections 3 and 4, the determination*
22 *of the agency or legislative body of the community that employs*
23 *the officer or employee is conclusive as to whether the officer's or*
24 *employee's proposed or existing interest in property has been, is or*
25 *will be directly benefited.*

26 6. *The willful failure of an officer or employee to comply with*
27 *any provision of this section constitutes misconduct in office.*

28 **Sec. 2.** This act becomes effective on July 1, 2005.



