

ASSEMBLY BILL NO. 373—ASSEMBLYMAN GRADY

MARCH 16, 2007

JOINT SPONSOR: SENATOR AMODEI

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing general improvement districts. (BDR 25-388)

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 general improvement districts; revising the provisions governing the circumstances under which a board of county commissioners may serve ex officio as the board of trustees of a general improvement district; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill authorizes the board of county commissioners in a county whose
2 population is less than 100,000 (currently counties other than Clark and Washoe
3 Counties) to serve ex officio as the board of trustees of a general improvement
4 district which is organized on or after July 1, 2007, and authorized to furnish streets
5 and alleys. This bill also provides that the territory of such a district may overlap
6 the territory of another general improvement district. This bill also authorizes the
7 board of county commissioners in any county to serve ex officio as the board of
8 trustees of a general improvement district which is organized on or after July 1,
9 2007, and is authorized to exercise any of the basic powers that a district may
10 exercise under existing law. (NRS 318.0953)

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

1 **Section 1.** NRS 318.0953 is hereby amended to read as
2 follows:

3 318.0953 1. In every county whose population is 400,000 or
4 more, the board of county commissioners is, and in counties whose



1 population is less than 400,000 the board of county commissioners
2 may be ~~H~~ ex officio ~~H~~ the board of trustees of each district
3 organized or reorganized pursuant to this chapter and authorized to
4 exercise the basic power of furnishing facilities for sewerage as
5 provided in NRS 318.140, without regard to whether the district is
6 also authorized to furnish facilities for storm drainage, but excluding
7 any district which is authorized, in addition to those basic powers, to
8 exercise any one or more other basic powers designated in this
9 chapter, except as *otherwise* provided in subsections 2 ~~and 4~~, *4*
10 *and 5*.

11 2. The board of county commissioners of any county may be,
12 at its option, ex officio ~~H~~ the board of trustees of any district
13 organized or reorganized pursuant to this chapter and authorized to
14 exercise the basic power of furnishing facilities for water as
15 provided in NRS 318.144, or ~~H~~ furnishing both facilities for water
16 and facilities for sewerage as provided in NRS 318.144 and
17 318.140, respectively, without regard to whether the district is also
18 authorized to furnish facilities for storm drainage, but excluding any
19 district which:

20 (a) Is authorized, in addition to its basic powers, to exercise any
21 one or more other basic powers designated in this chapter ~~H~~ ,
22 *except as otherwise provided in subsection 4*.

23 (b) Is organized or reorganized pursuant to this chapter, the
24 boundaries of which include all or a portion of any incorporated city
25 or all or a portion of a district for water created by special law.

26 3. In every county whose population is less than 100,000, the
27 board of county commissioners may be ~~H~~ ex officio ~~H~~ the board of
28 trustees of ~~each~~ :

29 (a) *Each* district organized or reorganized pursuant to this
30 chapter and authorized to exercise the basic power of furnishing
31 emergency medical services as provided in NRS 318.1185, which
32 district may overlap the territory of any district authorized to
33 exercise any one or more other basic powers designated in this
34 chapter.

35 (b) *Each district organized pursuant to this chapter on or after*
36 *July 1, 2007, and authorized to exercise the basic power of*
37 *furnishing streets and alleys as provided in NRS 318.120, which*
38 *district may overlap the territory of any district authorized to*
39 *exercise any one or more other basic powers designated in this*
40 *chapter.*

41 4. *The board of county commissioners of any county may be,*
42 *at its option, ex officio the board of trustees of any district*
43 *organized on or after July 1, 2007, and authorized to exercise one*
44 *or more of the basic powers designated in this chapter.*



1 **5.** A board of county commissioners may exercise the options
2 provided in subsections 1 ~~1, 2 and 3~~ **to 4, inclusive**, by providing in
3 the ordinance creating the district or in an ordinance thereafter
4 adopted at any time that the board is ~~1~~ ex officio ~~1~~ the board of
5 trustees of the district. The board of county commissioners shall, in
6 the former case, be the board of trustees of the district when the
7 ordinance creating the district becomes effective, or in the latter
8 case, become the board of the district 30 days after the effective date
9 of the ordinance adopted after the creation of the district. In the
10 latter case within the 30-day period the county clerk shall promptly
11 cause a copy of the ordinance to be:

- 12 (a) Filed in his office;
13 (b) Transmitted to the secretary of the district; and
14 (c) Filed in the Office of the Secretary of State without the
15 payment of any fee and otherwise in the same manner as articles of
16 incorporation are required to be filed under chapter 78 of NRS.

17 **Sec. 2.** This act becomes effective on July 1, 2007.

