

ASSEMBLY BILL NO. 486—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE OFFICE OF VETERANS' SERVICES)

MARCH 20, 2007

Referred to Committee on Government Affairs

SUMMARY—Revises various provisions relating to veterans.
(BDR 0-638)

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

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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 veterans; providing a definition of “veteran” for general application to Nevada Revised Statutes; revising certain obsolete and inaccurate terms; expanding the eligibility of certain veterans for certain tax exemptions and governmental programs; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Section 2 of this bill defines the term “Armed Forces of the United States” for general application to Nevada Revised Statutes. **Section 3** of this bill defines the term “veteran” for general application to Nevada Revised Statutes.

Sections 4, 5, 11, 14-18, 29, 30, 35-39, 41, 51, 54, 55, 57, 60, 61 and 63-69 of this bill amend references to “Armed Forces” and “Armed Services” to conform to the new definition of “Armed Forces of the United States.”

Sections 6, 7, 9, 27, 31, 32 and 62 of this bill substitute the term “veteran” for the term “ex-servicemen.”

Sections 10, 12, 13, 24-26, 33, 34, 39, 41, 44-46, 53, 56, 67 and 68 of this bill amend the inaccurate references to “honorably discharged” or “honorable discharge” by substituting the phrase “discharged or released under conditions other than dishonorable” to reflect the various types of discharges or releases now issued by the Armed Forces of the United States.

Sections 20, 26, 34, 49 and 59 of this bill define a “service-connected” death or disability for the purpose of determining eligibility for certain governmental programs.

Sections 26 and 34 of this bill define the term “surviving spouse” for the purpose of determining eligibility for certain property tax exemptions.



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

Section 1. The preliminary chapter of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *“Armed Forces of the United States” means the United States Army, Navy, Marine Corps, Air Force or Coast Guard, or the reserve components thereof.*

Sec. 3. *Except as otherwise expressly provided in a particular statute or required by the context, “veteran” means an actual bona fide resident of this State who:*

1. Was discharged or released from the Armed Forces of the United States under conditions other than dishonorable; or

2. Is serving on active duty in the Armed Forces of the United States.

Sec. 4. NRS 159.215 is hereby amended to read as follows:

159.215 1. A member of the Armed Forces of the United States ~~[, a reserve component thereof]~~ or the National Guard may, by written instrument and without the approval of a court, appoint any competent adult residing in this State as the guardian of the person of a minor child who is a dependent of that member. The instrument must be:

(a) Executed by both parents if living, not divorced and having legal custody of the child, otherwise by the parent having legal custody; and

(b) Acknowledged in the same manner as a deed.

➡ If both parents do not execute the instrument, the executing parent shall send by certified mail, return receipt requested, to the other parent at his last known address, a copy of the instrument and a notice of the provisions of subsection 3.

2. The instrument must contain a provision setting forth the:

(a) Branch of the Armed Forces ~~[,] of the United States;~~

(b) Unit of current assignment;

(c) Current rank or grade; and

(d) Social security number or service number,

➡ of the parent who is the member.

3. The appointment of a guardian pursuant to this section:

(a) May be terminated by a written instrument signed by either parent of the child if that parent has not been deprived of his parental rights to the child; and

(b) Is terminated by any order of a court.

Sec. 5. NRS 205.460 is hereby amended to read as follows:

205.460 1. Every person who counterfeits, forges, alters, erases or obliterates, or who attempts to counterfeit, forge, alter,



1 erase or obliterate any card, writing, paper or document, or any
2 photocopy print, photostat, or other replica of any card, writing,
3 paper or document which is designed for the purpose of personal
4 identification and which bears the age of the holder or purported
5 holder thereof, or which, although not designed for the purpose of
6 personal identification, is commonly used, or capable of being used
7 for the purpose of personal identification and bears the age of the
8 holder or purported holder thereof, with the intention that ~~[such]~~ *the*
9 card, writing, paper or document, or photocopy print, photostat or
10 other replica thereof, be used by a person under the age of 21 years
11 to establish falsely or misrepresent his actual age for the purpose of
12 purchasing alcoholic liquor or being served alcoholic liquor in a
13 place where it is served for consumption on the premises, or
14 entering gambling establishments, or engaging in gambling in
15 gambling establishments, ~~[shall be]~~ *is* guilty of a misdemeanor. For
16 the purposes of this subsection, the cards, writings, papers or
17 documents and the photocopy prints or other replicas thereof which,
18 although not designed for the purpose of personal identification, are
19 commonly used, or capable of being used, for the purpose of
20 personal identification, include, but are not limited to, an operator's
21 license, chauffeur's license, fishing or hunting license, selective
22 service card, organizational membership card, ~~[certificate]~~ *proof* of
23 discharge *or release* from the Armed Forces ~~[]~~ *of the United States,*
24 or certificate or other record of birth.

25 2. Every person who sells, lends, gives away or offers, or
26 attempts to sell, lend, give away or offer, any counterfeited, forged,
27 altered, erased or obliterated card, writing, paper or document, or
28 photocopy print, photostat or other replica thereof, of the kind
29 mentioned in subsection 1, to a person under the age of 21 years ~~[]~~
30 ~~[shall be]~~ *is* guilty of a gross misdemeanor.

31 3. Every person under the age of 21 years who uses or attempts
32 to use or proffers any counterfeited, forged, erased or obliterated
33 card, writing, paper, document, or any photocopy print, photostat or
34 other replica thereof, of the kind mentioned in subsection 1, for the
35 purpose and with the intention of purchasing alcoholic liquor or
36 being served alcoholic liquor in a place where it is served for
37 consumption on the premises, or entering gambling establishments,
38 or engaging in gambling in gambling establishments, or who
39 actually purchases alcoholic liquor or is actually served alcoholic
40 liquor in a place where it is served for consumption on the premises,
41 or actually enters a gambling establishment or actually gambles
42 therein, when the purchase, service, entering or gambling is induced
43 or permitted by the presentation of ~~[any such]~~ *the* card, writing,
44 paper or document, or any photocopy print, photostat or other
45 replica thereof, ~~[shall be]~~ *is* guilty of a misdemeanor.



4. In any criminal prosecution or proceeding for the suspension or revocation of any license based upon the violation of any law making it unlawful to sell, serve or furnish a person under the age of 21 years alcoholic liquor or upon violation of any law making it unlawful to allow a person under the age of 21 years to enter a gambling establishment or engage in gambling in a gambling establishment, proof that the defendant licensee, or his agent or employee, demanded and was shown, immediately before furnishing any alcoholic liquor to a person under the age of 21 years or allowing a person under the age of 21 years to enter a gambling establishment or engage in gambling in a gambling establishment, bona fide documentary evidence of the majority and identity of the person issued by a federal, state, county or municipal government, or subdivision or agency thereof, including, but not limited to, an operator's license for a motor vehicle, a registration certificate issued under the Federal Selective Service Act, or an identification card issued to a member of the Armed Forces ~~of the United States~~, is a defense to the prosecution or proceeding for the suspension or revocation of any license.

Sec. 6. NRS 244.340 is hereby amended to read as follows:

244.340 1. County commissioners of the several counties shall provide by ordinance for the licensing of tent shows, circuses, theme parks and permanent exhibitions in their respective counties.

2. In no case may a license for a tent show or circus be issued for a sum of less than \$25 per day or more than \$300 per day, which must be in addition to any license provided by ordinance in any incorporated municipality, city or town of the county. Upon written application of any executive officer of any local post or unit of any national organization of ~~ex-servicemen~~ **veterans** acting in his official capacity, such a license or licenses must be issued without charge for not to exceed 2 weeks in any calendar year, if the local post or unit ~~is to~~ **will** participate in the show or the proceeds thereof.

3. In no case may a license for a theme park or permanent exhibition be issued for a sum of less than \$25 per day or more than \$100 per day, which must be in addition to any license provided by ordinance in any incorporated municipality, city or town of the county.

4. Upon compliance with the terms of the ordinance, the owner or operator of the theme park or permanent exhibition is not required to acquire any license or certificate from a state agency which would otherwise be required to operate a lift, tramway, monorail, elevator, escalator, roller coaster or other conveyance used primarily in connection with the theme park or permanent exhibit.



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Sec. 7. NRS 268.0975 is hereby amended to read as follows:

268.0975 1. The governing body of each city in this State shall provide by ordinance for the licensing of tent shows, circuses, theme parks and permanent exhibitions in their respective cities.

2. In no case may a license for a tent show or circus be issued for a sum of less than \$25 per day or more than \$300 per day, which must be in addition to any license provided by ordinance in the county in which the city is located. Upon written application of any executive officer of any local post or unit of any national organization of ~~[ex-servicemen,]~~ **veterans**, acting in his official capacity, such a license or licenses must be issued without charge for not to exceed 2 weeks in any calendar year, if the local post or unit ~~[is to]~~ **will** participate in the show or the proceeds thereof.

3. In no case may a license for a theme park or permanent exhibition be issued for a sum of less than \$25 per day or more than \$100 per day, which must be in addition to any license provided by ordinance in the county in which the city is located.

4. Upon compliance with the terms of the ordinance, the owner or operator of the theme park or permanent exhibition is not required to acquire any license or certificate from a state agency which would otherwise be required to operate a lift, tramway, monorail, elevator, escalator, roller coaster or other conveyance used primarily in connection with the theme park or permanent exhibit.

Sec. 8. NRS 281.060 is hereby amended to read as follows:

281.060 1. Only citizens or wards of the United States or ~~[persons who have been honorably discharged from the military service of the United States]~~ **veterans** may be employed by any officer of the State of Nevada, by any political subdivision of the State, or by any person acting under or for such an officer in any office or department of the State of Nevada or political subdivision of the State.

2. In all cases where persons are so employed, preference must be given, if the qualifications of the applicants are equal:

(a) First: To ~~[honorably discharged military personnel of the United States]~~ **veterans** who are citizens of the State of Nevada.

(b) Second: To other citizens of the State of Nevada.

3. ~~[Nothing in this section prevents:]~~ **This section does not prevent:**

(a) The working of prisoners by the State of Nevada or by any political subdivision of the State, on street or road work or other public work.

(b) The employment of aliens, who have not forfeited their right to citizenship by claiming exemption from military service, as common laborers in the construction of public roads, ~~[when]~~ **if** it



1 can be shown that citizens or wards of the United States or ~~{persons~~
2 ~~who have been honorably discharged from the military service of~~
3 ~~the United States}~~ **veterans** are not available for such employment.
4 Any alien so employed must be replaced by a citizen, ward or ~~{ex-~~
5 ~~service person of the United States-}~~ **veteran** applying for
6 employment.

7 (c) The employment of any teacher, instructor or professor
8 authorized to teach in the United States under the teacher-exchange
9 programs as authorized by federal laws enacted by the Congress of
10 the United States.

11 (d) Except as otherwise provided in this paragraph, the
12 employment of aliens by the Nevada System of Higher Education in
13 the technical, graduate assistant and student categories. Except in
14 the foreign language departments, not more than 5 percent of the
15 total number of persons employed in the technical, graduate
16 assistant and student categories may be aliens.

17 (e) Employment of aliens in any state or political subdivision
18 hospital.

19 4. Subject to the exceptions contained in this section, money
20 must not be paid out of the State Treasury or out of the treasury of
21 any political subdivision of the State to any person employed on any
22 of the work mentioned in this section unless the person is a citizen
23 or ward or naturalized citizen of the United States.

24 5. Any officer of the State of Nevada, or of any political
25 subdivision of the State, or any person acting under or for such an
26 officer, or any other person who violates any of the provisions of
27 this section is guilty of a misdemeanor. The penalties provided for
28 in this section do not apply ~~{where}~~ **if** the violations result from
29 misrepresentations made by the employee by the production of
30 fraudulent papers evidencing citizenship in the United States.

31 **Sec. 9.** NRS 284.260 is hereby amended to read as follows:

32 284.260 1. In establishing the lists of eligible persons, certain
33 preferences must be allowed for veterans . ~~{not dishonorably~~
34 ~~discharged from the Armed Forces of the United States.}~~ For
35 disabled veterans, 10 points must be added to the passing grade
36 achieved on the examination. For ~~{ex-servicemen and women}~~
37 **veterans** who have not suffered disabilities, and for the widows and
38 widowers of veterans, 5 points must be added to the passing grade
39 achieved on the examination.

40 2. Any person qualifying for preference points pursuant to
41 subsection 1 is entitled to have the points applied to any open
42 competitive examination in the classified service, but only to one
43 promotional examination.

44 ~~{3. For the purposes of this section, "veteran" has the meaning~~
45 ~~ascribed to "eligible veteran" in 38 U.S.C. § 4211.}~~



1 **Sec. 10.** NRS 286.300 is hereby amended to read as follows:
2 286.300 Except as otherwise required as a result of
3 NRS 286.537:

4 1. Any member of the System may, except as otherwise
5 provided in subsection 5, purchase all previous creditable service
6 performed with his present employing agency if that service was
7 performed before the enrollment of his agency in the System, even
8 if the service is still creditable in some other system where it cannot
9 be cancelled. The public employer must certify the inclusive dates
10 of employment and number of hours regularly worked by the
11 member to validate the service. The member must pay the full
12 actuarial cost as determined by the actuary.

13 2. In addition to the purchases authorized pursuant to the
14 provisions of subsections 1 and 3, any member who has 5 years of
15 creditable service may, except as otherwise provided in subsection
16 5, purchase up to 5 years of service. The member must pay the full
17 actuarial cost of the service as determined by an actuary of the
18 System.

19 3. In addition to the purchases authorized pursuant to the
20 provisions of subsections 1 and 2 and in addition to any free credit
21 received pursuant to NRS 286.303 and 286.479, any member who
22 has 5 years of creditable service, served on active military duty
23 during the period beginning on the date proclaimed by the President
24 of the United States as the date on which Operation Desert Storm,
25 Operation Enduring Freedom or Operation Iraqi Freedom began and
26 was ~~honorably~~ discharged or released from active duty *under*
27 *conditions other than dishonorable* may, except as otherwise
28 provided in subsection 5, purchase a number of months of service
29 equal to the number of full months he served on active military duty,
30 but in no case may the service purchased pursuant to this subsection
31 exceed 3 years. The member must pay the full actuarial cost of the
32 service as determined by an actuary of the System.

33 4. In addition to the purchases authorized pursuant to the
34 provisions of subsections 1 and 3, any member who:

35 (a) Is a licensed teacher;
36 (b) Has 5 years of creditable service;
37 (c) Is, pursuant to statute, regulation or contract, entitled to
38 payment for unused sick leave; and

39 (d) Is employed by the board of trustees of a school district that
40 has, pursuant to subsection 5 of NRS 391.180, provided for the
41 payment of unused sick leave in the form of purchase of service,
42 ↪ may, except as otherwise provided in subsection 5, cause to be
43 purchased on his behalf service credit, not to exceed the number of
44 hours of unused sick leave or 1 year, whichever is less. The full
45 actuarial cost of the service as determined by an actuary of the



1 System must be paid for such a purchase. Any service credit
2 purchased pursuant to this subsection must be included as a part of,
3 and is not in addition to, service purchased pursuant to subsection 2.

4 5. A person who becomes a member of the System for the first
5 time on or after January 1, 2000, may, on or after July 1, 2001,
6 purchase creditable service pursuant to subsection 1, 2 or 3, or cause
7 to be purchased on his behalf service credit pursuant to subsection 4,
8 only if, at the time of the purchase, he is employed by a participating
9 public employer in a position eligible for membership in the
10 System.

11 6. Any member of the System may use:

12 (a) All or any portion of the balance of the member's interest in
13 a qualified trust pursuant to section 401(a) of the Internal Revenue
14 Code, 26 U.S.C. § 401(a); or

15 (b) The money contained in an individual retirement account or
16 an individual retirement annuity of a member, the entire amount of
17 which is:

18 (1) Attributable to a qualified distribution from a qualified
19 trust pursuant to section 401(a) of the Internal Revenue Code, 26
20 U.S.C. § 401(a); and

21 (2) Qualified as an eligible rollover distribution pursuant to
22 section 402 of the Internal Revenue Code, 26 U.S.C. § 402,
23 ➔ to purchase creditable service pursuant to subsection 1, 2 or 3.

24 7. A member of the System who purchases creditable service
25 pursuant to subsection 1, 2 or 3 is entitled to receive a refund of any
26 contributions paid toward the purchase of the service only if he is no
27 longer in the employ of a participating public employer.

28 8. If a member of the System enters into an agreement whereby
29 he agrees to pay for the purchase of service credit in installments
30 and he defaults on that agreement, the member is entitled to receive
31 service credit in the proportion that the principal paid bears to the
32 principal due under the agreement.

33 **Sec. 11.** NRS 286.303 is hereby amended to read as follows:

34 286.303 A member who met all requirements for free military
35 credit as of May 19, 1975, but who did not have 5 years of
36 consecutive service credit after his return from the Armed Forces ~~of~~
37 *of the United States*, is entitled to free credit for military service as
38 soon as he attains 5 years of consecutive service credit under the
39 System.

40 **Sec. 12.** NRS 286.367 is hereby amended to read as follows:

41 286.367 1. The volunteers of a regularly organized and
42 recognized fire department may, by the joint application of a
43 majority of those volunteers addressed to the Board, become
44 members of the System. A volunteer firefighter who joins a fire
45 department of which all the volunteers have become members of the



1 System becomes a member of the System. The volunteers of a
2 participating fire department may withdraw from the System by the
3 joint application of a majority of those volunteers addressed to the
4 Board.

5 2. The city, town, county or district which recognizes the
6 volunteers is the public employer and shall collect and pay over the
7 employee's share and pay the employer's share of the contribution
8 to the Public Employees' Retirement Fund and the Public
9 Employees' Retirement Administrative Fund, in the manner
10 prescribed in this chapter. The local government may, if so
11 requested by the volunteers, further contribute any amount by which
12 the sum receivable by each volunteer for any month is less than the
13 amount of his required share of the contribution, but no further
14 contributions may be placed in a volunteer's account with the
15 System or refunded to a volunteer or his employer upon the
16 volunteer's termination.

17 3. In determining the amount of contributions to be paid for the
18 volunteers, they are assumed to be receiving a wage established by
19 the local government which is not less than \$150 nor more than
20 \$2,000 per month.

21 4. Except as otherwise required as a result of NRS 286.535 or
22 286.537, the average compensation for a volunteer firefighter is the
23 weighted average of:

24 (a) The assumed wage as a volunteer firefighter; and

25 (b) The average salary in other covered employment which, if
26 the service in that employment exceeds 3 years, is calculated upon
27 the 3 highest consecutive years.

28 ➔ The weight given to the assumed wage and average salary,
29 respectively, is proportionate to the length of service in each
30 capacity. Except as otherwise required as a result of NRS 286.535 or
31 286.537, average compensation is computed from the sum of the
32 assumed wage and actual salary if a member is employed
33 simultaneously as a volunteer firefighter and as a regular member.

34 5. Any dispute over the status of a person as a volunteer
35 firefighter under this section must be conclusively determined by the
36 Board.

37 6. A volunteer firefighter may purchase all previous service as
38 a volunteer firefighter with any volunteer fire department which is a
39 member of the System. To validate ~~[such]~~ *that* service, the volunteer
40 firefighter must pay the full cost as determined by the actuary. The
41 employing agency may pay the employer's share of the cost but is
42 not required to do so.

43 7. In addition to the purchases authorized pursuant to the
44 provisions of subsections 6 and 8, a volunteer firefighter who has 5
45 years of creditable service as a volunteer firefighter may purchase



up to 5 years of service to add to his volunteer service. The member must pay the full actuarial cost of the service as determined by an actuary of the System.

8. In addition to the purchases authorized pursuant to the provisions of subsections 6 and 7 and in addition to any free credit received pursuant to NRS 286.303 and 286.479, a volunteer firefighter who has 5 years of creditable service as a volunteer firefighter, served on active military duty during the period beginning on the date proclaimed by the President of the United States as the date on which Operation Desert Storm, Operation Enduring Freedom or Operation Iraqi Freedom began and was ~~[honorably]~~ discharged or released from active duty *under conditions other than dishonorable* may purchase a number of months of service equal to the number of full months he served on active military duty, but in no case may the service purchased pursuant to this subsection exceed 3 years. The member must pay the full actuarial cost of the service as determined by an actuary of the System.

Sec. 13. NRS 286.479 is hereby amended to read as follows:

286.479 1. A member who has 5 years or more of service credit is entitled to receive free service credit for military service for the period beginning on the date proclaimed by the President of the United States as the date on which hostilities began in the Persian Gulf Crisis and ending on the date proclaimed by the President of the United States as the termination of hostilities in the Persian Gulf Crisis if the member:

(a) Began active military duty within 6 months after the last date of employment or leave of absence without pay with a participating public employer; and

(b) Returned to employment with a participating public employer within 1 year after being ~~[honorably]~~ discharged or released from active duty ~~[]~~ *under conditions other than dishonorable*.

2. A member who meets all of the requirements of subsection 1 except that he does not have 5 years of service credit is entitled to receive the free credit pursuant to subsection 1 as soon as he attains 5 years of service credit.

Sec. 14. NRS 293.105 is hereby amended to read as follows:

293.105 "Service of the United States" means the Armed Forces of the United States, ~~[and the auxiliaries thereof, the United States Coast Guard.]~~ the merchant marine service of the United States, civilian employment by the Federal Government beyond the boundaries of the State of Nevada, and religious groups and welfare agencies officially attached to and serving with the Armed Forces of the United States.



Sec. 15. NRS 293.320 is hereby amended to read as follows:

293.320 1. The county clerk shall determine before issuing an absent ballot that the person making application is a registered voter in the proper county.

2. *Members of the* Armed Forces ~~[personnel]~~ *of the United States* who are not registered to vote and are applying for absent ballots must complete:

(a) The application to register to vote required by NRS 293.517 for registration; or

(b) The form provided by the Federal Government for registration and request of an absent ballot,

➤ before receiving an absent ballot.

3. If the county clerk rejects an application submitted pursuant to subsection 2 or submitted by an overseas voter, the county clerk shall inform the applicant of the reason for the rejection.

Sec. 16. NRS 293.4685 is hereby amended to read as follows:

293.4685 1. The Secretary of State shall:

(a) Provide information regarding voter registration and absentee voting by *members of the* Armed Forces ~~[personnel]~~ *of the United States* and overseas voters;

(b) Within 90 days after the date of each general election and general city election in which electors voted for federal offices, submit to the Election Assistance Commission established pursuant to 42 U.S.C. § 15321 a report of the combined number of absentee ballots transmitted to absent *members of the* Armed Forces ~~[personnel]~~ *of the United States* and overseas voters for the election and the combined number of ~~[such]~~ *those* ballots that were returned by ~~[such]~~ *those* voters and cast in the election;

(c) Make each report submitted pursuant to paragraph (b) available to the public; and

(d) Adopt any regulations which are necessary to comply with the provisions of the Help America Vote Act of 2002, Public Law 107-252, and which are not inconsistent with the provisions of this chapter to the extent the provisions of this chapter are consistent with the Help America Vote Act of 2002, Public Law 107-252.

2. Each county and city clerk shall provide such information as is requested by the Secretary of State to comply with the provisions of this section.

Sec. 17. NRS 293.504 is hereby amended to read as follows:

293.504 1. The following offices shall serve as voter registration agencies:

(a) Such offices that provide public assistance as are designated by the Secretary of State;

(b) Each office that receives money from the State of Nevada to provide services to persons in this State who are disabled;



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(c) The offices of the Department of Motor Vehicles;
(d) The offices of the city and county clerks;
(e) Such other county and municipal facilities as a county clerk or city clerk may designate pursuant to NRS 293.5035 or 293C.520, as applicable; and

(f) Such other offices as the Secretary of State deems appropriate.

2. Each voter registration agency shall:

(a) Post in a conspicuous place, in at least 12-point type, instructions for registering to vote;

(b) Make applications to register to vote which may be returned by mail available to each person who applies for or receives services or assistance from the agency;

(c) Provide the same amount of assistance to an applicant in completing an application to register to vote as the agency provides to a person completing any other forms for the agency; and

(d) Accept completed applications to register to vote.

3. Except as otherwise provided in this subsection and NRS 293.524, any application to register to vote accepted by a voter registration agency must be transmitted to the county clerk not later than 10 days after the application is accepted. The applications must be forwarded daily during the 2 weeks immediately preceding the fifth Sunday preceding an election. The county clerk shall accept any application to register to vote which is obtained from a voter registration agency pursuant to this section and completed by the fifth Sunday preceding an election if he receives the application not later than 5 days after that date.

4. The Secretary of State shall cooperate with the Secretary of Defense to develop and carry out procedures to enable persons in this State to apply to register to vote at recruitment offices of the *Armed Forces of the United States*. ~~{Armed Forces}~~

Sec. 18. NRS 293C.320 is hereby amended to read as follows:

293C.320 1. The city clerk shall determine before issuing an absent ballot that the person making application is a registered voter in the proper city.

2. *Members of the* Armed Forces ~~{personnel}~~ *of the United States* who are not registered to vote and are applying for absent ballots must complete:

(a) The application to register to vote required by NRS 293.517 for registration; or

(b) The form provided by the Federal Government for registration and request of an absent ballot,

↪ before receiving an absent ballot.



Sec. 19. NRS 315.150 is hereby amended to read as follows:

315.150 Unless the context otherwise requires, the definitions contained in NRS 315.160 to ~~{315.300,}~~ **315.290**, inclusive, govern the construction of NRS 315.140 to 315.780, inclusive.

Sec. 20. NRS 315.510 is hereby amended to read as follows:

315.510 In the operation or management of housing projects , an authority shall at all times observe the following duties with respect to rentals and tenant admissions:

1. It may rent or lease the dwelling accommodations therein only to persons of low income and, as among low-income persons who are eligible applicants for occupancy in dwellings of given sizes and at specified rents, shall extend the following preferences in the selection of tenants:

(a) First: To families who are to be displaced by any low-rent housing project or by any public slum clearance or redevelopment project initiated after January 1, 1947, or who were so displaced within 3 years before making application on authority for admission to any low-rent housing. Among ~~{such}~~ **those** families , first preference must be given to families of disabled veterans whose disability has been determined by the Department of Veterans Affairs to be service connected, second preference must be given to families of deceased veterans ~~{and servicemen whose death has been determined by the Department of Veterans Affairs to be service connected,}~~ and third preference must be given to families of other veterans . ~~{and servicemen.}~~

(b) Second: To families of other veterans . ~~{and servicemen.}~~ ~~Among such}~~ **Among those** families , first preference must be given to families of disabled veterans whose disability has been determined by the Department of Veterans Affairs to be service connected ~~{,}~~ and second preference must be given to families of deceased veterans . ~~{and servicemen whose death has been determined by the Department of Veterans Affairs to be service connected.}~~

2. It may rent or lease to a tenant dwelling accommodations consisting of a number of rooms, but no greater number, which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding.

3. An authority shall not accept any person or persons as tenants in any housing project if the person or persons who occupy the dwelling accommodations have, at the time of admission, an aggregate annual net income, less an exemption of \$200 for each minor member of the family other than the head of the family and his spouse, in excess of 7 times the annual rental of the quarters to be furnished such person or persons , ~~{,}~~ but an authority may agree to conditions as to tenant eligibility or preference required by the



1 Federal Government pursuant to federal law in any contract for
2 financial assistance with the authority. In computing the rental for
3 ~~[this]~~ *the* purpose of admitting tenants, there must be included in the
4 rental the average annual cost, as determined by the authority, to
5 occupants of heat, water, electricity, gas, cooking fuel and other
6 necessary services or facilities, whether or not the charge for ~~[such]~~
7 *those* services and facilities is included in the rental.

8 *4. For the purposes of this section, a disability or death is*
9 *“service connected” if the disability was incurred or aggravated,*
10 *or the death resulted from a disability that was incurred or*
11 *aggravated, in the line of duty in the Armed Forces of the United*
12 *States.*

13 **Sec. 21.** NRS 315.580 is hereby amended to read as follows:

14 315.580 1. In addition to other powers conferred upon an
15 authority by NRS 315.140 to 315.780, inclusive, an authority may
16 acquire property and construct housing projects thereon for the
17 purpose of leasing dwellings to ~~[servicemen,]~~ veterans and their
18 families, and *to* the families of deceased ~~[persons who served in the~~
19 ~~Armed Forces,]~~ *veterans,* at rentals, excluding utilities, of not to
20 exceed \$50 per month, during the existence of the acute shortage of
21 housing available to such persons as determined by applicable law
22 or as may be provided for in any contract for financial assistance
23 with the Federal Government.

24 2. In exercising the powers provided in this section , an
25 authority ~~[shall not be]~~ *is not* subject to the limitations provided in
26 NRS 315.500 or 315.510 during the period of acute housing
27 shortage for veterans ~~[and servicemen,]~~ and their families , and the
28 families of deceased ~~[persons who served in the Armed Forces,]~~
29 *veterans,* of moderate income.

30 **Sec. 22.** NRS 315.590 is hereby amended to read as follows:

31 315.590 An authority, in addition to its other powers, ~~[is~~
32 ~~authorized to]~~ *may* cooperate with and lease from the Federal
33 Government war housing projects constructed by the Federal
34 Government, for the purpose of providing housing for veterans ~~[and~~
35 ~~servicemen]~~ and their families, ~~[and]~~ *the* families of deceased
36 ~~[persons who served in the Armed Forces,]~~ *veterans* and persons
37 engaged in war activities ~~[; provided, that such]~~ , *if those* war
38 housing projects ~~[shall not be]~~ *are not* subject to the limitations
39 provided in NRS 315.500 or 315.510.

40 **Sec. 23.** NRS 319.060 is hereby amended to read as follows:

41 319.060 “Eligible family” means a person or family, selected
42 without regard to race, creed, national origin or sex, determined by
43 the Division to require such assistance as is made available by this
44 chapter on account of insufficient personal or family income after
45 taking into consideration, without limitation, such factors as:



- 1 1. The amount of the total income of that person or family
- 2 available for housing needs;
- 3 2. The size of the family;
- 4 3. The cost and condition of housing facilities available;
- 5 4. The ability of the person or family to compete successfully
- 6 in the normal private housing market and to pay the amounts at
- 7 which private enterprise is providing decent, safe and sanitary
- 8 housing;
- 9 5. If appropriate, standards established for various federal
- 10 programs determining eligibility based on income of those persons
- 11 and families; and
- 12 6. Service in the Armed Forces of the United States with a
- 13 minimum of 90 days on active duty ~~at some time between:~~
- 14 ~~—(a) April 21, 1898, and June 15, 1903;~~
- 15 ~~—(b) April 6, 1917, and November 11, 1918;~~
- 16 ~~—(c) December 7, 1941, and December 31, 1946;~~
- 17 ~~—(d) June 25, 1950, and January 31, 1955; or~~
- 18 ~~—(e) January 1, 1961, and May 7, 1975;~~
- 19 ~~—~~ and at least 2 years' continuous residence in Nevada
- 20 immediately preceding any application for assistance under this
- 21 chapter.

22 **Sec. 24.** NRS 338.130 is hereby amended to read as follows:

23 338.130 1. In all cases where persons are employed in the

24 construction of public works, preference must be given, the

25 qualifications of the applicants being equal:

26 (a) First: To persons who:

27 (1) Have been ~~honorably~~ discharged *or released* from the

28 ~~Army, Navy, Air Force, Marine Corps or Coast Guard~~ *Armed*

29 *Forces* of the United States ~~[, a reserve component thereof]~~ or the

30 National Guard ~~;~~ *under conditions other than dishonorable;* and

31 (2) Are citizens of the State of Nevada.

32 (b) Second: To other citizens of the State of Nevada.

33 2. ~~[Nothing in this section shall be construed to]~~ *This section*

34 *does not* prevent the working of prisoners by a public body on a

35 public work.

36 3. In each contract for the construction of public works, a

37 clause must be inserted to the effect that if the provisions of this

38 section are not complied with by the contractor engaged on the

39 public work, the contract is void, and any failure or refusal to

40 comply with any of the provisions of this section renders any such

41 contract void. All boards, commissions, officers, agents and

42 employees ~~having the power to~~ *who may* enter into contracts for

43 the expenditure of public money on public works shall file in the

44 Office of the Labor Commissioner the names and addresses of all

45 contractors holding contracts with the public body, and upon the



1 letting of new contracts, the names and addresses of ~~[such]~~ *those*
2 new contractors must likewise be filed with the Labor
3 Commissioner. Upon the demand of the Labor Commissioner, a
4 contractor shall furnish a list of the names and addresses of all
5 subcontractors employed by the contractor engaged on a public
6 work.

7 4. Subject to the exceptions contained in this section, no money
8 may be paid out of the State Treasury or out of the treasury of any
9 political subdivision of the State to any person employed on any
10 work mentioned in this section unless there has been compliance
11 with the provisions of this section.

12 5. Any contractor engaged on a public work or any other
13 person who violates any of the provisions of this section is guilty of
14 a misdemeanor. The penalties provided for in this section do not
15 apply where violations thereof are due to misrepresentations made
16 by the employee or employees.

17 **Sec. 25.** NRS 361.090 is hereby amended to read as follows:

18 361.090 1. The property, to the extent of \$2,000 assessed
19 valuation, of any actual bona fide resident of the State of Nevada
20 who ~~is~~:

21 ~~—(a) Has served a minimum of 90 continuous days on active duty,~~
22 ~~who was assigned to active duty at some time between April 21,~~
23 ~~1898, and June 15, 1903, or between April 6, 1917, and~~
24 ~~November 11, 1918, or between December 7, 1941, and~~
25 ~~December 31, 1946, or between June 25, 1950, and May 7, 1975, or~~
26 ~~between September 26, 1982, and December 1, 1987, or~~
27 ~~between October 23, 1983, and November 21, 1983, or between~~
28 ~~December 20, 1989, and January 31, 1990, or between August 2,~~
29 ~~1990, and April 11, 1991, or between December 5, 1992, and~~
30 ~~March 31, 1994, or between November 20, 1995, and December 20,~~
31 ~~1996;~~

32 ~~—(b) Has served on active duty in connection with carrying out~~
33 ~~the authorization granted to the President of the United States in~~
34 ~~Public Law 102-1; or~~

35 ~~—(c) Has served on active duty in connection with a campaign or~~
36 ~~expedition for service in which a medal has been authorized by the~~
37 ~~government of the United States, regardless of the number of days~~
38 ~~served on active duty;~~

39 ~~— and who received, upon severance from service, an honorable~~
40 ~~discharge or certificate of satisfactory service from the Armed~~
41 ~~Forces of the United States, or who, having so served, is still serving~~
42 ~~in the Armed Forces of the United States,] is a veteran~~ is exempt
43 from taxation.



2. For the purpose of this section, the first \$2,000 assessed valuation of property in which an applicant has any interest shall be deemed the property of the applicant.

3. The exemption may be allowed only to a claimant who files an affidavit with his claim for exemption on real property pursuant to NRS 361.155. The affidavit may be filed at any time by a person claiming exemption from taxation on personal property.

4. The affidavit must be made before the county assessor or a notary public and filed with the county assessor. It must state that the affiant is a bona fide resident of the State of Nevada ~~[who meets all the other requirements of subsection 1]~~ *and a veteran* and that the exemption is not claimed in any other county in this State. After the filing of the original affidavit, the county assessor shall mail a form for:

(a) The renewal of the exemption; and

(b) The designation of any amount to be credited to the Gift Account for Veterans' Homes established pursuant to NRS 417.145, to the person each year following a year in which the exemption was allowed for that person. The form must be designed to facilitate its return by mail by the person claiming the exemption.

5. Persons in actual military service are exempt during the period of ~~[such]~~ *that* service from filing the annual forms for renewal of the exemption, and the county assessors shall continue to grant the exemption to ~~[such]~~ *those* persons on the basis of the original affidavits filed. In the case of any person who has entered the military service without having previously made and filed an affidavit of exemption, the affidavit may be filed in his behalf during the period of ~~[such]~~ *that* service by any person having knowledge of the facts.

6. Before allowing any veteran's exemption pursuant to the provisions of this chapter, the county assessor shall require proof of status of the veteran, and for that purpose shall require ~~[production of an honorable discharge or certificate of satisfactory service]~~ *proof that the veteran was discharged or released from the Armed Forces of the United States under conditions other than dishonorable*, or a certified copy thereof, or such other proof of status as may be necessary.

7. If any person files a false affidavit or produces false proof to the county assessor or a notary public and, as a result of the false affidavit or false proof, the person is allowed a tax exemption to which he is not entitled, he is guilty of a gross misdemeanor.

8. Beginning with the 2006-2007 Fiscal Year, the monetary amounts in subsections 1 and 2 must be adjusted for each fiscal year by adding to the amount the product of the amount multiplied by the percentage increase in the Consumer Price Index (All Items) from



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1 July 2004 to the July preceding the fiscal year for which the
2 adjustment is calculated. The Department shall provide to each
3 county assessor the adjusted amount, in writing, on or before
4 September 30 of each year.

5 **Sec. 26.** NRS 361.091 is hereby amended to read as follows:

6 361.091 1. A bona fide resident of the State of Nevada who
7 *is a veteran that* has incurred a permanent service-connected
8 disability ~~[and has been honorably discharged from the Armed~~
9 ~~Forces of the United States.]~~ or his surviving spouse ~~[.]~~ is entitled to
10 a disabled veteran's exemption.

11 2. The amount of exemption is based on the total percentage of
12 permanent service-connected disability. The maximum allowable
13 exemption for total permanent disability is the first \$20,000 assessed
14 valuation. A person with a permanent service-connected disability
15 of:

16 (a) Eighty to 99 percent, inclusive, is entitled to an exemption of
17 \$15,000 assessed value.

18 (b) Sixty to 79 percent, inclusive, is entitled to an exemption of
19 \$10,000 assessed value.

20 ➤ For the purposes of this section, any property in which an
21 applicant has any interest is deemed to be the property of the
22 applicant.

23 3. The exemption may be allowed only to a claimant who has
24 filed an affidavit with his claim for exemption on real property
25 pursuant to NRS 361.155. The affidavit may be made at any time by
26 a person claiming an exemption from taxation on personal property.

27 4. The affidavit must be made before the county assessor or a
28 notary public and be filed with the county assessor. ~~[.]~~ *The*
29 *affidavit* must state that the affiant is a bona fide resident of the
30 State of Nevada, that he meets all the other requirements of
31 subsection 1 and that the exemption is not claimed in any other
32 county within this State. After the filing of the original affidavit, the
33 county assessor shall mail a form for:

34 (a) The renewal of the exemption; and

35 (b) The designation of any amount to be credited to the Gift
36 Account for Veterans' Homes established pursuant to NRS 417.145,
37 ➤ to the person each year following a year in which the exemption
38 was allowed for that person. The form must be designed to facilitate
39 its return by mail by the person claiming the exemption.

40 5. Before allowing any exemption pursuant to the provisions of
41 this section, the county assessor shall require proof of the
42 applicant's status, and for that purpose shall require him to produce
43 an original or certified copy of:

44 (a) ~~[An honorable discharge or other document of honorable~~
45 ~~separation]~~ *Proof that he was discharged or released* from the



Armed Forces of the United States *under conditions other than dishonorable and* which indicates the total percentage of his permanent service-connected disability; *or*

(b) ~~[A certificate of satisfactory service which indicates the total percentage of his permanent service-connected disability; or~~

~~—(c)]~~ A certificate from the Department of Veterans Affairs or any other military document which shows that he has incurred a permanent service-connected disability and which indicates the total percentage of that disability, together with ~~[a certificate of honorable discharge or satisfactory service.]~~ *proof that he was discharged or released from the Armed Forces of the United States under conditions other than dishonorable.*

6. A surviving spouse claiming an exemption pursuant to this section must file with the county assessor an affidavit declaring that:

(a) ~~[The] He is a~~ surviving spouse ; ~~[was married to and living with the disabled veteran for the 5 years preceding his death;]~~

(b) The disabled veteran was eligible for the exemption at the time of his death or would have been eligible if he had been a resident of the State of Nevada; *and*

(c) ~~[The surviving spouse has not remarried; and~~

~~—(d) The surviving spouse] He~~ is a bona fide resident of the State of Nevada.

➤ The affidavit required by this subsection is in addition to the certification required pursuant to subsections 4 and 5. After the filing of the original affidavit required by this subsection, the county assessor shall mail a form for renewal of the exemption to the person each year following a year in which the exemption was allowed for that person. The form must be designed to facilitate its return by mail by the person claiming the exemption.

7. If a veteran or the surviving spouse of a veteran submits, as proof of disability, documentation that indicates a percentage of permanent service-connected disability for more than one permanent service-connected disability, the amount of the exemption must be based on the total of those combined percentages, not to exceed 100 percent.

8. If a tax exemption is allowed under this section, the claimant is not entitled to an exemption under NRS 361.090.

9. If any person files a false affidavit or produces false proof to the county assessor or a notary public and, as a result of the false affidavit or false proof, the person is allowed a tax exemption to which he is not entitled, he is guilty of a gross misdemeanor.

10. Beginning with the 2006-2007 Fiscal Year, the monetary amounts in subsection 2 must be adjusted for each fiscal year by adding to the amount the product of the amount multiplied by the percentage increase in the Consumer Price Index (All Items) from



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1 July 2004 to the July preceding the fiscal year for which the
2 adjustment is calculated. The Department shall provide to each
3 county assessor the adjusted amount, in writing, on or before
4 September 30 of each year.

5 **11. As used in this section:**

6 (a) *“Service-connected disability” means a disability that was*
7 *incurred or aggravated in the line of duty in the Armed Forces of*
8 *the United States.*

9 (b) *“Surviving spouse” means a person of the opposite sex*
10 *who:*

11 (1) *Was the spouse of a veteran at the time of the veteran’s*
12 *death;*

13 (2) *Lived with the veteran continuously from the date of*
14 *marriage until the date of the veteran’s death, or was legally*
15 *separated from the veteran because of the misconduct of the*
16 *veteran, or the legal separation was obtained by the veteran*
17 *without the fault of the spouse;*

18 (3) *Has not remarried; and*

19 (4) *Has not since the death of the veteran, and after*
20 *September 19, 1962, lived with another person and held himself*
21 *out openly to the general public as the spouse of the other person.*

22 **Sec. 27.** NRS 361.095 is hereby amended to read as follows:

23 361.095 1. The ~~{funds,}~~ **money**, furniture, paraphernalia and
24 regalia owned and used exclusively by any post of any national
25 organization of ~~{ex-servicemen or ex-servicewomen}~~ **veterans** for
26 the legitimate purposes and customary objects of ~~{such}~~ **those** posts
27 are exempt from taxation, but such an exemption must not exceed
28 the sum of \$10,000 assessed valuation to any one post or
29 organization thereof.

30 2. The buildings, with their fixtures and the lots of ground on
31 which they stand, used for its legitimate purposes and necessary
32 thereto, of any such organization are exempt from taxation, but
33 when any such property is used for purposes other than those of
34 such an organization, and a rent or other valuable consideration is
35 received for its use, the property so used must be taxed.

36 3. ~~{Where}~~ **If** any structure or parcel of land is used partly for
37 the purposes of such an organization and partly for rental purposes,
38 the area used for rental purposes must be assessed separately and
39 that portion only may be taxed.

40 4. Beginning with the 2006-2007 Fiscal Year, the monetary
41 amount in subsection 1 must be adjusted for each fiscal year by
42 adding to the amount the product of the amount multiplied by the
43 percentage increase in the Consumer Price Index (All Items) from
44 July 2004 to the July preceding the fiscal year for which the
45 adjustment is calculated. The Department shall provide to each



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1 county assessor the adjusted amount, in writing, on or before
2 September 30 of each year.

3 **Sec. 28.** NRS 361.7366 is hereby amended to read as follows:

4 361.7366 "Income" means adjusted gross income, as defined in
5 the Internal Revenue Code, and includes:

- 6 1. Tax-free interest;
- 7 2. The untaxed portion of a pension or annuity;
- 8 3. Railroad retirement benefits;
- 9 4. Veterans' pensions and compensation;
- 10 5. Payments received pursuant to the federal Social Security
11 Act, including supplemental security income, but excluding hospital
12 and medical insurance benefits for the aged and disabled;
- 13 6. Public welfare payments, including allowances for shelter;
- 14 7. Unemployment insurance benefits;
- 15 8. Payments for lost time;
- 16 9. Payments received from disability insurance;
- 17 10. Disability payments received pursuant to workers'
18 compensation insurance;
- 19 11. Alimony;
- 20 12. Support payments;
- 21 13. Allowances received by dependents of ~~servicemen;~~
22 *veterans;*
- 23 14. The amount of recognized capital gains and losses
24 excluded from adjusted gross income;
- 25 15. Life insurance proceeds in excess of \$5,000;
- 26 16. Bequests and inheritances; and
- 27 17. Gifts of cash of more than \$300 not between household
28 members and such other kinds of cash received by a household as
29 the Department specifies by regulation.

30 **Sec. 29.** NRS 365.220 is hereby amended to read as follows:

31 365.220 The provisions of this chapter requiring the payment
32 of excise taxes do not apply to:

- 33 1. Motor vehicle fuel if it remains in interstate or foreign
34 commerce.
- 35 2. Motor vehicle fuel, except aviation fuel, exported from this
36 State by a supplier.
- 37 3. Aviation fuel or fuel for jet or turbine-powered aircraft
38 exported from this State by a dealer.
- 39 4. Motor vehicle fuel or fuel for jet or turbine-powered aircraft
40 sold to the United States Government for official use of the *Armed*
41 *Forces of the* United States . ~~{Armed Forces.}~~
- 42 5. Motor vehicle fuel, other than aviation fuel, distributed or
43 delivered on the order of the owner, to a supplier, or aviation fuel or
44 fuel for jet or turbine-powered aircraft distributed or delivered on
45 the order of the owner, to a dealer, if the dealer or supplier has



1 furnished security in the amount prescribed in NRS 365.290 and has
2 established to the satisfaction of the Department that the security is
3 sufficient to ensure payment of all excise taxes as they may become
4 due to the State from him under this chapter. Every dealer or
5 supplier who claims an exemption shall report the distributions to
6 the Department in such detail as the Department may require. If he
7 does not do so, the exemption granted in this subsection is void and
8 all fuel is considered distributed in this State subject fully to the
9 provisions of this chapter.

10 6. Leaded racing fuel. As used in this subsection, "leaded
11 racing fuel" means motor vehicle fuel that contains lead and is
12 produced for motor vehicles that are designed and built for racing
13 and not for operation on a public highway.

14 **Sec. 30.** NRS 365.370 is hereby amended to read as follows:

15 365.370 Any person who exports any motor vehicle fuel or
16 fuel for jet or turbine-powered aircraft from this State, or who sells
17 any such fuel to the United States Government for official use of the
18 *Armed Forces of the* United States , ~~[Armed Forces,]~~ or who buys
19 and uses any such fuel for purposes other than for the propulsion of
20 motor vehicles or jet or turbine-powered aircraft, and who has paid
21 any tax on such fuel levied or directed to be paid as provided by this
22 chapter, either directly by the collection of the tax by the vendor
23 from the customer or indirectly by the addition of the amount of the
24 tax to the price of the fuel, must be reimbursed and repaid the
25 amount of the tax so paid by him except as follows:

26 1. Refund claims must be paid by prescribed classes in
27 accordance with the Department's regulations.

28 2. The minimum claim for refund must be based on at least 200
29 gallons purchased and used in a 6-month period.

30 3. No refund of motor vehicle fuel taxes may be made for off-
31 highway use of motor vehicle fuel consumed in watercraft in this
32 State for recreational purposes.

33 4. A person who exports, sells, buys or uses aviation fuel for
34 any purpose is not entitled to reimbursement of any tax paid by him
35 on such fuel.

36 **Sec. 31.** NRS 370.280 is hereby amended to read as follows:

37 370.280 1. Upon proof satisfactory to the Department,
38 refunds ~~[shall]~~ *must* be allowed for the face value of the cigarette
39 revenue stamp tax paid, less any discount previously allowed, upon
40 cigarettes that are sold to:

41 (a) The United States Government for Army, Air Force, Navy or
42 Marine Corps purposes and are shipped to a point within this State
43 to a place which has been lawfully ceded to the United States
44 Government for Army, Air Force, Navy or Marine Corps purposes;



(b) Veterans' hospitals for distribution or sale to disabled ~~{service or ex-servicemen}~~ **veterans** interned therein, but not to civilians or civilian employees;

(c) Any person if sold and delivered on an Indian reservation or colony where an excise tax has been imposed which is equal to or greater than the rate of the cigarette tax imposed under this chapter; or

(d) An Indian if sold and delivered on an Indian reservation or colony where no excise tax has been imposed or the excise tax is less than the rate of the cigarette tax imposed under this chapter.

2. Upon proof satisfactory to the Department, refunds ~~{shall}~~ **must** be allowed to cigarette dealers, or to manufacturers or their representatives, for the face value of the cigarette revenue stamp tax paid, less any discount previously allowed upon cigarettes destroyed because the cigarettes had become stale. Applications for refunds ~~{shall}~~ **must** be submitted in an amount of not less than \$15 and ~~{shall}~~ be accompanied by an affidavit of the applicant setting forth:

(a) The number of packages of cigarettes destroyed for which refund is claimed;

(b) The date or dates on which the cigarettes were destroyed and the place where destroyed;

(c) That the cigarettes were actually destroyed because they had become stale;

(d) By whom the cigarettes were destroyed; and

(e) ~~{Other}~~ **Any other** information which the Department may require.

3. Upon proof satisfactory to the Department, refunds may be allowed to licensed wholesale cigarette dealers for the face value of the cigarette metered machine stamp tax paid, less any discount previously allowed upon:

(a) The balance of unused stamps on the descending register of a cigarette meter machine destroyed by fire, if the cigarette meter counting positions can be determined by the manufacturer of the meter stamping machine;

(b) Cigarettes which were stamped on their carton covers because of stamping machine failure to open the carton and stamp the cigarette packs; or

(c) Cigarettes which were not stamped but were registered on the machine as being stamped because of failure of the meter counters.

4. Any refund ~~{shall}~~ **must** be paid as other claims against the State are paid.

Sec. 32. NRS 370.503 is hereby amended to read as follows:

370.503 1. Upon proof satisfactory to the Department, a refund must be allowed for the taxes paid pursuant to NRS 370.450,



1 upon products made from tobacco other than cigarettes, that are sold
2 to:

3 (a) The United States Government for the purposes of the Army,
4 Air Force, Navy or Marine Corps and are shipped to a point within
5 this State to a place which has been lawfully ceded to the United
6 States Government for the purposes of the Army, Air Force, Navy
7 or Marine Corps;

8 (b) Veterans' hospitals for distribution or sale to disabled
9 ~~[servicemen or ex-servicemen]~~ **veterans** interned therein, but not to
10 civilians or civilian employees;

11 (c) Any person if sold and delivered on an Indian reservation or
12 colony where an excise tax has been imposed which is equal to or
13 greater than the rate of the tax imposed pursuant to NRS 370.501;
14 or

15 (d) An Indian if sold and delivered on an Indian reservation or
16 colony where no excise tax has been imposed or the excise tax is
17 less than the rate of the tax imposed pursuant to NRS 370.501.

18 2. Any refund must be paid as other claims against the State
19 are paid.

20 **Sec. 33.** NRS 371.103 is hereby amended to read as follows:

21 371.103 1. Vehicles, to the extent of \$2,000 determined
22 valuation, registered by any actual bona fide resident of the State of
23 Nevada who ~~is~~:

24 ~~—(a) Has served a minimum of 90 days on active duty, who was~~
25 ~~assigned to active duty at some time between April 21, 1898, and~~
26 ~~June 15, 1903, or between April 6, 1917, and November 11, 1918,~~
27 ~~or between December 7, 1941, and December 31, 1946, or between~~
28 ~~June 25, 1950, and May 7, 1975, or between September 26, 1982,~~
29 ~~and December 1, 1987, or between October 23, 1983, and~~
30 ~~November 21, 1983, or between December 20, 1989, and~~
31 ~~January 31, 1990, or between August 2, 1990, and April 11, 1991,~~
32 ~~or between December 5, 1992, and March 31, 1994, or between~~
33 ~~November 20, 1995, and December 20, 1996;~~

34 ~~—(b) Has served a minimum of 90 continuous days on active duty~~
35 ~~none of which was for training purposes, who was assigned to active~~
36 ~~duty at some time between January 1, 1961, and May 7, 1975;~~

37 ~~—(c) Has served on active duty in connection with carrying out~~
38 ~~the authorization granted to the President of the United States in~~
39 ~~Public Law 102-1; or~~

40 ~~—(d) Has served on active duty in connection with a campaign or~~
41 ~~expedition for service in which a medal has been authorized by the~~
42 ~~government of the United States, regardless of the number of days~~
43 ~~served on active duty;~~

44 ~~—and who received, upon severance from service, an honorable~~
45 ~~discharge or certificate of satisfactory service from the Armed~~



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1 ~~Forces of the United States, or who, having so served, is still serving~~
2 ~~in the Armed Forces of the United States,]~~ *is a veteran* is exempt
3 from taxation.

4 2. For the purpose of this section, the first \$2,000 determined
5 valuation of vehicles in which such a person has any interest shall
6 be deemed to belong to that person.

7 3. A person claiming the exemption shall file annually with the
8 Department in the county where the exemption is claimed an
9 affidavit declaring that he is an actual bona fide resident of the State
10 of Nevada ~~[who meets all the other requirements of subsection 1]~~
11 *and a veteran* and that the exemption is claimed in no other county
12 in this State. The affidavit must be made before the county assessor
13 or a notary public. After the filing of the original affidavit, the
14 county assessor shall mail a form for:

15 (a) The renewal of the exemption; and

16 (b) The designation of any amount to be credited to the Gift
17 Account for Veterans' Homes established pursuant to NRS 417.145,
18 ➔ to the person each year following a year in which the exemption
19 was allowed for that person. The form must be designed to facilitate
20 its return by mail by the person claiming the exemption.

21 4. Persons in actual military service are exempt during the
22 period of ~~[such]~~ *that* service from filing annual affidavits of
23 exemption, and the Department shall grant exemptions to those
24 persons on the basis of the original affidavits filed. In the case of
25 any person who has entered the military service without having
26 previously made and filed an affidavit of exemption, the affidavit
27 may be filed in his behalf during the period of ~~[such]~~ *that* service by
28 any person having knowledge of the facts.

29 5. Before allowing any veteran's exemption pursuant to the
30 provisions of this chapter, the Department shall require proof of
31 status of the veteran, and for that purpose shall require ~~[production~~
32 ~~of an honorable discharge or certificate of satisfactory service]~~ *proof*
33 *that the veteran was discharged or released from the Armed*
34 *Forces of the United States under conditions other than*
35 *dishonorable*, or a certified copy thereof, or such other proof of
36 status as may be necessary.

37 6. If any person files a false affidavit or produces false proof to
38 the Department, and as a result of the false affidavit or false proof a
39 tax exemption is allowed to a person not entitled to the exemption,
40 he is guilty of a gross misdemeanor.

41 7. Beginning with the 2005-2006 Fiscal Year, the monetary
42 amounts in subsections 1 and 2 must be adjusted for each fiscal year
43 by adding to each amount the product of the amount multiplied by
44 the percentage increase in the Consumer Price Index (All Items)



1 from December 2003 to the December preceding the fiscal year for
2 which the adjustment is calculated.

3 **Sec. 34.** NRS 371.104 is hereby amended to read as follows:

4 371.104 1. A bona fide resident of the State of Nevada who
5 *is a veteran that* has incurred a permanent service-connected
6 disability ~~[and has been honorably discharged from the Armed~~
7 ~~Forces of the United States.]~~ or his surviving spouse ~~[.]~~ is entitled to
8 a veteran's exemption from the payment of governmental services
9 taxes on vehicles of the following determined valuations:

10 (a) If he has a disability of 100 percent, the first \$20,000 of
11 determined valuation.

12 (b) If he has a disability of 80 to 99 percent, inclusive, the first
13 \$15,000 of determined valuation.

14 (c) If he has a disability of 60 to 79 percent, inclusive, the first
15 \$10,000 of determined valuation.

16 2. For the purpose of this section, the first \$20,000 of
17 determined valuation of vehicles in which an applicant has any
18 interest ~~[.]~~ shall be deemed to belong entirely to that person.

19 3. A person claiming the exemption shall file annually with the
20 Department in the county where the exemption is claimed an
21 affidavit declaring that he is a bona fide resident of the State of
22 Nevada who meets all the other requirements of subsection 1 and
23 that the exemption is claimed in no other county within this State.
24 After the filing of the original affidavit, the county assessor shall
25 mail a form for:

26 (a) The renewal of the exemption; and

27 (b) The designation of any amount to be credited to the Gift
28 Account for Veterans' Homes established pursuant to NRS 417.145,
29 ➔ to the person each year following a year in which the exemption
30 was allowed for that person. The form must be designed to facilitate
31 its return by mail by the person claiming the exemption.

32 4. Before allowing any exemption pursuant to the provisions of
33 this section, the Department shall require proof of the applicant's
34 status, and for that purpose shall require production of:

35 (a) A certificate from the Department of Veterans Affairs that
36 the veteran has incurred a permanent service-connected disability,
37 which shows the percentage of that disability; and

38 (b) ~~[Any one of the following:~~

39 ~~— (1) An honorable discharge;~~

40 ~~— (2) A certificate of satisfactory service; or~~

41 ~~— (3) A certified copy of either of these documents.]~~ *Proof, or*
42 *a certified copy thereof, that the applicant was discharged or*
43 *released from the Armed Forces of the United States under*
44 *conditions other than dishonorable.*



5. A surviving spouse claiming an exemption pursuant to this section must file with the Department in the county where the exemption is claimed an affidavit declaring that:

(a) ~~[The]~~ *He is a* surviving spouse ; ~~[was married to and living with the disabled veteran for the 5 years preceding his death;]~~

(b) The disabled veteran was eligible for the exemption at the time of his death; and

(c) ~~[The surviving spouse has not remarried.]~~ *He is a bona fide resident of the State of Nevada.*

➤ The affidavit required by this subsection is in addition to the certification required pursuant to subsections 3 and 4. After the filing of the original affidavit required by this subsection, the county assessor shall mail a form for renewal of the exemption to the person each year following a year in which the exemption was allowed for that person. The form must be designed to facilitate its return by mail by the person claiming the exemption.

6. If a tax exemption is allowed under this section, the claimant is not entitled to an exemption under NRS 371.103.

7. If any person makes a false affidavit or produces false proof to the Department, and as a result of the false affidavit or false proof the person is allowed a tax exemption to which he is not entitled, he is guilty of a gross misdemeanor.

8. Beginning with the 2005-2006 Fiscal Year, the monetary amounts in subsections 1 and 2 must be adjusted for each fiscal year by adding to each amount the product of the amount multiplied by the percentage increase in the Consumer Price Index (All Items) from December 2003 to the December preceding the fiscal year for which the adjustment is calculated.

9. As used in this section:

(a) *"Service-connected disability" means a disability that was incurred or aggravated in the line of duty in the Armed Forces of the United States.*

(b) *"Surviving spouse" means a person of the opposite sex who:*

(1) Was the spouse of a veteran at the time of the veteran's death;

(2) Lived with the veteran continuously from the date of marriage until the date of the veteran's death, or was legally separated from the veteran because of the misconduct of the veteran, or the legal separation was obtained by the veteran without the fault of the spouse;

(3) Has not remarried; and

(4) Has not since the death of the veteran, and after September 19, 1962, lived with another person and held himself out openly to the public as the spouse of the other person.



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Sec. 35. NRS 412.108 is hereby amended to read as follows:

412.108 1. The person or governmental entity applying for the rental of an armory or space within an armory must execute and deliver a written agreement which must include among its provisions his or its full name and address, the purpose for which its use is desired, the nature and manner of the intended use of the space, a reasonable rental to be paid for that use and the amounts to be paid for heating, lighting, janitorial and other services connected with its use. The terms and provisions of the agreement must be governed by Office regulations issued pursuant to this chapter, which regulations must include provisions designed to prevent unfair competition with privately owned property and business.

2. No agreement for use made pursuant to this section is effective until the agreement or lease has been approved and executed by the officer in charge of the armory or his authorized representative, and has been approved by his military superiors as prescribed by Office regulations issued pursuant to this chapter.

3. No agreement or lease made pursuant to this section may be assigned in whole or in part nor may space be sublet to or used by a person or entity not a party to the agreement, unless each assignment, subletting or use is first approved in writing by the officer in charge of the armory or his authorized representative.

4. All money paid or given, directly or indirectly, for the rental of an armory or to obtain an agreement or permission to use the armory are use fees within the meaning of this section and must be paid to the officer in charge of the armory or his authorized representative. Any person other than the officer in charge of the armory or his authorized representative who receives that money shall immediately pay over the money to the officer in charge of the armory or his authorized representative, who shall immediately forward one-half of the money to the office of the Adjutant General to be placed in an account in the State General Fund entitled the Adjutant General's Special Armory Account, to be used by the Office for necessary repairs and improvements of state armories and construction of new facilities in the manner prescribed by Office regulations. The remainder of the money must be placed in an armory account to be kept by the officer in charge of the armory or his authorized representative, and used for military activities and affairs and to further relations with the community in which the armory is located. These expenditures must be made according to Office regulations and must be approved by a board of three persons appointed by the Adjutant General.

5. When the use of an armory is by a federal, state, county or municipal bureau, agency or department or by any of the Armed Forces of the United States or ~~any of the reserve components~~



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1 ~~thereof, or by~~ any unit of the reserve officers training corps, the
2 Adjutant General may require the execution of a contract or
3 agreement for that use, upon such terms and conditions as he
4 prescribes.

5 **Sec. 36.** NRS 412.236 is hereby amended to read as follows:
6 412.236 "Military" refers to any ~~for all~~ **branch** of the Armed
7 Forces ~~of the United States.~~

8 **Sec. 37.** NRS 412.244 is hereby amended to read as follows:
9 412.244 "Rank" means the order of precedence among
10 members of the Armed Forces ~~of the United States.~~

11 **Sec. 38.** NRS 414.060 is hereby amended to read as follows:
12 414.060 1. The Governor is responsible for carrying out the
13 provisions of this chapter ~~and~~ , in the event of an emergency or
14 disaster beyond local control, may assume direct operational control
15 over all or any part of the functions of emergency management
16 within this State.

17 2. In performing his duties under this chapter, the Governor
18 may cooperate with the Federal Government, with other states and
19 with private agencies in all matters pertaining to emergency
20 management in this State and the nation.

21 3. In performing his duties under this chapter and to effect its
22 policy and purpose, the Governor may:

23 (a) Make, amend and rescind the necessary orders and
24 regulations to carry out the provisions of this chapter within the
25 limits of the authority conferred upon him in this chapter, with due
26 consideration of the plans provided by the Federal Government.

27 (b) Prepare a comprehensive ~~state~~ emergency management
28 plan **for this State** and develop a program for emergency
29 management in this State to be integrated into and coordinated with
30 the plans of the Federal Government and of other states for
31 emergency management to the fullest possible extent, and
32 coordinate the preparation of plans and programs for emergency
33 management by the political subdivisions of this State to be
34 integrated into and coordinated with the plan and program of this
35 State to the fullest possible extent.

36 (c) In accordance with the plan and program for the emergency
37 management in this State, procure supplies and equipment, institute
38 planning, training and exercise programs, carry out public
39 information programs, and take all other preparatory steps,
40 including the partial or full mobilization of organizations for
41 emergency management in advance of an actual emergency or
42 disaster, to ensure the availability of adequately trained and
43 equipped forces in time of need.

44 (d) Make such studies and surveys of industries, resources and
45 facilities in this State as may be necessary to ascertain the



1 capabilities of the State for emergency management and plan for the
2 most efficient use thereof.

3 (e) On behalf of this State, enter into mutual aid agreements
4 with other states and coordinate mutual aid plans between political
5 subdivisions of this State.

6 (f) Delegate any administrative authority vested in him under
7 this chapter, and provide for the subdelegation of any such
8 authority.

9 (g) Cooperate with the President of the United States and the
10 heads of the Armed Forces ~~[]~~ *of the United States*, the agency of
11 the United States for emergency management and other appropriate
12 federal officers and agencies, and with the officers and agencies of
13 other states in matters pertaining to emergency management in the
14 State and nation, including the direction or control of:

15 (1) Mobilizing forces for emergency management and other
16 tests and exercises.

17 (2) Mechanical devices to be used in connection with
18 warnings and signals for emergencies or disasters.

19 (3) The effective screening or extinguishing of all lights and
20 lighting devices and appliances.

21 (4) Coordinating the efforts of all public utilities in
22 terminating and restoring service to the general public during an
23 emergency or disaster.

24 (5) The conduct of the general public and the movement and
25 cessation of movement of pedestrians and vehicular traffic during,
26 before and after exercises or an emergency or disaster.

27 (6) Public meetings or gatherings.

28 (7) The evacuation and reception of the general public during
29 an attack or an emergency or disaster.

30 **Sec. 39.** NRS 417.030 is hereby amended to read as follows:

31 417.030 1. The Executive Director and *the* Deputy Executive
32 Director must be appointed by the Governor.

33 2. Any person to be eligible for appointment as the Executive
34 Director or the Deputy Executive Director must:

35 (a) Be an actual and bona fide resident of the State of Nevada;

36 (b) ~~[Possess an honorable discharge from some]~~ *Have been*
37 *discharged or released from a* branch of the ~~[military and naval~~
38 ~~service]~~ *Armed Forces* of the United States ~~[]~~ *under conditions*
39 *other than dishonorable;* and

40 (c) Have at least 4 years of experience in management or
41 administration.

42 **Sec. 40.** NRS 417.090 is hereby amended to read as follows:

43 417.090 The Executive Director and the Deputy Executive
44 Director shall:



1 1. Assist veterans, ~~[and those presently serving in the military~~
2 ~~and naval forces of the United States who are residents of the State~~
3 ~~of Nevada.]~~ their wives, widows, widowers, husbands, children,
4 dependents, administrators, executors and personal representatives,
5 in preparing, submitting and presenting any claim against the United
6 States, or any state, for adjusted compensation, hospitalization,
7 insurance, pension, disability compensation, vocational training,
8 education or rehabilitation and assist them in obtaining any aid or
9 benefit to which they may, from time to time, be entitled under the
10 laws of the United States or of any of the states.

11 2. Aid, assist, encourage and cooperate with every nationally
12 recognized service organization insofar as the activities of ~~[such]~~
13 ~~those~~ organizations are for the benefit of veterans . ~~[and servicemen~~
14 ~~and women.]~~

15 3. Give aid, assistance and counsel to each ~~[and every]~~
16 problem, question and situation, individual as well as collective,
17 affecting any veteran or ~~[serviceman or woman, or their]~~ *his*
18 dependents, or any group of veterans ~~[or servicemen and women,~~
19 ~~when]~~ , *if* in their opinion such comes within the scope of this
20 chapter.

21 4. Coordinate activities of veterans' organizations.

22 5. Serve as a clearinghouse and disseminate information
23 relating to veterans' benefits.

24 6. Conduct any studies which will assist veterans to obtain
25 compensation, hospitalization, insurance, pension, disability
26 compensation, vocational training, education, rehabilitation or any
27 other benefit to which veterans may be entitled under the laws of the
28 United States or of any state.

29 7. Aid, assist and cooperate with the office of coordinator of
30 services for veterans created in a county pursuant to NRS 244.401.

31 8. Pay to each county that creates the office of coordinator of
32 services for veterans, from state money available to him, a portion
33 of the cost of operating the office in an amount determined by the
34 Executive Director.

35 **Sec. 41.** NRS 417.150 is hereby amended to read as follows:

36 417.150 1. The Nevada Veterans' Services Commission,
37 consisting of nine members, is hereby created.

38 2. The Governor shall appoint:

39 (a) Three members who are representatives of nationally
40 recognized veterans' organizations and who ~~[possess honorable~~
41 ~~discharges from some]~~ *were discharged or released from a* branch
42 of the ~~[military and naval service of]~~ *Armed Forces of* the United
43 States ~~[.]~~ *under conditions other than dishonorable.*

44 (b) Two members who are representatives of the general public.



3. The Chairman of the Advisory Committee for a Veterans' Cemetery in Northern Nevada and the Chairman of the Advisory Committee for a Veterans' Cemetery in Southern Nevada shall each appoint one member from their respective committees to serve as a member of the Commission. Each member so appointed must be a representative of a nationally recognized veterans' organization ~~and possess an honorable discharge from some~~ *who was discharged or released from a* branch of the ~~military and naval service~~ *Armed Forces* of the United States ~~[-]~~ *under conditions other than dishonorable.*

4. The Majority Leader of the Senate shall appoint one member of the Senate to serve as a member of the Commission.

5. The Speaker of the Assembly shall appoint one member of the Assembly to serve as a member of the Commission.

6. The Governor may remove a member of the Commission at any time for failure to perform his duties, malfeasance or other good cause.

7. The term of office of each member is 2 years.

8. If a vacancy occurs in the membership of those members appointed pursuant to paragraph (a) of subsection 2, the Governor shall fill the vacancy from among the names of qualified nominees provided to him in writing by the Executive Director.

Sec. 42. NRS 419.020 is hereby amended to read as follows:

419.020 1. The county recorders of the counties of this State shall procure books containing suitable blanks in which to record certificates of ~~honorable~~ discharge from the ~~military and naval service~~ *Armed Forces* of the United States.

2. The county recorders shall record therein all such certificates as may be presented to them for record, free of any charge therefor, and shall make the customary certificate of such record thereon.

Sec. 43. NRS 427A.485 is hereby amended to read as follows:

427A.485 "Income" means adjusted gross income, as defined in the Internal Revenue Code, and includes:

1. Tax-free interest;
2. The untaxed portion of a pension, individual retirement account or annuity;
3. Railroad retirement benefits;
4. Veterans' pensions and compensation;
5. Payments received pursuant to the federal Social Security Act, including supplemental security income, but excluding hospital and medical insurance benefits for the aged and disabled;
6. Public welfare payments, including allowances for shelter;
7. Unemployment insurance benefits;
8. Payments for lost time;
9. Payments received from disability insurance;



1 10. Disability payments received pursuant to workers'
2 compensation insurance;

3 11. Alimony;

4 12. Support payments;

5 13. Allowances received by dependents of ~~[servicemen;]~~
6 *veterans;*

7 14. The amount of recognized capital gains and losses
8 excluded from adjusted gross income;

9 15. Life insurance proceeds in excess of \$5,000;

10 16. Bequests and inheritances; and

11 17. Gifts of cash of more than \$300 not between household
12 members and such other kinds of cash received by a household as
13 the Division specifies by regulation.

14 **Sec. 44.** NRS 451.420 is hereby amended to read as follows:

15 451.420 1. Notice of death must be given to the Committee
16 in all cases of unclaimed indigent persons.

17 2. If any relative, by blood or marriage, claims the body for
18 burial at the expense of the relative, the body must not be delivered
19 to the Committee, but must be surrendered to the claimant for
20 interment.

21 3. No such body may be delivered to the Committee if any
22 friend of the deceased, any representative of a fraternal society of
23 which the deceased was a member, any representative of a veterans'
24 organization recognized by the Executive Director for Veterans'
25 Services, or any representative of any charitable or religious
26 organization claims the body for burial at its expense.

27 4. If the deceased person was ~~[an honorably discharged~~
28 ~~member of]~~ *discharged or released from* the Armed Forces of the
29 United States or the ~~[State,]~~ *Nevada National Guard under*
30 *conditions other than dishonorable*, the body must not be delivered
31 to the Committee, but must be buried in accordance with the
32 provisions of the existing laws. If a veterans' organization claims
33 the body of a deceased veteran pursuant to subsection 3, the
34 veterans' organization must provide a military funeral.

35 **Sec. 45.** NRS 482.3755 is hereby amended to read as follows:

36 482.3755 1. An owner of a motor vehicle who is a resident of
37 this State and is a member of the Nevada Wing of the Civil Air
38 Patrol may, upon application on a form prescribed and furnished by
39 the Department, signed by the member and his commanding officer
40 and accompanied by proof of membership, be issued license plates
41 upon which is inscribed "CIVIL AIR PATROL" with four
42 consecutive numbers. The fee for the special license plates is \$35, in
43 addition to all other applicable registration and license fees and
44 governmental services taxes. The annual fee for a renewal sticker is
45 \$10.



2. Each member may request two sets of license plates as described in subsection 1. The second set of license plates for an additional vehicle must have a different number than the first set of license plates issued to the same member. The license plates may only be used on private passenger vehicles or noncommercial trucks.

3. Any member of the Nevada Wing of the Civil Air Patrol who retires or is ~~honorably~~ discharged *or released under conditions other than dishonorable* may retain any license plates issued to him pursuant to subsection 1. If a member is dishonorably discharged, he shall surrender any of these special plates in his possession to the Department at least 10 days before his discharge and, in lieu of those plates, is entitled to receive regular Nevada license plates.

Sec. 46. NRS 482.376 is hereby amended to read as follows:

482.376 1. An owner of a motor vehicle who is a resident of this State and is an enlisted or commissioned member of the Nevada National Guard may, upon application on a form prescribed and furnished by the Department, signed by the member and his commanding officer and accompanied by proof of enlistment, be issued license plates upon which is inscribed "NAT'L GUARD" with four consecutive numbers. The applicant shall comply with the laws of this State concerning motor vehicles, including the payment of the regular registration fees, as prescribed by this chapter. There is an additional fee of \$5 for the issuance of those plates.

2. Each member may request two sets of license plates as described in subsection 1. The second set of license plates for an additional vehicle must have a different number than the first set of license plates issued to the same member. The license plates may only be used on private passenger vehicles or noncommercial trucks.

3. Any member of the Nevada National Guard other than the Adjutant General, who retires or is ~~honorably~~ discharged *or released under conditions other than dishonorable* may retain any license plates issued to him pursuant to subsection 1. The Adjutant General shall surrender any license plates issued to him as Adjutant General to the Department when he leaves office, and may then be issued special license plates as described in subsection 1. If a member is dishonorably discharged, he shall surrender any of these special plates in his possession to the Department at least 10 days before his discharge and, in lieu of those plates, is entitled to receive regular Nevada license plates.



Sec. 47. NRS 482.3763 is hereby amended to read as follows:

482.3763 1. The Director shall order the preparation of special license plates in support of veterans' homes, and establish procedures for the application for and issuance of the plates.

2. The Department shall, upon application therefor and payment of the prescribed fees, issue special license plates in support of veterans' homes to:

(a) A veteran of the ~~[Army, Navy, Air Force, Marine Corps or Coast Guard]~~ **Armed Forces** of the United States ~~[, a reserve component thereof]~~ or the National Guard; or

(b) The spouse, parent or child of a person described in paragraph (a).

↳ The plates must be inscribed with the word "VETERAN" and with the seal of the branch of the Armed Forces of the United States or the seal of the National Guard, as applicable, requested by the applicant. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with special license plates in support of veterans' homes if that person pays the fees for the personalized prestige license plates in addition to the fees for the special license plates in support of veterans' homes pursuant to subsection 4.

3. If, during a registration year, the holder of special plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall:

(a) Retain the plates and affix them to another vehicle which meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

4. In addition to all other applicable registration and license fees and governmental services taxes, and to the special fee for veterans' homes, the fee for:

(a) The initial issuance of the special license plates is \$35.

(b) The annual renewal sticker is \$10.

5. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of replacement license plates from the Department for a fee of \$10.

Sec. 48. NRS 482.3765 is hereby amended to read as follows:

482.3765 1. A person who qualifies pursuant to this section may register one passenger car or light commercial vehicle having a manufacturer's rated carrying capacity of 1 ton or less, for his own personal use. A veteran ~~[of the Armed Forces of the United States]~~ who survived the attack on Pearl Harbor on December 7, 1941, is entitled to a specially designed license plate inscribed with the



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1 words "PEARL HARBOR VETERAN" or "PEARL HARBOR
2 SURVIVOR," at the option of the person who qualifies pursuant to
3 this section, and three or four consecutive numbers.

4 2. The Department shall issue a specially designed license plate
5 for persons qualified pursuant to this section who submit an
6 application on a form prescribed by the Department and evidence of
7 their status as a survivor required by the Department.

8 3. If , during a registration year, the holder of a special plate
9 issued pursuant to this section disposes of the vehicle to which the
10 plates are affixed, he shall retain the plates and:

11 (a) Affix them to another vehicle which meets the requirements
12 of this section and report the change to the Department in
13 accordance with the procedure set forth for other transfers; or

14 (b) Within 30 days after removing the plates from the vehicle,
15 return them to the Department.

16 4. The fee for the special license plate is \$25, in addition to all
17 other applicable registration and license fees and governmental
18 services taxes. The annual fee for a renewal sticker is \$5.

19 **Sec. 49.** NRS 482.377 is hereby amended to read as follows:

20 482.377 1. A person who qualifies pursuant to this section
21 may register one passenger car or light commercial vehicle having a
22 manufacturer's rated carrying capacity of ~~one~~ 1 ton or less, for his
23 own personal use. A veteran ~~{of the Armed Forces of the United~~
24 ~~States}~~ who, as a result of his service:

25 (a) Has suffered a 100-percent service-connected disability and
26 who receives compensation from the United States for his disability,
27 is entitled to a specially designed license plate inscribed with the
28 words " DISABLED VETERAN " and three or four consecutive
29 numbers.

30 (b) Has been captured and held prisoner by a military force of a
31 foreign nation, is entitled to a specially designed license plate
32 inscribed with the words " EX-PRISONER OF WAR " and three or
33 four consecutive numbers.

34 2. The Department shall issue a specially designed license plate
35 for persons qualified pursuant to this section who submit an
36 application on a form prescribed by the Department and evidence of
37 disability or former imprisonment required by the Department.

38 3. A vehicle on which license plates issued by the Department
39 pursuant to this section are displayed is exempt from the payment of
40 any parking fees, including those collected through parking meters,
41 charged by the State or any political subdivision or other public
42 body within the State, other than the United States.

43 4. If , during a registration year, the holder of a special plate
44 issued pursuant to this section disposes of the vehicle to which the
45 plates are affixed, he shall retain the plates and:



(a) Affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

5. As used in this section, "service-connected disability" means a disability that was incurred or aggravated in the line of duty in the Armed Forces of the United States.

Sec. 50. NRS 482.3775 is hereby amended to read as follows:

482.3775 1. A person who qualifies pursuant to this section may register one passenger car or light commercial vehicle having a manufacturer's rated carrying capacity of 1 ton or less, for his own personal use. A veteran ~~[of the Armed Forces of the United States]~~ who was awarded the Purple Heart is entitled to a specially designed license plate which indicates that he is a recipient of the Purple Heart.

2. The Department shall issue a specially designed license plate for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence of his status as a recipient of the Purple Heart as required by the Department. The Department may designate any appropriate colors for the special plates.

3. If, during a registration year, the holder of a special plate issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, he shall retain the plates and:

(a) Affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

4. Except as otherwise provided in this subsection, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of special license plates issued pursuant to this section. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of replacement license plates from the Department for a fee of \$5.

Sec. 51. NRS 483.240 is hereby amended to read as follows:

483.240 The following persons are exempt from license under the provisions of NRS 483.010 to 483.630, inclusive:

1. Any person while driving a motor vehicle in the service of the Armed Forces ~~[]~~ **of the United States.**

2. Any person while driving any road machine, farm tractor or implement of husbandry temporarily operated or moved on a highway.



3. A nonresident who is at least 16 years of age and who has in his immediate possession a valid license issued to him in his home state or country may drive a motor vehicle in this State of the type or class he may operate in his home state or country.

4. Any nonresident who is at least 18 years of age, whose home state or country does not require the licensing of drivers, may drive a motor vehicle for a period of not more than 90 days in any calendar year, if the motor vehicle driven is duly registered in the home state or country of such nonresident.

5. A nonresident on active duty in the Armed Forces *of the United States* who has a valid license issued by his home state and such nonresident's spouse or dependent child who has a valid license issued by such state.

6. Any person on active duty in the Armed Forces *of the United States* who has a valid license issued in a foreign country by the Armed Forces *of the United States* may drive a motor vehicle for a period of not more than 45 days from the date of his return to the United States.

Sec. 52. NRS 483.290 is hereby amended to read as follows:

483.290 1. Every application for an instruction permit or for a driver's license must:

(a) Be made upon a form furnished by the Department.

(b) Be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge.

(c) Be accompanied by the required fee.

(d) State the name, date of birth, sex and residence address of the applicant and briefly describe the applicant.

(e) State whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal.

(f) Include such other information as the Department may require to determine the competency and eligibility of the applicant.

2. Except as otherwise provided in subsections 5, 6 and 7, every applicant must furnish proof of his name and age by displaying an original or certified copy of at least one of the following documents:

(a) If the applicant was born in the United States, including, without limitation, the District of Columbia or any territory of the United States:

(1) A birth certificate issued by a state, a political subdivision of a state, the District of Columbia or any territory of the United States;



(2) A driver's license issued by another state, the District of Columbia or any territory of the United States;

(3) A passport issued by the United States Government;

(4) A military identification card or military dependent identification card issued by any branch of the Armed Forces of the United States;

(5) For persons who served in any branch of the Armed Forces of the United States, ~~[a report of separation;]~~ *proof of discharge or release therefrom;*

(6) A Certificate of Degree of Indian Blood issued by the United States Government; or

(7) Such other documentation as specified by the Department by regulation; or

(b) If the applicant was born outside the United States:

(1) A Certificate of Citizenship, Certificate of *United States* Naturalization, Permanent Resident Card or Temporary Resident Card issued by the ~~[Bureau of]~~ *United States* Citizenship and Immigration Services;

(2) A Consular Report of Birth Abroad issued by the Department of State;

(3) A driver's license issued by another state, the District of Columbia or any territory of the United States;

(4) A passport issued by the United States Government; or

(5) Any other proof acceptable to the Department other than a passport issued by a foreign government.

3. At the time of applying for a driver's license, an applicant may, if eligible, register to vote pursuant to NRS 293.524.

4. Every applicant who has been assigned a social security number must furnish proof of his social security number by displaying:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department, including, without limitation, records of employment or federal income tax returns.

5. The Department may refuse to accept a driver's license issued by another state, the District of Columbia or any territory of the United States if the Department determines that the other state, the District of Columbia or the territory of the United States has less stringent standards than the State of Nevada for the issuance of a driver's license.

6. With respect to any document described in paragraph (b) of subsection 2, the Department may:



1 (a) If the document has expired, refuse to accept the document
2 or refuse to issue a driver's license to the person presenting the
3 document, or both; and

4 (b) If the document specifies a date by which the person
5 presenting the document must depart from the United States, issue
6 to the person presenting the document a driver's license that expires
7 on the date on which the person is required to depart from the
8 United States.

9 7. The Director shall adopt regulations setting forth criteria
10 pursuant to which the Department will issue or refuse to issue a
11 driver's license in accordance with this section to a person who is a
12 citizen of a foreign country. The criteria must be based upon the
13 purpose for which that person is present within the United States.

14 8. Notwithstanding any other provision of this section, the
15 Department shall not accept a consular identification card as proof
16 of the age or identity of an applicant for an instruction permit or for
17 a driver's license. As used in this subsection, "consular
18 identification card" has the meaning ascribed to it in NRS 232.006.

19 **Sec. 53.** NRS 483.292 is hereby amended to read as follows:

20 483.292 1. When a person applies to the Department for an
21 instruction permit or driver's license pursuant to NRS 483.290, the
22 Department shall inquire whether the person desires to declare that
23 he is a veteran . ~~[of the Armed Forces of the United States.]~~

24 2. If the person desires to declare pursuant to subsection 1 that
25 he is a veteran ~~[of the Armed Forces of the United States, he shall]~~ ,
26 *he must* provide evidence satisfactory to the Department that he has
27 been ~~[honorably]~~ discharged *or released* from the Armed Forces of
28 the United States ~~[]~~ *under conditions other than dishonorable.*

29 3. If the person declares pursuant to subsection 1 that he is a
30 veteran , ~~[of the Armed Forces of the United States,]~~ the Department
31 shall count the declaration and maintain it only numerically in a
32 record kept by the Department for that purpose.

33 4. The Department shall, at least once each quarter:

34 (a) Compile the aggregate number of persons who have, during
35 the immediately preceding quarter, declared pursuant to subsection
36 1 that they are veterans ; ~~[of the Armed Forces of the United States;]~~
37 and

38 (b) Transmit that number to the Office of Veterans' Services to
39 be used for statistical purposes.

40 **Sec. 54.** NRS 483.380 is hereby amended to read as follows:

41 483.380 1. Except as otherwise provided in NRS 483.247
42 and 483.283, every driver's license expires on the fourth anniversary
43 of the licensee's birthday, measured in the case of an original
44 license, a renewal license and a renewal of an expired license ~~[]~~
45 from the birthday nearest the date of issuance or renewal. Any



1 applicant whose date of birth was on February 29 in a leap year is,
2 for the purposes of NRS 483.010 to 483.630, inclusive, considered
3 to have the anniversary of his birth fall on February 28.

4 2. Every license is renewable at any time before its expiration
5 upon application and payment of the required fee.

6 3. The Department may, by regulation, defer the expiration of
7 the driver's license of a person who is on active duty in the Armed
8 Forces *of the United States* upon such terms and conditions as it
9 may prescribe. The Department may similarly defer the expiration
10 of the license of the spouse or dependent son or daughter of that
11 person if the spouse or child is residing with the person.

12 **Sec. 55.** NRS 483.386 is hereby amended to read as follows:

13 483.386 All persons whose licenses have expired may be
14 required by the Department, whenever good cause appears, to take
15 all or part of the regular examinations as set forth in NRS 483.330.
16 All persons whose licenses have expired for a period of 30 days or
17 more shall pay to the Department the penalty provided in NRS
18 483.410 in addition to the cost of renewing the license except that
19 the following persons are exempt from this penalty:

20 1. A person who has not driven a motor vehicle after the
21 expiration of his Nevada driver's license and who submits an
22 affidavit stating that fact;

23 2. A person renewing an expired Nevada driver's license who
24 possesses a valid driver's license from another jurisdiction;

25 3. A person whose Nevada driver's license expires during a
26 period of suspension if he completes a renewal application within 30
27 days after the date of eligibility for renewal; and

28 4. A person whose Nevada driver's license expires while he is
29 on active duty with any branch of the Armed Forces ~~[]~~ *of the*
30 *United States*, if he completes a renewal application within 30 days
31 after his discharge.

32 **Sec. 56.** NRS 483.852 is hereby amended to read as follows:

33 483.852 1. When a person applies to the Department for an
34 identification card pursuant to NRS 483.850, the Department shall
35 inquire whether the person desires to declare that he is a veteran .
36 ~~[of the Armed Forces of the United States.]~~

37 2. If the person desires to declare pursuant to subsection 1 that
38 he is a veteran ~~[of the Armed Forces of the United States, he shall]~~ ,
39 *he must* provide evidence satisfactory to the Department that he has
40 been ~~[honorably]~~ discharged *or released* from the Armed Forces of
41 the United States ~~[]~~ *under conditions other than dishonorable.*

42 3. If the person declares pursuant to subsection 1 that he is a
43 veteran , ~~[of the Armed Forces of the United States,]~~ the Department
44 shall count the declaration and maintain it only numerically in a
45 record kept by the Department for that purpose.



4. The Department shall, at least once each quarter:

(a) Compile the aggregate number of persons who have, during the immediately preceding quarter, declared pursuant to subsection 1 that they are veterans ; ~~{of the Armed Forces of the United States;}~~ and

(b) Transmit that number to the Office of Veterans' Services to be used for statistical purposes.

Sec. 57. NRS 484.471 is hereby amended to read as follows:

484.471 1. A procession, except a funeral procession, ~~for parade, except the forces~~ *a parade, or a procession of the Armed Forces* of the United States , ~~[Armed Services,]~~ the military forces of this State and the forces of the police and fire departments, must not occupy, march or proceed along any highway except in accordance with the permit issued by the proper public authority.

2. A sound truck or other vehicle equipped with an amplifier or loudspeaker must not be driven upon any highway for the purpose of selling, offering for sale or advertising in any fashion except in accordance with a permit issued by the proper public authority.

3. An oversized or overweight vehicle or equipment must not be driven, occupy or proceed upon any highway except in accordance with a permit issued by the proper public authority.

4. Any person who violates any provision of this section is guilty of a misdemeanor.

Sec. 58. NRS 486.081 is hereby amended to read as follows:

486.081 1. Every application for a motorcycle driver's license must be made upon a form furnished by the Department and must be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge.

2. Every application must:

(a) State the full name, date of birth, sex and residence address of the applicant;

(b) Briefly describe the applicant;

(c) State whether the applicant has previously been licensed as a driver, and, if so, when and by what state or country;

(d) State whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation or refusal; and

(e) Give such other information as the Department requires to determine the competency and eligibility of the applicant.

3. Except as otherwise provided in subsections 5, 6 and 7, every applicant shall furnish proof of his name and age by displaying an original or certified copy of at least one of the following documents:



(a) If he was born in the United States, including, without limitation, the District of Columbia or any territory of the United States:

(1) A birth certificate issued by a state, a political subdivision of a state, the District of Columbia or any territory of the United States;

(2) A driver's license issued by another state, the District of Columbia or any territory of the United States;

(3) A passport issued by the United States Government;

(4) A military identification card or military dependent identification card issued by any branch of the Armed Forces of the United States;

(5) For persons who served in any branch of the Armed Forces of the United States, ~~[a report of separation;]~~ *proof of discharge or release therefrom;*

(6) A Certificate of Degree of Indian Blood issued by the United States Government; or

(7) Such other documentation as specified by the Department by regulation; or

(b) If he was born outside the United States:

(1) A Certificate of Citizenship, Certificate of *United States* Naturalization, Permanent Resident Card or Temporary Resident Card issued by the ~~[Bureau of]~~ *United States* Citizenship and Immigration Services;

(2) A Consular Report of Birth Abroad issued by the Department of State;

(3) A driver's license issued by another state, the District of Columbia or any territory of the United States;

(4) A passport issued by the United States Government; or

(5) Any other proof acceptable to the Department other than a passport issued by a foreign government.

4. Every applicant who has been assigned a social security number must furnish proof of his social security number by displaying:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department, including, without limitation, records of employment or federal income tax returns.

5. The Department may refuse to accept a driver's license issued by another state, the District of Columbia or any territory of the United States if the Department determines that the other state, the District of Columbia or the territory of the United States has less stringent standards than the State of Nevada for the issuance of a driver's license.



6. With respect to any document described in paragraph (b) of subsection 3, the Department may:

(a) If the document has expired, refuse to accept the document or refuse to issue a driver's license to the person presenting the document, or both; and

(b) If the document specifies a date by which the person presenting the document must depart from the United States, issue to the person presenting the document a driver's license that expires on the date on which the person is required to depart from the United States.

7. The Director shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a driver's license in accordance with this section to a person who is a citizen of a foreign country. The criteria must be based upon the purpose for which that person is present within the United States.

8. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for a motorcycle driver's license. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006.

Sec. 59. NRS 502.072 is hereby amended to read as follows:

502.072 **1.** The Department shall issue without charge any license authorized under the provisions of this chapter, upon satisfactory proof of the requisite facts to any bona fide resident of the State of Nevada who *is a veteran that* has incurred a service-connected disability which is considered to be 50 percent or more by the Department of Veterans Affairs . ~~{and has received upon severance from service an honorable discharge or certificate of satisfactory service from the Armed Forces of the United States.}~~

2. *As used in this section, "service-connected disability" means a disability that was incurred or aggravated in the line of duty in the Armed Forces of the United States.*

Sec. 60. NRS 574.280 is hereby amended to read as follows:

574.280 "Kennel" means a place where at least 10 dogs of not less than 6 months of age are kept, harbored or maintained for:

1. Boarding;
2. Training; or
3. Breeding for sale to a retailer or dealer.

↪ For the purposes of this section, spayed or neutered dogs, dogs used by or being trained for use by the Armed Forces ~~{}~~ *of the United States*, police officers, search and rescue teams or other similar organizations, dogs used in farming or ranching, and dogs used by or being trained for use by handicapped persons, including, but not limited to, dogs used to assist persons in wheelchairs, must



1 not be counted when determining the number of dogs that are being
2 kept, harbored or maintained.

3 **Sec. 61.** NRS 604A.420 is hereby amended to read as follows:

4 604A.420 1. If a customer is called to active duty in the
5 military, a licensee shall:

6 (a) Defer for the duration of the active duty all collection
7 activity against the customer and his property, including, without
8 limitation, any community property in which the customer has an
9 interest; and

10 (b) Honor the terms of any repayment plan between the licensee
11 and customer, including, without limitation, any repayment plan
12 negotiated through military counselors or third-party credit
13 counselors.

14 2. When collecting any defaulted loan, a licensee shall not:

15 (a) Garnish or threaten to garnish any wages or salary paid to a
16 customer for active service in the military; or

17 (b) Contact or threaten to contact the military chain of command
18 of a customer in an effort to collect the defaulted loan.

19 3. As used in this section, "military" means the Armed Forces
20 of the United States ~~[, a reserve component thereof]~~ or the National
21 Guard.

22 **Sec. 62.** NRS 612.377 is hereby amended to read as follows:

23 612.377 As used in NRS 612.377 to 612.3786, inclusive,
24 unless the context clearly requires otherwise:

25 1. "Extended benefit period" means a period which begins with
26 the third week after a week for which there is a Nevada "on"
27 indicator and ends with the third week after the first week for which
28 there is a Nevada "off" indicator or the 13th consecutive week after
29 it began, except that no extended benefit period may begin by
30 reason of a Nevada "on" indicator before the 14th week following
31 the end of a prior extended benefit period which was in effect for
32 Nevada.

33 2. There is a "Nevada 'on' indicator" for a week if the
34 Administrator determines, in accordance with the regulations of the
35 Secretary of Labor, that for the period consisting of that week and
36 the immediately preceding 12 weeks, the rate of insured
37 unemployment in Nevada, ~~⊕~~ not seasonally adjusted, ~~⊕~~ under
38 NRS 612.377 to 612.3786, inclusive:

39 (a) Equaled or exceeded 120 percent of the average of those
40 rates for the corresponding 13-week period ending in each of the
41 preceding 2 calendar years and equaled or exceeded 5 percent; or

42 (b) Equaled or exceeded 6 percent.

43 3. There is a "Nevada 'off' indicator" for a week if the
44 Administrator determines, in accordance with the regulations of the
45 Secretary of Labor, that for the period consisting of that week and



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1 the immediately preceding 12 weeks, the rate of insured
2 unemployment in Nevada, ~~and~~ not seasonally adjusted : ~~and~~

3 (a) Was less than 120 percent of the average of those rates for
4 the corresponding 13-week period ending in each of the preceding 2
5 calendar years; or

6 (b) Was less than 5 percent.

7 4. "Rate of insured unemployment," for purposes of
8 subsections 2 and 3, means the percentage derived by dividing the
9 average weekly number of persons filing claims in this State for the
10 weeks of unemployment for the most recent period of 13
11 consecutive weeks, as determined by the Administrator on the basis
12 of his reports to the Secretary of Labor using the average monthly
13 employment covered under this chapter as determined by the
14 Administrator and recorded in the records of the Division for the
15 first four of the most recent six completed calendar quarters ending
16 before the end of the 13-week period.

17 5. "Regular benefits" means benefits payable to a person under
18 this chapter or under any other state law , ~~and~~ including benefits
19 payable to federal civilian employees and to ~~ex-servicemen~~
20 *veterans* pursuant to 5 U.S.C. §§ 8501 et seq. , ~~and~~ other than
21 extended benefits.

22 6. "Extended benefits" means benefits , ~~and~~ including benefits
23 payable to federal civilian employees and to ~~ex-servicemen~~
24 *veterans* pursuant to 5 U.S.C. §§ 8501 et seq. , ~~and~~ payable to a
25 person under the provisions of NRS 612.377 to 612.3786, inclusive,
26 for the weeks of unemployment in his eligibility period.

27 7. "Additional benefits" means benefits payable to exhaustees
28 by reason of conditions of high unemployment or by reason of other
29 special factors under the provisions of any state law. Any person
30 who is entitled to both additional and extended benefits for the same
31 week must be given the choice of electing which type of benefit to
32 claim regardless of whether his rights to additional and extended
33 benefits arise under the law of the same state or different states.

34 8. "Eligibility period" of a person means the period consisting
35 of the weeks in his benefit year under this chapter which begin in an
36 extended benefit period and, if his benefit year ends within the
37 extended benefit period, any weeks thereafter which begin in that
38 period.

39 9. "Exhaustee" means a person who, with respect to any week
40 of unemployment in his eligibility period:

41 (a) Has received, before that week, all of the regular, seasonal or
42 nonseasonal benefits that were available to him under this chapter or
43 any other state law , ~~and~~ including augmented weekly benefits for
44 dependents and benefits payable to federal civilian employees and
45 ~~ex-servicemen~~ *veterans* under 5 U.S.C. §§ 8501 et seq. , ~~and~~ in his



1 current benefit year which includes that week, except that, for the
2 purposes of this paragraph, a person shall be deemed to have
3 received all of the regular benefits that were available to him,
4 although as a result of a pending appeal with respect to wages that
5 were not considered in the original monetary determination in his
6 benefit year, he may subsequently be determined to be entitled to
7 added regular benefits; or

8 (b) His benefit year having expired before that week, has no, or
9 insufficient, wages on the basis of which he could establish a new
10 benefit year which would include that week,

11 ➤ and has no right to unemployment benefits or allowances, as the
12 case may be, under the Railroad Unemployment Insurance Act, 45
13 U.S.C. §§ 351 et seq., the Trade Expansion Act of 1962, 19 U.S.C.
14 §§ 1801 et seq., the Automotive Products Trade Act of 1965, 19
15 U.S.C. §§ 2001 et seq., and such other federal laws as are specified
16 in regulations issued by the Secretary of Labor, and has not received
17 and is not seeking unemployment benefits under the unemployment
18 compensation law of Canada. If he is seeking such benefits and the
19 appropriate agency finally determines that he is not entitled to
20 benefits under that law, he is considered an exhaustee.

21 10. "State law" means the unemployment insurance law of any
22 state, approved by the Secretary of Labor under Section 3304 of the
23 Internal Revenue Code of 1954.

24 **Sec. 63.** NRS 630.047 is hereby amended to read as follows:

25 630.047 1. This chapter does not apply to:

26 (a) A medical officer or practitioner of respiratory care of the
27 Armed ~~[Services]~~ *Forces of the United States* or a medical officer
28 or practitioner of respiratory care of any division or department of
29 the United States in the discharge of his official duties;

30 (b) Physicians who are called into this State, other than on a
31 regular basis, for consultation with or assistance to a physician
32 licensed in this State, and who are legally qualified to practice in the
33 state where they reside;

34 (c) Physicians who are legally qualified to practice in the state
35 where they reside and come into this State on an irregular basis to:

36 (1) Obtain medical training approved by the Board from a
37 physician who is licensed in this State; or

38 (2) Provide medical instruction or training approved by the
39 Board to physicians licensed in this State;

40 (d) Any person permitted to practice any other healing art under
41 this title who does so within the scope of that authority, or healing
42 by faith or Christian Science;

43 (e) The practice of respiratory care by a student as part of a
44 program of study in respiratory care that is approved by the Board,
45 or is recognized by a national organization which is approved by the



1 Board to review such programs, if the student is enrolled in the
2 program and provides respiratory care only under the supervision of
3 a practitioner of respiratory care;

4 (f) The practice of respiratory care by a student who:

5 (1) Is enrolled in a clinical program of study in respiratory
6 care which has been approved by the Board;

7 (2) Is employed by a medical facility, as defined in NRS
8 449.0151; and

9 (3) Provides respiratory care to patients who are not in a
10 critical medical condition or, in an emergency, to patients who are in
11 a critical medical condition and a practitioner of respiratory care is
12 not immediately available to provide that care and the student is
13 directed by a physician to provide respiratory care under his
14 supervision until a practitioner of respiratory care is available;

15 (g) The practice of respiratory care by a person on himself or
16 gratuitous respiratory care provided to a friend or a member of a
17 person's family if the provider of the care does not represent himself
18 as a practitioner of respiratory care;

19 (h) A cardiopulmonary perfusionist who is under the supervision
20 of a surgeon or an anesthesiologist;

21 (i) A person who is employed by a physician and provides
22 respiratory care under the supervision of that physician;

23 (j) The maintenance of medical equipment for respiratory care
24 that is not attached to a patient; and

25 (k) A person who installs medical equipment for respiratory care
26 that is used in the home and gives instructions regarding the use of
27 that equipment if the person is trained to provide ~~[such]~~ *those*
28 services and is supervised by a provider of health care who is acting
29 within the authorized scope of his practice.

30 2. This chapter does not repeal or affect any statute of Nevada
31 regulating or affecting any other healing art.

32 3. This chapter does not prohibit:

33 (a) Gratuitous services outside of a medical school or medical
34 facility by a person who is not a physician, physician assistant or
35 practitioner of respiratory care in cases of emergency.

36 (b) The domestic administration of family remedies.

37 **Sec. 64.** NRS 630.301 is hereby amended to read as follows:

38 630.301 The following acts, among others, constitute grounds
39 for initiating disciplinary action or denying licensure:

40 1. Conviction of a felony relating to the practice of medicine or
41 the ability to practice medicine. A plea of nolo contendere is a
42 conviction for the purposes of this subsection.

43 2. Conviction of violating any of the provisions of NRS
44 616D.200, 616D.220, 616D.240, 616D.300, 616D.310, or 616D.350
45 to 616D.440, inclusive.



3. The revocation, suspension, modification or limitation of the license to practice any type of medicine by any other jurisdiction or the surrender of the license or discontinuing the practice of medicine while under investigation by any licensing authority, a medical facility, a branch of the Armed ~~Services~~ **Forces** of the United States, an insurance company, an agency of the Federal Government or an employer.

4. Malpractice, which may be evidenced by claims settled against a practitioner, but only if ~~such~~ **the** malpractice is established by a preponderance of the evidence.

5. The engaging by a practitioner in any sexual activity with a patient who is currently being treated by the practitioner.

6. Disruptive behavior with physicians, hospital personnel, patients, members of the families of patients or any other persons if the behavior interferes with patient care or has an adverse impact on the quality of care rendered to a patient.

7. The engaging in conduct that violates the trust of a patient and exploits the relationship between the physician and the patient for financial or other personal gain.

8. The failure to offer appropriate procedures or studies, to protest inappropriate denials by organizations for managed care, to provide necessary services or to refer a patient to an appropriate provider, when such a failure occurs with the intent of positively influencing the financial well-being of the practitioner or an insurer.

9. The engaging in conduct that brings the medical profession into disrepute, including, without limitation, conduct that violates any provision of a code of ethics adopted by the Board by regulation based on a national code of ethics.

10. The engaging in sexual contact with the surrogate of a patient or other key persons related to a patient, including, without limitation, a spouse, parent or legal guardian, which exploits the relationship between the physician and the patient in a sexual manner.

11. Conviction of:

(a) Murder, voluntary manslaughter or mayhem;

(b) Any felony involving the use of a firearm or other deadly weapon;

(c) Assault with intent to kill or to commit sexual assault or mayhem;

(d) Sexual assault, statutory sexual seduction, incest, lewdness, indecent exposure or any other sexually related crime;

(e) Abuse or neglect of a child or contributory delinquency;

(f) A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS; or



(g) Any offense involving moral turpitude.

Sec. 65. NRS 630A.090 is hereby amended to read as follows:

630A.090 1. Except as otherwise provided in NRS 630A.800 to 630A.910, inclusive, this chapter does not apply to:

(a) The practice of dentistry, chiropractic, Oriental medicine, podiatry, optometry, respiratory care, faith or Christian Science healing, nursing, veterinary medicine or fitting hearing aids.

(b) A medical officer of the Armed ~~[Services]~~ *Forces of the United States* or a medical officer of any division or department of the United States in the discharge of his official duties.

(c) Licensed or certified nurses in the discharge of their duties as nurses.

(d) Homeopathic physicians who are called into this State, other than on a regular basis, for consultation or assistance to any physician licensed in this State, and who are legally qualified to practice in the state or country where they reside.

2. This chapter does not repeal or affect any statute of Nevada regulating or affecting any other healing art.

3. This chapter does not prohibit:

(a) Gratuitous services of a person in case of emergency.

(b) The domestic administration of family remedies.

4. This chapter does not authorize a homeopathic physician to practice medicine, including allopathic medicine, except as otherwise provided in NRS 630A.040.

Sec. 66. NRS 633.171 is hereby amended to read as follows:

633.171 1. This chapter does not apply to:

(a) The practice of medicine pursuant to chapter 630 of NRS, dentistry, chiropractic, podiatry, optometry, respiratory care, faith or Christian Science healing, nursing, veterinary medicine or fitting hearing aids.

(b) A medical officer of the Armed ~~[Services]~~ *Forces of the United States* or a medical officer of any division or department of the United States in the discharge of his official duties.

(c) Osteopathic physicians who are called into this State, other than on a regular basis, for consultation or assistance to a physician licensed in this State, and who are legally qualified to practice in the state where they reside.

2. This chapter does not repeal or affect any law of this State regulating or affecting any other healing art.

3. This chapter does not prohibit:

(a) Gratuitous services of a person in cases of emergency.

(b) The domestic administration of family remedies.

Sec. 67. NRS 645.600 is hereby amended to read as follows:

645.600 1. Any licensee under the provisions of this chapter who ~~[shall be]~~ *is* called into the military service of the United States



1 ~~{shall,}~~ **must**, at his request, be relieved from compliance with the
2 provisions of this chapter and placed on inactive status for the
3 period of ~~{such}~~ **that** military service and for a period of 6 months
4 after discharge therefrom.

5 2. At any time within 6 months after termination of ~~{such}~~
6 service, providing the provisions of subsection 1 are complied with,
7 the licensee may be reinstated, without examination, to active status
8 in the appropriate classification which the licensee left upon entry
9 into the military service, without having to meet any qualification or
10 requirement other than the payment of the reinstatement fee, as
11 provided in NRS 645.830, and the licensee ~~{shall not be}~~ **is not**
12 required to make payment of the license fee for the current year.

13 3. Any licensee seeking to qualify for reinstatement, as
14 provided in subsections 1 and 2, shall present ~~{a certified copy of his~~
15 ~~honorable discharge or certificate of satisfactory service}~~ to the Real
16 Estate Division ~~{ }~~ **proof, or a certified copy thereof, that the**
17 **licensee was discharged or released from the Armed Forces of the**
18 **United States under conditions other than dishonorable.**

19 **Sec. 68.** NRS 645B.490 is hereby amended to read as follows:

20 645B.490 1. Any mortgage broker or mortgage agent
21 licensed under the provisions of this chapter who is called into the
22 military service of the United States ~~{shall,}~~ **must**, at his request, be
23 relieved from compliance with the provisions of this chapter and
24 placed on inactive status for the period of ~~{such}~~ **that** military
25 service and for a period of 6 months after discharge therefrom.

26 2. At any time within 6 months after termination of ~~{such}~~ **that**
27 service, if the mortgage broker or mortgage agent complies with the
28 provisions of subsection 1, the mortgage broker or mortgage agent
29 may be reinstated, without having to meet any qualification or
30 requirement other than the payment of the reinstatement fee, as
31 provided in NRS 645B.050 or 645B.430, and the mortgage broker
32 or mortgage agent is not required to make payment of the renewal
33 fee for the current year.

34 3. Any mortgage broker or mortgage agent seeking to qualify
35 for reinstatement, as provided in subsections 1 and 2, must present
36 ~~{a certified copy of his honorable discharge or certificate of~~
37 ~~satisfactory service}~~ to the Commissioner ~~{ }~~ **proof, or a certified**
38 **copy thereof, that he was discharged or released from the Armed**
39 **Forces of the United States under conditions other than**
40 **dishonorable.**

41 **Sec. 69.** NRS 697.177 is hereby amended to read as follows:

42 697.177 1. Except as otherwise provided in this section, an
43 applicant for a license as a bail enforcement agent must
44 satisfactorily complete a basic course of training for bail
45 enforcement agents that is approved by the Commissioner.



2. The basic course of training must consist of at least 80 hours of training which includes instruction in:

(a) The following areas of the law:

(1) Constitutional law;

(2) Procedures for arresting defendants and surrendering defendants into custody;

(3) Civil liability;

(4) The civil rights of persons who are detained in custody;

(5) The use of force; and

(6) The history and principles of bail;

(b) Procedures for field operations, including, without limitation:

(1) Safety and survival techniques;

(2) Searching buildings;

(3) Handling persons who are mentally ill or under the influence of alcohol or a controlled substance; and

(4) The care and custody of prisoners;

(c) The skills required of bail enforcement agents, including, without limitation:

(1) Writing reports, completing forms and procedures for exoneration;

(2) Methods of arrest;

(3) Nonlethal weapons;

(4) The retention of weapons;

(5) Qualifications for the use of firearms; and

(6) Defensive tactics;

(d) Principles of investigation, including, without limitation:

(1) The basic principles of locating defendants who have not complied with the terms and conditions established by a court for their release from custody or the terms and conditions of a contract entered into with a surety; and

(2) Ethics; and

(e) The following subjects:

(1) Demeanor in a courtroom;

(2) First aid used in emergencies; and

(3) Cardiopulmonary resuscitation.

➔ An applicant may complete the 80 hours of training required by this subsection by completing 16 hours of training each weekend for 5 weeks.

3. In lieu of completing the basic course of training required by subsection 1, an applicant may submit proof to the Commissioner that he has completed a course of training required by a municipal, state or federal law enforcement agency or a branch of the Armed Forces *of the United States* to carry out the duties of a peace officer.



- 1 4. An applicant for a license as a bail enforcement agent must
2 complete the training required by this section within 9 months after
3 the date he is employed by a bail agent as a bail enforcement agent.
4 The Commissioner shall issue a temporary license to an applicant
5 who has not completed the training if he is otherwise qualified to be
6 issued a license as a bail enforcement agent. The temporary license:
7 (a) Authorizes the person to whom it is issued to act as a bail
8 enforcement agent while employed by a licensed bail agent.
9 (b) Is valid for 9 months or until the person to whom it is issued
10 completes the training required by this section, whichever occurs
11 first.
12 (c) May not be renewed.
13 **Sec. 70.** NRS 315.300 is hereby repealed.

TEXT OF REPEALED SECTION

315.300 "Veteran" and "serviceman" defined. "Veteran" or "serviceman" means a person who has served in the Armed Forces of the United States at any time:

1. On or after April 6, 1917, and prior to November 11, 1918;
 2. On or after September 16, 1940, and prior to July 26, 1947;
 3. On or after June 27, 1950, and prior to January 31, 1955;
- and
4. On or after August 5, 1964, and prior to such date thereafter as shall be determined by Presidential proclamation or concurrent resolution of the Congress as the end of the Vietnam era,
➔ and, in the case of a veteran, has been discharged or released therefrom under conditions other than dishonorable, or in the case of a serviceman, is presently in the Armed Forces of the United States.

