

SENATE BILL NO. 198—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE ADVISORY GROUP TO CONDUCT INTERIM
STUDY ON LEASE-PURCHASE AND INSTALLMENT-PURCHASE
AGREEMENTS BY PUBLIC ENTITIES)

MARCH 1, 2007

Referred to Committee on Government Affairs

SUMMARY—Authorizes various governmental entities to enter
into lease-purchase agreements. (BDR 31-231)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to lease-purchase agreements; amending the
Charter of the City of Las Vegas to authorize the City
Council to enter into lease and lease-purchase agreements
for the construction or remodeling of a building or
facility; removing restrictions on the ability of the Nevada
System of Higher Education to enter into lease-purchase
agreements; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

Section 2 of this bill authorizes the City Council of the City of Las Vegas to
enter into a lease or a lease-purchase agreement for the construction or remodeling
of a building or facility.

Existing law defines the term “state agency” for purposes of authorizing state
agencies to enter into installment-purchase and lease-purchase agreements. (NRS
353.540) Effective through June 30, 2007, the definition of “state agency” includes
the Nevada System of Higher Education, but only if it is anticipated that payments
under any such agreement will be made with state appropriations. (NRS 353.540)

Sections 1, 3 and 4 of this bill eliminate the expiration date so that the Nevada
System of Higher Education will be included in the definition of “state agency”
after June 30, 2007, and eliminate other restrictions so that the Nevada System of
Higher Education will be treated the same as other state agencies for the purposes
of installment-purchase and lease-purchase agreements.



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

Section 1. NRS 353.540 is hereby amended to read as follows:
353.540 "State agency" means an agency, bureau, board, commission, department, division or any other unit of the government of this State that is required to submit information to the Chief pursuant to subsection 1 or 6 of NRS 353.210. ~~["State agency" does not include]~~ *The term includes* the Nevada System of Higher Education . ~~[unless it is anticipated that payments under the agreement will be made with state appropriations.]~~

Sec. 2. The Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, at page 1391, is hereby amended by adding thereto a new section to be designated as section 2.145, immediately following section 2.140, to read as follows:

Sec. 2.145 Powers of City Council: Lease or lease-purchase agreement for construction or remodeling of building or facility; conveyance of property; applicability of certain provisions to agreement for construction or remodeling of building or facility.

1. The City Council may enter into an agreement with a person whereby the person agrees to construct or remodel a building or facility according to specifications adopted by the City Council and thereupon enter into a lease or a lease-purchase agreement with the City Council for that building or facility.

2. The City Council may convey property to a person where the purpose of the conveyance is the entering into of an agreement contemplated by subsection 1.

3. The provisions of NRS 338.010 to 338.090, inclusive, apply to any agreement for the construction or remodeling of a building or facility entered into pursuant to subsection 1.

Sec. 3. Section 32 of chapter 508, Statutes of Nevada 2005, at page 2906, is hereby amended to read as follows:

Sec. 32. 1. This act becomes effective on July 1, 2005.

~~2. [Section 28 of this act expires by limitation on June 30, 2007.]~~

~~—3.]~~ Sections 5 and 6 of this act expire by limitation on May 1, 2013.

Sec. 4. Section 30 of chapter 508, Statutes of Nevada 2005, at page 2905, is hereby repealed.

Sec. 5. This act becomes effective on June 30, 2007.



TEXT OF REPEALED SECTION

Section 30 of chapter 508, Statutes of Nevada 2005:

Sec. 30. 1. During Fiscal Year 2005-2006 and Fiscal Year 2006-2007, the Nevada System of Higher Education may not enter into more than three agreements pursuant to NRS 353.500 to 353.630, inclusive, as amended by this act, with respect to which it is anticipated that payments under the agreement will be made with state appropriations.

2. The Nevada System of Higher Education shall include with a proposed agreement submitted for approval pursuant to NRS 353.550 an analysis of the fiscal impact of the proposed agreement, including, without limitation, the sources of funding for the ongoing costs relating to the agreement and a method to obtain appropriations to pay for the agreement.

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