

Amendment No. 555

Senate Amendment to Senate Bill No. 198 (BDR 31-231)

Proposed by: Senate Committee on Government Affairs**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold*** is newly added transitory language.

HAC/EGO



Date: 4/18/2007

S.B. No. 198—Authorizes various governmental entities to enter into lease-purchase agreements. (BDR 31-231)



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.~~ **Revises provisions relating to certain public contracts.** (BDR ~~134~~ S-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;~~ **governmental administration;** 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~~ **revising provisions governing installment-purchase and lease-purchase agreements by** 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~~ **the requirements for** installment-purchase and lease-purchase agreements ~~by the State.~~ (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 3 and 4** of this bill eliminate the expiration date so that the Nevada System of Higher Education ~~will~~ **continues to** 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.~~ **, for purposes of installment-purchase and lease-purchase agreements paid with state appropriations.**

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.] (Deleted by amendment.)~~

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.