

ASSEMBLY BILL NO. 145—ASSEMBLYMEN HAMBRICK; CARPENTER,
COBB, GUSTAVSON, MORTENSON, OHRENSCHALL AND SEGERBLOM

FEBRUARY 9, 2009

Referred to Committee on Education

SUMMARY—Requires school districts to grant the use of certain athletic fields to nonprofit organizations which provide programs for youth sports. (BDR 34-815)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 school property; requiring boards of trustees of school districts to grant the use of certain athletic fields without charge to nonprofit organizations which provide programs for youth sports; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the board of trustees of a school district is authorized to grant the use of school buildings and grounds by the general public for certain purposes. (NRS 393.071-393.0719) In addition, the board of trustees is authorized to grant without charge the use of school libraries to the general public during times that are not regular school hours. (NRS 393.07105, 393.0714)

Section 1 of this bill requires the board of trustees of a school district, upon request, to grant without charge the use of any athletic field that does not contain lights at an elementary, middle school or junior high school within the school district to a nonprofit organization which provides programs for youth sports, subject to the availability of the athletic field. **Sections 2-4** of this bill revise the existing provisions governing the use of school buildings and grounds to include the use of an athletic field by a nonprofit organization pursuant to **section 1**.



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

Section 1. Chapter 393 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The board of trustees of a school district shall, upon request, grant the use without charge of any athletic field which does not contain lights at each elementary school, middle school or junior high school within the school district to a nonprofit organization which provides programs for youth sports, including, without limitation, baseball, football, soccer and softball, during any time that is not regular school hours or that school-related activities do not require the use of the field, subject to the limitations, requirements and restrictions set forth in NRS 393.071 to 393.0719, inclusive.

2. A nonprofit organization which provides programs for youth sports that is granted the use of an athletic field pursuant to subsection 1 must comply with any requirements of insurance coverage required by the board of trustees of the school district.

Sec. 2. NRS 393.071 is hereby amended to read as follows:

393.071 ~~[The]~~ *Except as otherwise required by section 1 of this act, the* board of trustees of any school district may grant the use of school buildings or grounds for public, literary, scientific, recreational or educational meetings, or for the discussion of matters of general or public interest upon such terms and conditions as the board deems proper, subject to the limitations, requirements and restrictions set forth in NRS 393.071 to 393.0719, inclusive.

Sec. 3. NRS 393.0713 is hereby amended to read as follows:

393.0713 1. Except as otherwise provided in subsection 2, the privilege of using the buildings or grounds must not be granted for a period exceeding 1 year. The privilege is renewable and revocable in the discretion of the board of trustees at any time.

2. The time limitation set forth in subsection 1 does not apply to the use of a school library pursuant to NRS 393.07105 ~~[or the use of an athletic field by a nonprofit organization pursuant to section 1 of this act]~~.

Sec. 4. NRS 393.0719 is hereby amended to read as follows:

393.0719 1. Lighting, heating, janitorial service and the services of the person referred to in NRS 393.0718, when needed, and other necessary expenses, in connection with the use of public school buildings and grounds pursuant to NRS 393.071 to 393.0719, inclusive, *and section 1 of this act* must be provided for out of school district funds of the respective school districts in the same manner as similar services are provided for, and except as otherwise provided in subsection 2, subject to reimbursement by the user in



1 accordance with such policies and regulations as the board of
2 trustees may adopt.

3 2. The board of trustees of a school district may not request
4 reimbursement for the costs and expenses associated with the use of
5 ~~it~~ :

6 (a) A school library by the general public pursuant to NRS
7 393.07105 ~~it~~ ; or

8 (b) *An athletic field by a nonprofit organization which*
9 *provides programs for youth sports pursuant to section 1 of this*
10 *act, except for any costs associated with the insurance required by*
11 *that section.*

12 **Sec. 5.** This act becomes effective on July 1, 2009.

