

Amendment No. 151

Assembly Amendment to Assembly Bill No. 145	(BDR 34-815)
Proposed by: Assembly Committee on Education	
Amends: Summary: No 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 dashed underlining* is newly added transitory language.

CLP/KCR



Date: 4/1/2009

A.B. No. 145—Requires school districts to grant the use of certain athletic fields to nonprofit organizations which provide programs for youth sports. (BDR 34-815)



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 4.)~~ ***The provisions of section 1 do not apply if a school district has entered into an agreement with a local government to provide the use of the athletic fields or playgrounds of the school district to a community organization which provides programs for youth sports.***

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~~ Except as otherwise provided in subsection 3, 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

1 school or junior high school within the school district to a nonprofit organization
2 which provides programs for youth sports, including, without limitation, baseball,
3 football, soccer and softball, during any time that ~~that~~ ;

4 (a) Is not regular school hours ~~for that school-related~~ ; or

5 (b) School-related activities do not require the use of the field,
6 ↪ subject to the limitations, requirements and restrictions set forth in this section
7 and NRS 393.071 to 393.0719, inclusive.

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

12 3. If the board of trustees of a school district has entered into an agreement
13 with one or more local governments to provide the use of the athletic fields or
14 playgrounds of the school district to a community organization which provides
15 programs for youth sports, the board of trustees of the school district is not
16 required to comply with the provisions of subsection 1.

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

18 393.071 ~~{The}~~ Except as otherwise required by section 1 of this act, the
19 board of trustees of any school district may grant the use of school buildings or
20 grounds for public, literary, scientific, recreational or educational meetings, or for
21 the discussion of matters of general or public interest upon such terms and
22 conditions as the board deems proper, subject to the limitations, requirements and
23 restrictions set forth in NRS 393.071 to 393.0719, inclusive ~~{,}~~ and section 1 of
24 this act.

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

26 ~~— 393.0713 1. Except as otherwise provided in subsection 2, the privilege of~~
27 ~~using the buildings or grounds must not be granted for a period exceeding 1 year.~~
28 ~~The privilege is renewable and revocable in the discretion of the board of trustees at~~
29 ~~any time.~~

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

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

35 ~~— 393.0719 1. Lighting, heating, janitorial service and the services of the~~
36 ~~person referred to in NRS 393.0718, when needed, and other necessary expenses, in~~
37 ~~connection with the use of public school buildings and grounds pursuant to NRS~~
38 ~~393.071 to 393.0719, inclusive, and section 1 of this act must be provided for out~~
39 ~~of school district funds of the respective school districts in the same manner as~~
40 ~~similar services are provided for, and except as otherwise provided in subsection 2,~~
41 ~~subject to reimbursement by the user in accordance with such policies and~~
42 ~~regulations as the board of trustees may adopt.~~

43 ~~— 2. The board of trustees of a school district may not request reimbursement~~
44 ~~for the costs and expenses associated with the use of [a]~~

45 ~~— (a) A school library by the general public pursuant to NRS 393.07105 [.] ; or~~

46 ~~— (b) An athletic field by a nonprofit organization which provides programs for~~
47 ~~youth sports pursuant to section 1 of this act, except for any costs associated with~~
48 ~~the insurance required by that section. (Deleted by amendment.)~~

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