

## Amendment No. 913

Senate Amendment to Assembly Bill No. 218

(BDR 41-603)

**Proposed by:** Senators Care, Amodei, Copening, Schneider and Washington**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date		SENATE ACTION				Initial and Date	
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	

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.

BFG/BAW



Date: 5/21/2009

A.B. No. 218—Authorizes the Nevada Gaming Commission to prescribe the manner of regulating governmental entities that are involved in gaming. (BDR 41-603)



## ASSEMBLY BILL NO. 218—COMMITTEE ON JUDICIARY

FEBRUARY 27, 2009

Referred to Committee on Judiciary

SUMMARY—~~[Authorizes the Nevada Gaming Commission to prescribe the manner of regulating governmental entities that are involved in]~~  
Makes various changes relating to gaming. (BDR 41-603)

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 gaming; authorizing the Nevada Gaming Commission to prescribe the manner of regulating governmental entities that are involved in gaming; revising the definition of “sports pools”; revising the provisions relating to off-track pari-mutuel wagering; repealing provisions relating to the designation of gaming enterprise districts; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Under existing law, certain persons who are involved in gaming are required to be licensed, registered, found suitable or approved by the Nevada Gaming Commission, including, for example, persons who: (1) deal, operate, carry on, conduct, maintain or expose for play in this State any gambling game, gaming device, inter-casino linked system, mobile gaming system, slot machine, race book or sports pool; (2) provide or maintain any information service; (3) operate a gaming salon; (4) receive, directly or indirectly, any compensation or reward or any percentage or share of the money or property played, for keeping, running or carrying on any gambling game, slot machine, gaming device, mobile gaming system, race book or sports pool; (5) furnish any equipment of any gambling game for any interest, percentage or share of the money or property played; or (6) are employees, agents, guardians, personal representatives, lenders or holders of indebtedness of a gaming licensee and who, in the opinion of the Nevada Gaming Commission, have the power to exercise a significant influence over a licensee’s operation of a gaming establishment. (NRS 463.160-463.167)

~~[This]~~ Section 1 of this bill provides that if an applicant for a license, registration, finding of suitability or any required approval is a governmental entity or is owned or controlled by a governmental entity, the applicant must file such applications for licenses, registrations, findings of suitability or any other approvals as the Nevada Gaming Commission may prescribe.

Existing law defines a “sports pool” as the business of accepting wagers on sporting events by any system or method of wagering. (NRS 463.0193) The regulations of the Nevada Gaming Commission provide that a “sports pool” means a business that accepts wagers on sporting events or other events. (Regulation 22.010 of the Nevada Gaming Commission) Section 3 of this bill amends the statutory definition to include “other

events” within the definition of “sports pool” in a manner consistent with the regulations.

Sections 5 and 7 of this bill clarify that, in addition to authorizing off-track pari-mutuel wagering on horse races, existing law also authorizes off-track pari-mutuel wagering on dog races. (NRS 464.005, 466.095)

Existing law authorizes the Commission to appoint an Off-Track Pari-Mutuel Wagering Committee, which, if appointed, has the exclusive right to negotiate an agreement relating to off-track pari-mutuel wagering. (NRS 464.020) Section 6 of this bill provides that any agreement negotiated by the Off-Track Pari-Mutuel Wagering Committee with a track relating to off-track pari-mutuel wagering must not set a different rate for intrastate wagers placed on the licensed premises of a race book and wagers placed through the use of communications technology.

Existing law provides that the Nevada Gaming Commission is prohibited from approving a nonrestricted license for an establishment in a county whose population is 400,000 or more (currently Clark County) unless the establishment is located in a gaming enterprise district, which is defined as “an area that has been approved by a county, city or town as suitable for operating an establishment that has been issued a nonrestricted license.” (NRS 463.0158, 463.308) Sections 4 and 8-14 of this bill eliminate the provisions of existing law relating to the designation of gaming enterprise districts.

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

**Section 1.** Chapter 463 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. An applicant which is a governmental entity or which is owned or controlled by a governmental entity must file such applications for licenses, registrations, findings of suitability or any other approvals as the Commission may prescribe.*

*2. As used in this section, “governmental entity” means a government or any political subdivision of a government.*

**Sec. 2. NRS 463.016425 is hereby amended to read as follows:**

463.016425 1. “Interactive gaming” means the conduct of gambling games through the use of communications technology that allows a person, utilizing money, checks, electronic checks, electronic transfers of money, credit cards, debit cards or any other instrumentality, to transmit to a computer information to assist in the placing of a bet or wager and corresponding information related to the display of the game, game outcomes or other similar information. The term does not include the operation of a race book or sports pool that uses communications technology approved by the Board pursuant to regulations adopted by the Commission to accept wagers originating within this state for races, or sporting events ~~or~~ *or other events.*

2. As used in this section, “communications technology” means any method used and the components employed by an establishment to facilitate the transmission of information, including, without limitation, transmission and reception by systems based on wire, cable, radio, microwave, light, optics or computer data networks, including, without limitation, the Internet and intranets.

**Sec. 3. NRS 463.0193 is hereby amended to read as follows:**

463.0193 “Sports pool” means the business of accepting wagers on sporting events ~~or~~ *or other events* by any system or method of wagering.

**Sec. 4. NRS 463.302 is hereby amended to read as follows:**

463.302 1. Notwithstanding any other provision of law and except as otherwise provided in this section, the Board may, in its sole and absolute

discretion, allow a licensee to move the location of its establishment and transfer its restricted or nonrestricted license to:

(a) A location within a redevelopment area created pursuant to chapter 279 of NRS, if the redevelopment area is located in the same local governmental jurisdiction as the existing location of the establishment;

(b) Any other location, if the move and transfer are necessary because the existing location of the establishment has been taken by the State or a local government through condemnation or eminent domain in accordance with a final order of condemnation entered before June 17, 2005; or

(c) In any county other than a county whose population is 100,000 or more but less than 400,000, any other location within the same local governmental jurisdiction as the existing location of the establishment, if the move and transfer are necessary because the existing location of the establishment has been taken by the State or a local government through condemnation or eminent domain in accordance with a final order of condemnation entered on or after June 17, 2005.

2. The Board shall not approve a move and transfer pursuant to subsection 1 unless, before the move and transfer, the licensee receives all necessary approvals from the local government having jurisdiction over the location to which the establishment wants to move and transfer its license.

3. Before a move and transfer pursuant to subsection 1, the Board may require the licensee to apply for a new license pursuant to the provisions of this chapter.

4. The provisions of subsection 1 do not apply to an establishment that is ~~for~~

~~(a) A resort hotel, for~~

~~(b) Located in a county, city or town which has established one or more gaming enterprise districts.~~

**Sec. 5. NRS 464.005 is hereby amended to read as follows:**

464.005 As used in this chapter, unless the context otherwise requires:

1. "Gross revenue" means the amount of the commission received by a licensee that is deducted from off-track pari-mutuel wagering, plus breakage and the face amount of unpaid winning tickets that remain unpaid for a period specified by the Nevada Gaming Commission.

2. "Off-track pari-mutuel system" means a computerized system, or component of such a system, that is used with regard to a pari-mutuel pool to transmit information such as amounts wagered, odds and payoffs on races.

3. "Off-track pari-mutuel wagering" means any pari-mutuel system of wagering approved by the Nevada Gaming Commission for the acceptance of wagers on:

(a) ~~Races~~ Horse or dog races which take place outside of this state; or

(b) Sporting events.

4. "Operator of a system" means a person engaged in providing an off-track pari-mutuel system.

5. "Pari-mutuel system of wagering" means any system whereby wagers with respect to the outcome of a race or sporting event are placed in a wagering pool conducted by a person licensed or otherwise permitted to do so under state law, and in which the participants are wagering with each other and not against that person. The term includes off-track pari-mutuel wagering.

**Sec. 6. NRS 464.020 is hereby amended to read as follows:**

464.020 1. The Nevada Gaming Commission is charged with the administration of this chapter for the protection of the public and in the public interest.

2. The Nevada Gaming Commission may issue licenses permitting the conduct of the pari-mutuel system of wagering, including off-track pari-mutuel

1 wagering, and may adopt, amend and repeal regulations relating to the conduct of  
2 such wagering.

3 3. The wagering must be conducted only by the licensee at the times  
4 determined by the Nevada Gaming Commission and only:

5 (a) Within the enclosure wherein the race or other sporting event which is the  
6 subject of the wagering occurs; or

7 (b) Within a licensed gaming establishment which has been approved to  
8 conduct off-track pari-mutuel wagering.

9 ➤ This subsection does not prohibit a person licensed to accept, pursuant to  
10 regulations adopted by the Nevada Gaming Commission, off-track pari-mutuel  
11 wagers from accepting wagers made by wire communication from patrons within  
12 the State of Nevada, from other states in which such wagering is legal or from  
13 places outside the United States in which such wagering is legal.

14 4. The regulations of the Nevada Gaming Commission may include, without  
15 limitation:

16 (a) Requiring fingerprinting of an applicant or licensee, or other method of  
17 identification.

18 (b) Requiring information concerning an applicant's antecedents, habits and  
19 character.

20 (c) Prescribing the method and form of application which any applicant for a  
21 license issued pursuant to this chapter must follow and complete before  
22 consideration of his application by the Nevada Gaming Commission.

23 (d) Prescribing the permissible communications technology and requiring the  
24 implementation of border control technology that will ensure that a person cannot  
25 place a wager with a race book in this State from another state or another location  
26 where placing such a wager is illegal.

27 5. The Nevada Gaming Commission may appoint an Off-Track Pari-Mutuel  
28 Wagering Committee consisting of 11 persons who are licensed to engage in off-  
29 track pari-mutuel wagering. If the Commission appoints such a Committee, it shall  
30 appoint to the Committee:

31 (a) Five members from a list of nominees provided by the State Association of  
32 Gaming Establishments whose members collectively paid the most gross revenue  
33 fees to the State pursuant to NRS 463.370 in the preceding year;

34 (b) Three members who, in the preceding year, paid gross revenue fees  
35 pursuant to NRS 463.370 in an amount that was less than the average amount of  
36 gross revenue fees paid by licensees engaged in off-track pari-mutuel wagering in  
37 the preceding year; and

38 (c) Three other members.

39 ➤ If a vacancy occurs in a position on the Committee for any reason, including, but  
40 not limited to, termination of a member, the Commission shall appoint a successor  
41 member who satisfies the same criteria in paragraph (a), (b) or (c) that applied to  
42 the member whose position has been vacated.

43 6. If the Nevada Gaming Commission appoints an Off-Track Pari-Mutuel  
44 Wagering Committee pursuant to subsection 5, the Commission shall:

45 (a) Grant to the Off-Track Pari-Mutuel Wagering Committee the exclusive  
46 right to negotiate an agreement relating to off-track pari-mutuel wagering with:

47 (1) A person who is licensed or otherwise permitted to operate a wagering  
48 pool in another state; and

49 (2) A person who is licensed pursuant to chapter 464 of NRS as an  
50 operator of a system.

51 (b) Require that any agreement negotiated by the Off-Track Pari-Mutuel  
52 Wagering Committee with a track relating to off-track pari-mutuel wagering

must not set a different rate for intrastate wagers placed on the licensed premises of a race book and wagers placed through the use of communications technology.

(c) Require the Off-Track Pari-Mutuel Wagering Committee to grant to each person licensed pursuant to this chapter to operate an off-track pari-mutuel race pool the right to receive, on a fair and equitable basis, all services concerning wagering in such a race pool that the Committee has negotiated to bring into or provide within this State.

7. The Nevada Gaming Commission shall, and it is granted the power to, demand access to and inspect all books and records of any person licensed pursuant to this chapter pertaining to and affecting the subject of the license.

Sec. 7. NRS 466.095 is hereby amended to read as follows:

466.095 The Nevada Gaming Commission shall not issue any license ~~under this chapter~~ to conduct dog racing or pari-mutuel wagering in connection with ~~any dog race~~ dog racing pursuant to this chapter. This section does not prohibit off-track pari-mutuel wagering on dog racing pursuant to chapter 464 of NRS.

Sec. 8. NRS 278.02528 is hereby amended to read as follows:

278.02528 1. The regional planning coalition shall develop a comprehensive regional policy plan for the balanced economic, social, physical, environmental and fiscal development and orderly management of the growth of the region for a period of at least 20 years. The comprehensive regional policy plan must contain recommendations of policy to carry out each part of the plan.

2. In developing the plan, the coalition:

(a) May consult with other entities that are interested or involved in regional planning within the county.

(b) Shall ensure that the comprehensive regional policy plan includes goals, policies, maps and other documents relating to:

(1) Conservation, including, without limitation, policies relating to the use and protection of natural resources.

(2) Population, including, without limitation, standardized projections for population growth in the region.

(3) Land use and development, including, without limitation, a map of land use plans that have been adopted by local governmental entities within the region, and that the plan addresses, if applicable:

(I) Mixed-use development, transit-oriented development ~~and~~ and master-planned communities ~~and gaming enterprise districts~~; and

(II) The coordination and compatibility of land uses with each military installation in the region, taking into account the location, purpose and stated mission of the military installation.

(4) Transportation.

(5) The efficient provision of public facilities and services, including, without limitation, roads, water and sewer service, police and fire protection, mass transit, libraries and parks.

(6) Air quality.

(7) Strategies to promote and encourage:

(I) The interspersions of new housing and businesses in established neighborhoods; and

(II) Development in areas in which public services are available.

3. The regional planning coalition shall not adopt or amend the comprehensive regional policy plan unless the adoption or amendment is by resolution of the regional planning coalition:

(a) Carried by the affirmative votes of not less than two-thirds of its total membership; and

(b) Ratified by the board of county commissioners of the county and the city council of each city that jointly established the regional planning coalition pursuant to NRS 278.02514.

**Sec. 9. NRS 278.0274 is hereby amended to read as follows:**

278.0274 The comprehensive regional plan must include goals, policies, maps and other documents relating to:

1. Population, including a projection of population growth in the region and the resources that will be necessary to support that population.

2. Conservation, including policies relating to the use and protection of air, land, water and other natural resources, ambient air quality, natural recharge areas, floodplains and wetlands, and a map showing the areas that are best suited for development based on those policies.

3. The limitation of the premature expansion of development into undeveloped areas, preservation of neighborhoods and revitalization of urban areas, including, without limitation, policies that relate to the interspersing of new housing and businesses in established neighborhoods and set forth principles by which growth will be directed to older urban areas.

4. Land use and transportation, including the classification of future land uses by density or intensity of development based upon the projected necessity and availability of public facilities, including, without limitation, schools, and services and natural resources, and the compatibility of development in one area with that of other areas in the region. This portion of the plan must:

(a) Address, if applicable:

(1) Mixed-use development, transit-oriented development ~~and~~ and master-planned communities ~~[and gaming enterprise districts]~~; and

(2) The coordination and compatibility of land uses with each military installation in the region, taking into account the location, purpose and stated mission of the military installation;

(b) Allow for a variety of uses;

(c) Describe the transportation facilities that will be necessary to satisfy the requirements created by those future uses; and

(d) Be based upon the policies and map relating to conservation that are developed pursuant to subsection 2, surveys, studies and data relating to the area, the amount of land required to accommodate planned growth, the population of the area projected pursuant to subsection 1, and the characteristics of undeveloped land in the area.

5. Public facilities and services, including provisions relating to sanitary sewer facilities, solid waste, flood control, potable water and groundwater aquifer recharge which are correlated with principles and guidelines for future land uses, and which specify ways to satisfy the requirements created by those future uses. This portion of the plan must:

(a) Describe the problems and needs of the area relating to public facilities and services and the general facilities that will be required for their solution and satisfaction;

(b) Identify the providers of public services within the region and the area within which each must serve, including service territories set by the Public Utilities Commission of Nevada for public utilities;

(c) Establish the time within which those public facilities and services necessary to support the development relating to land use and transportation must be made available to satisfy the requirements created by that development; and

(d) Contain a summary prepared by the regional planning commission regarding the plans for capital improvements that:

(1) Are required to be prepared by each local government in the region pursuant to NRS 278.0226; and

(2) May be prepared by the water planning commission of the county, the regional transportation commission and the county school district.

6. Annexation, including the identification of spheres of influence for each unit of local government, improvement district or other service district and specifying standards and policies for changing the boundaries of a sphere of influence and procedures for the review of development within each sphere of influence. As used in this subsection, "sphere of influence" means an area into which a political subdivision may expand in the foreseeable future.

7. Intergovernmental coordination, including the establishment of guidelines for determining whether local master plans and facilities plans conform with the comprehensive regional plan.

8. Any utility project required to be reported pursuant to NRS 278.145.

**Sec. 10. NRS 278.160 is hereby amended to read as follows:**

278.160 1. Except as otherwise provided in subsection 4 of NRS 278.150 and subsection 3 of NRS 278.170, the master plan, with the accompanying charts, drawings, diagrams, schedules and reports, may include such of the following subject matter or portions thereof as are appropriate to the city, county or region, and as may be made the basis for the physical development thereof:

(a) Community design. Standards and principles governing the subdivision of land and suggestive patterns for community design and development.

(b) Conservation plan. For the conservation, development and utilization of natural resources, including, without limitation, water and its hydraulic force, underground water, water supply, solar or wind energy, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals and other natural resources. The plan must also cover the reclamation of land and waters, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan, prevention, control and correction of the erosion of soils through proper clearing, grading and landscaping, beaches and shores, and protection of watersheds. The plan must also indicate the maximum tolerable level of air pollution.

(c) Economic plan. Showing recommended schedules for the allocation and expenditure of public money in order to provide for the economical and timely execution of the various components of the plan.

(d) Historical properties preservation plan. An inventory of significant historical, archaeological and architectural properties as defined by a city, county or region, and a statement of methods to encourage the preservation of those properties.

(e) Housing plan. The housing plan must include, without limitation:

(1) An inventory of housing conditions, needs and plans and procedures for improving housing standards and for providing adequate housing to individuals and families in the community, regardless of income level.

(2) An inventory of existing affordable housing in the community, including, without limitation, housing that is available to rent or own, housing that is subsidized either directly or indirectly by this State, an agency or political subdivision of this State, or the Federal Government or an agency of the Federal Government, and housing that is accessible to persons with disabilities.

(3) An analysis of projected growth and the demographic characteristics of the community.

(4) A determination of the present and prospective need for affordable housing in the community.



(5) An analysis of any impediments to the development of affordable housing and the development of policies to mitigate those impediments.

(6) An analysis of the characteristics of the land that is suitable for residential development. The analysis must include, without limitation:

(I) A determination of whether the existing infrastructure is sufficient to sustain the current needs and projected growth of the community; and

(II) An inventory of available parcels that are suitable for residential development and any zoning, environmental and other land-use planning restrictions that affect such parcels.

(7) An analysis of the needs and appropriate methods for the construction of affordable housing or the conversion or rehabilitation of existing housing to affordable housing.

(8) A plan for maintaining and developing affordable housing to meet the housing needs of the community for a period of at least 5 years.

(f) Land use plan. An inventory and classification of types of natural land and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land. The land use plan:

(1) Must address, if applicable:

(I) Mixed-use development, transit-oriented development ~~and~~ and master-planned communities ~~(and gaming enterprise districts);~~ and

(II) The coordination and compatibility of land uses with any military installation in the city, county or region, taking into account the location, purpose and stated mission of the military installation.

(2) May include a provision concerning the acquisition and use of land that is under federal management within the city, county or region, including, without limitation, a plan or statement of policy prepared pursuant to NRS 321.7355.

(g) Population plan. An estimate of the total population which the natural resources of the city, county or region will support on a continuing basis without unreasonable impairment.

(h) Public buildings. Showing locations and arrangement of civic centers and all other public buildings, including the architecture thereof and the landscape treatment of the grounds thereof.

(i) Public services and facilities. Showing general plans for sewage, drainage and utilities, and rights-of-way, easements and facilities therefor, including, without limitation, any utility projects required to be reported pursuant to NRS 278.145.

(j) Recreation plan. Showing a comprehensive system of recreation areas, including, without limitation, natural reservations, parks, parkways, trails, reserved riverbank strips, beaches, playgrounds and other recreation areas, including, when practicable, the locations and proposed development thereof.

(k) Rural neighborhoods preservation plan. In any county whose population is 400,000 or more, showing general plans to preserve the character and density of rural neighborhoods.

(l) Safety plan. In any county whose population is 400,000 or more, identifying potential types of natural and man-made hazards, including, without limitation, hazards from floods, landslides or fires, or resulting from the manufacture, storage, transfer or use of bulk quantities of hazardous materials. The plan may set forth policies for avoiding or minimizing the risks from those hazards.

(m) School facilities plan. Showing the general locations of current and future school facilities based upon information furnished by the appropriate local school district.

(n) Seismic safety plan. Consisting of an identification and appraisal of seismic hazards such as susceptibility to surface ruptures from faulting, to ground shaking or to ground failures.

(o) Solid waste disposal plan. Showing general plans for the disposal of solid waste.

(p) Streets and highways plan. Showing the general locations and widths of a comprehensive system of major traffic thoroughfares and other traffic ways and of streets and the recommended treatment thereof, building line setbacks, and a system of naming or numbering streets and numbering houses, with recommendations concerning proposed changes.

(q) Transit plan. Showing a proposed multimodal system of transit lines, including mass transit, streetcar, motorcoach and trolley coach lines, paths for bicycles and pedestrians, satellite parking and related facilities.

(r) Transportation plan. Showing a comprehensive transportation system, including, without limitation, locations of rights-of-way, terminals, viaducts and grade separations. The plan may also include port, harbor, aviation and related facilities.

2. The commission may prepare and adopt, as part of the master plan, other and additional plans and reports dealing with such other subjects as may in its judgment relate to the physical development of the city, county or region, and nothing contained in NRS 278.010 to 278.630, inclusive, prohibits the preparation and adoption of any such subject as a part of the master plan.

**Sec. 11. NRS 278.210 is hereby amended to read as follows:**

278.210 1. Before adopting the master plan or any part of it in accordance with NRS 278.170, or any substantial amendment thereof, the commission shall hold at least one public hearing thereon, notice of the time and place of which must be given at least by one publication in a newspaper of general circulation in the city or county, or in the case of a regional planning commission, by one publication in a newspaper in each county within the regional district, at least 10 days before the day of the hearing.

2. Before a public hearing may be held pursuant to subsection 1 in a county whose population is 100,000 or more on an amendment to a master plan, ~~including, without limitation, a gaming enterprise district,~~ if applicable, the person who requested the proposed amendment must hold a neighborhood meeting to provide an explanation of the proposed amendment. Notice of such a meeting must be given by the person requesting the proposed amendment to:

(a) Each owner, as listed on the county assessor's records, of real property located within a radius of 750 feet of the area to which the proposed amendment pertains;

(b) The owner, as listed on the county assessor's records, of each of the 30 separately owned parcels nearest to the area to which the proposed amendment pertains, to the extent this notice does not duplicate the notice given pursuant to paragraph (a);

(c) Each tenant of a mobile home park if that park is located within a radius of 750 feet of the area to which the proposed amendment pertains; and

(d) If a military installation is located within 3,000 feet of the area to which the proposed amendment pertains, the commander of the military installation.

➤ The notice must be sent by mail at least 10 days before the neighborhood meeting and include the date, time, place and purpose of the neighborhood meeting.

3. Except as otherwise provided in NRS 278.225, the adoption of the master plan, or of any amendment, extension or addition thereof, must be by resolution of the commission carried by the affirmative votes of not less than two-thirds of the total membership of the commission. The resolution must refer expressly to the maps, descriptive matter and other matter intended by the commission to constitute the plan or any amendment, addition or extension thereof, and the action taken must

1 be recorded on the map and plan and descriptive matter by the identifying  
2 signatures of the secretary and chairman of the commission.

3 4. Except as otherwise provided in NRS 278.225, no plan or map, hereafter,  
4 may have indicated thereon that it is a part of the master plan until it has been  
5 adopted as part of the master plan by the commission as herein provided for the  
6 adoption thereof, whenever changed conditions or further studies by the  
7 commission require such amendments, extension or addition.

8 5. Except as otherwise provided in this subsection, the commission shall not  
9 amend the land use plan of the master plan set forth in paragraph (f) of subsection 1  
10 of NRS 278.160, or any portion of such a land use plan, more than four times in a  
11 calendar year. The provisions of this subsection do not apply to:

12 (a) A change in the land use designated for a particular area if the change does  
13 not affect more than 25 percent of the area; or

14 (b) A minor amendment adopted pursuant to NRS 278.225.

15 6. An attested copy of any part, amendment, extension of or addition to the  
16 master plan adopted by the planning commission of any city, county or region in  
17 accordance with NRS 278.170 must be certified to the governing body of the city,  
18 county or region. The governing body of the city, county or region may authorize  
19 such certification by electronic means.

20 7. An attested copy of any part, amendment, extension of or addition to the  
21 master plan adopted by any regional planning commission must be certified to the  
22 county planning commission and to the board of county commissioners of each  
23 county within the regional district. The county planning commission and board of  
24 county commissioners may authorize such certification by electronic means.

25 **Sec. 12. NRS 278.315 is hereby amended to read as follows:**

26 278.315 1. The governing body may provide by ordinance for the granting  
27 of variances, special use permits, conditional use permits or other special  
28 exceptions by the board of adjustment, the planning commission or a hearing  
29 examiner appointed pursuant to NRS 278.262. The governing body may impose  
30 this duty entirely on the board, commission or examiner, respectively, or provide  
31 for the granting of enumerated categories of variances, special use permits,  
32 conditional use permits or special exceptions by the board, commission or  
33 examiner.

34 2. A hearing to consider an application for the granting of a variance, special  
35 use permit, conditional use permit or special exception must be held before the  
36 board of adjustment, planning commission or hearing examiner within 65 days after  
37 the filing of the application, unless a longer time or a different process of review is  
38 provided in an agreement entered into pursuant to NRS 278.0201.

39 3. In a county whose population is less than 100,000, notice setting forth the  
40 time, place and purpose of the hearing must be sent at least 10 days before the  
41 hearing to:

42 (a) The applicant;

43 (b) Each owner of real property, as listed on the county assessor's records,  
44 located within 300 feet of the property in question;

45 (c) If a mobile home park is located within 300 feet of the property in question,  
46 each tenant of that mobile home park;

47 (d) Any advisory board which has been established for the affected area by the  
48 governing body; and

49 (e) If a military installation is located within 3,000 feet of the property in  
50 question, the commander of that military installation.

51 4. Except as otherwise provided in subsection 7, in a county whose population  
52 is 100,000 or more, a notice setting forth the time, place and purpose of the hearing  
53 must be sent at least 10 days before the hearing to:

- (a) The applicant;
- (b) If the application is for a deviation of at least 10 percent but not more than 30 percent from a standard for development:
- (1) Each owner, as listed on the county assessor's records, of real property located within 100 feet of the property in question; and
- (2) Each tenant of a mobile home park located within 100 feet of the property in question;
- (c) If the application is for a special use permit or a deviation of more than 30 percent from a standard for development:
- (1) Each owner, as listed on the county assessor's records, of real property located within 500 feet of the property in question;
- (2) The owner, as listed on the county assessor's records, of each of the 30 separately owned parcels nearest the property in question, to the extent this notice does not duplicate the notice given pursuant to subparagraph (1); and
- (3) Each tenant of a mobile home park located within 500 feet of the property in question;
- (d) If the application is for a project of regional significance, as that term is described in NRS 278.02542:
- (1) Each owner, as listed on the county assessor's records, of real property located within 750 feet of the property in question;
- (2) The owner, as listed on the county assessor's records, of each of the 30 separately owned parcels nearest the property in question, to the extent this notice does not duplicate the notice given pursuant to subparagraph (1); and
- (3) Each tenant of a mobile home park located within 750 feet of the property in question;
- (e) Any advisory board which has been established for the affected area by the governing body; and
- (f) If a military installation is located within 3,000 feet of the property in question, the commander of that military installation.
5. If an application is filed with the governing body for the issuance of a special use permit with regard to property situated within an unincorporated town that is located more than 10 miles from an incorporated city, the governing body shall, at least 10 days before the hearing on the application is held pursuant to subsection 2, transmit a copy of any information pertinent to the application to the town board, citizens' advisory council or town advisory board, whichever is applicable, of the unincorporated town. The town board, citizens' advisory council or town advisory board may make recommendations regarding the application and submit its recommendations before the hearing on the application is held pursuant to subsection 2. The governing body or other authorized person or entity conducting the hearing shall consider any recommendations submitted by the town board, citizens' advisory council or town advisory board regarding the application and, within 10 days after making its decision on the application, shall transmit a copy of its decision to the town board, citizens' advisory council or town advisory board.
6. An applicant or a protestant may appeal a decision of the board of adjustment, planning commission or hearing examiner in accordance with the ordinance adopted pursuant to NRS 278.3195.
7. In a county whose population is 400,000 or more, if the application is for the issuance of a special use permit for an establishment which serves alcoholic beverages for consumption on or off of the premises as its primary business, ~~in a district which is not a gaming enterprise district as defined in NRS 463.0158,~~ the governing body shall, at least 10 days before the hearing:
- (a) Send a notice setting forth the time, place and purpose of the hearing to:

(1) The applicant;  
(2) Each owner, as listed on the county assessor's records, of real property located within 1,500 feet of the property in question;

(3) The owner, as listed on the county assessor's records, of each of the 30 separately owned parcels nearest the property in question, to the extent this notice does not duplicate the notice given pursuant to subparagraph (2);

(4) Each tenant of a mobile home park located within 1,500 feet of the property in question;

(5) Any advisory board which has been established for the affected area by the governing body; and

(6) If a military installation is located within 3,000 feet of the property in question, the commander of that military installation; and

(b) Erect or cause to be erected on the property, at least one sign not less than 2 feet high and 2 feet wide. The sign must be made of material reasonably calculated to withstand the elements for 40 days. The governing body must be consistent in its use of colors for the background and lettering of the sign. The sign must include the following information:

(1) The existing permitted use and zoning designation of the property in question;

(2) The proposed permitted use of the property in question;

(3) The date, time and place of the public hearing; and

(4) A telephone number which may be used by interested persons to obtain additional information.

8. A sign required pursuant to subsection 7 is for informational purposes only and must be erected regardless of any local ordinance regarding the size, placement or composition of signs to the contrary.

9. A governing body may charge an additional fee for each application for a special use permit to cover the actual costs resulting from the erection of not more than one sign required by subsection 7, if any. The additional fee is not subject to the limitation imposed by NRS 354.5989.

10. The governing body shall remove or cause to be removed any sign required by subsection 7 within 5 days after the final hearing for the application for which the sign was erected. There must be no additional charge to the applicant for such removal.

11. The notice required to be provided pursuant to subsections 3, 4 and 7 must be sent by mail or, if requested by a party to whom notice must be provided pursuant to those subsections, by electronic means if receipt of such an electronic notice can be verified, and must be written in language which is easy to understand. The notice must set forth the time, place and purpose of the hearing and a physical description or map of the property in question.

12. The provisions of this section do not apply to an application for a conditional use permit filed pursuant to NRS 278.147.

**Sec. 13. NRS 410.270 is hereby amended to read as follows:**

410.270 ~~HH~~ "Outdoor advertising," "outdoor advertising sign, display or device" and "sign, display or device" mean any outdoor sign, display, device, light, figure, painting, drawing, message, plaque, poster, billboard or other thing which is designed, intended or used to advertise or inform, any part of the advertising or information contents of which is visible from any place on the main-traveled way of the interstate or primary highway systems.

~~[2. The terms do not include a sign that is required to be erected and maintained in a gaming enterprise district pursuant to NRS 463.3092.]~~

1        *Sec. 14. NRS 113.080, 278.0147, 463.0158, 463.3072, 463.3074, 463.3076,*  
2        *463.3078, 463.308, 463.3082, 463.3084, 463.3086, 463.3088, 463.309, 463.3092*  
3        *and 463.3094 are hereby repealed.*

4        ~~Sec. 2.~~ *Sec. 15.* This act becomes effective upon passage and approval.

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### LEADLINES OF REPEALED SECTIONS

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~~113.080 Additional required disclosures by certain sellers in county whose population is 400,000 or more relating to gaming enterprise districts.~~

~~278.0147 "Gaming enterprise district" defined.~~

~~463.0158 "Gaming enterprise district" defined.~~

~~463.3072 Legislative findings and declarations.~~

~~463.3074 Applicability of NRS 463.3072 to 463.3094, inclusive.~~

~~463.3076 Location of proposed establishment within Las Vegas Boulevard gaming corridor.~~

~~463.3078 Location of proposed establishment within rural Clark County gaming zone.~~

~~463.308 Approval of nonrestricted license for establishment located outside of gaming enterprise district prohibited; expansion of establishment located in gaming enterprise district limited; increase in number of games or slot machines at establishment located outside of gaming enterprise district prohibited after certain date.~~

~~463.3082 Approval of nonrestricted license for proposed establishment located within Las Vegas Boulevard gaming corridor and rural Clark County gaming zone prohibited unless location designated gaming enterprise district.~~

~~463.3084 Gaming enterprise district: Petition for designation of location if within Las Vegas Boulevard gaming corridor or rural Clark County gaming zone; petitioner's burden of proof; hearing; limitation on subsequent petition.~~

~~463.3086 Gaming enterprise district: Petition for designation of location if outside of Las Vegas Boulevard gaming corridor and rural Clark County gaming zone; notice of hearing; hearing; petitioner's burden of proof; limitation on subsequent petition.~~

~~463.3088 Gaming enterprise district: Procedure for appealing denial or grant of petition to designate location outside of Las Vegas Boulevard gaming corridor and rural Clark County gaming zone.~~

~~463.309 Duty of local government to provide and update map showing location of gaming enterprise districts.~~

~~463.3092 Duty of certain persons to erect and maintain sign on property to indicate intent to use, sell or lease for operation of establishment with nonrestricted license; requirements for sign.~~

~~463.3094 Description of Las Vegas urban growth zone.~~