

Amendment No. 791

Senate Amendment to Assembly Bill No. 397 First Reprint	(BDR 22-130)
Proposed by: Senate Committee on Government Affairs	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will ADD an appropriation where one does not currently exist in A.B. 397.

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.

EGO



Date: 5/17/2009

A.B. No. 397—Authorizes redevelopment agencies to expend money to improve schools located within certain areas under certain circumstances.
(BDR 22-130)



ASSEMBLY BILL NO. 397—ASSEMBLYMEN HARDY; GANSERT, GOEDHART, HAMBRICK
AND STEWART

MARCH 16, 2009

JOINT SPONSOR: SENATOR HARDY

Referred to Committee on Government Affairs

SUMMARY—Authorizes redevelopment agencies to expend money to improve schools located within certain areas under certain circumstances. (BDR 22-130)

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 community redevelopment; authorizing redevelopment agencies to expend money, subject to certain limitations, to improve schools located within certain cities or counties; requiring redevelopment agencies to file certain reports with the Director of the Legislative Counsel Bureau and with their respective governing bodies; **making an appropriation; and** providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the legislative body of a community, having recognized the need for a redevelopment agency to function in the community, to establish a redevelopment revolving fund. (NRS 279.386, 279.396, 279.410, 279.620) Existing law also specifies the manner in which, and the permissible purposes for which, money may be expended from the redevelopment revolving fund. (NRS 279.628) ~~(This)~~ **Section 4 of this bill** expands the permissible purposes for which money may be expended from a redevelopment revolving fund to include use by a redevelopment agency for the improvement, with certain limitations, of schools in a city or county with a redevelopment area within its boundaries. **Sections 1 and 5** of this bill require a redevelopment agency to submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature and to the legislative body of the community a report when the agency has established a new redevelopment area and annual reports thereafter containing certain information relating to the redevelopment area.

Section 6 of this bill makes an appropriation of \$15,000 to the Audit Division of the Legislative Counsel Bureau to conduct an audit of the use of property tax revenues received by redevelopment agencies.

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

Section 1. Chapter 279 of NRS is hereby amended by adding thereto a new section to read as follows:

1. In addition to the report required pursuant to the provisions of subsection 2, and subject to the provisions of subsection 3, for each redevelopment area for which a redevelopment plan is adopted pursuant to the provisions of NRS 279.586 after the effective date of this act, on or before the January 1 next after the adoption of the plan, the agency shall submit to the Director of the Legislative Counsel Bureau, for transmittal to the Legislature, and to the legislative body a report on a form prescribed by the Committee on Local Government Finance that includes, without limitation, the following information for the redevelopment area:

(a) A legal description of the boundaries of the redevelopment area;

(b) The date on which the redevelopment plan for the redevelopment area was adopted;

(c) The scheduled termination date of the redevelopment plan;

(d) The total sum of the assessed value of the taxable property in the redevelopment area for:

(1) The fiscal year immediately preceding the adoption of the redevelopment plan; and

(2) The fiscal year during which the redevelopment plan was adopted, if such fiscal year ends before the reporting deadline;

(e) The combined overlapping tax rate of the redevelopment area;

(f) The property tax rate of the redevelopment area;

(g) The property tax revenue expected to be received from any tax increment area, as defined in NRS 278C.130, within the redevelopment area during the first fiscal year that the agency will receive an allocation pursuant to the provisions of NRS 279.676;

(h) Copies of any memoranda of understanding that the agency enters into during the fiscal year in which the redevelopment plan was adopted; and

(i) The amortization schedule for any debt incurred for the redevelopment area and the reasons for incurring the debt.

2. On or before January 1 of each year, for each redevelopment area for which a redevelopment plan has been adopted pursuant to the provisions of NRS 279.586, the agency shall submit to the Director of the Legislative Counsel Bureau, for transmittal to the Legislature, and to the legislative body a report on a form prescribed by the Committee on Local Government Finance that includes, without limitation, the following information for the redevelopment area for the previous fiscal year:

(a) The property tax revenue received from any tax increment area, as defined in NRS 278C.130, within the redevelopment area;

(b) The combined overlapping tax rate of the redevelopment area;

(c) The property tax rate of the redevelopment area;

(d) The total sum of the assessed value of the taxable property in the redevelopment area;

(e) If the amount reported pursuant to the provisions of paragraph (d) is less than the amount reported pursuant to the provisions of paragraph (d) for any other previous fiscal year, an explanation of the reason for the difference;

(f) Copies of any memoranda of understanding that the agency enters into;

1 *(g) The amortization schedule for any debt incurred for the redevelopment*
2 *area, and the reasons for incurring the debt; and*

3 *(h) Any change to the boundary of the redevelopment area and an*
4 *explanation of the reason for the change.*

5 *3. Any report for a redevelopment area submitted pursuant to the provisions*
6 *of subsection 1 must be submitted with the report for the redevelopment area*
7 *submitted pursuant to the provisions of subsection 2.*

8 **Sec. 2.** NRS 279.382 is hereby amended to read as follows:

9 279.382 The provisions contained in NRS 279.382 to 279.685, inclusive, *and*
10 *section 1 of this act*, may be cited as the Community Redevelopment Law.

11 **Sec. 3.** NRS 279.384 is hereby amended to read as follows:

12 279.384 As used in NRS 279.382 to 279.685, inclusive, *and section 1 of this*
13 *act*, unless the context otherwise requires, the words and terms defined in NRS
14 279.386 to 279.414, inclusive, have the meanings ascribed to them in those
15 sections.

16 **Sec. 4.** NRS 279.628 is hereby amended to read as follows:

17 279.628 1. By resolution of the legislative body adopted by a majority vote
18 any money in the redevelopment revolving fund may be expended from time to
19 time for:

20 (a) The acquisition of real property in any redevelopment area.

21 (b) The clearance, aiding in relocation of occupants of the site and preparation
22 of any redevelopment area for redevelopment.

23 2. By resolution of the legislative body adopted by a two-thirds vote, any
24 money in the redevelopment revolving fund may be paid to the agency, upon such
25 terms and conditions as the legislative body may prescribe for any of the following
26 purposes:

27 (a) Deposit in a trust fund to be expended for the acquisition of real property in
28 any redevelopment area.

29 (b) The clearance of any redevelopment area for redevelopment.

30 (c) Any expenses necessary or incidental to the carrying out of a
31 redevelopment plan which has been adopted by the legislative body.

32 *(d) Subject to the provisions of subsection 3, to be used by the agency for the*
33 *improvement of schools in the community.*

34 *3. Money paid to the agency pursuant to paragraph (d) of subsection 2 may*
35 *only be in the form of grants and may not be used for any regular expenses of a*
36 *school.*

37 **Sec. 5.** On or before January 1, 2010, for each redevelopment area for which
38 a redevelopment plan has been adopted pursuant to the provisions of NRS 279.586,
39 the agency shall submit to the Director of the Legislative Counsel Bureau, for
40 transmittal to the Legislature, and to the legislative body a report on a form
41 prescribed by the Committee on Local Government Finance that includes, without
42 limitation, the following information for the redevelopment area:

43 1. A legal description of the boundaries of the redevelopment area;

44 2. The date on which the redevelopment plan for the redevelopment area was
45 adopted;

46 3. The scheduled termination date of the redevelopment plan;

47 4. The total sum of the assessed value of the taxable property in the
48 redevelopment area for:

49 (a) The fiscal year immediately preceding the adoption of the redevelopment
50 plan; and

51 (b) The fiscal year during which the redevelopment plan was adopted;

52 5. The combined overlapping tax rate of the redevelopment area;

53 6. The property tax rate of the redevelopment area;

1 7. The property tax revenue received from any tax increment area, as defined
2 in NRS 278C.130, within the redevelopment area for the fiscal year ending June 30,
3 2009;

4 8. Copies of any memoranda of understanding that the agency enters into
5 during the fiscal year ending June 30, 2009; and

6 9. The amortization schedule for any debt incurred for the redevelopment area
7 and the reasons for incurring the debt.

8 ~~Sec. 6. 1. There is hereby appropriated from the State General Fund to~~
9 ~~the Audit Division of the Legislative Counsel Bureau the sum of \$15,000 for an~~
10 ~~audit of the use of property tax revenues received by redevelopment agencies.~~

11 ~~2. Any remaining balance of the appropriation made by subsection 1~~
12 ~~must not be committed for expenditure after June 30, 2011, by the entity to~~
13 ~~which the appropriation is made or any entity to which money from the~~
14 ~~appropriation is granted or otherwise transferred in any manner, and any~~
15 ~~portion of the appropriated money remaining must not be spent for any~~
16 ~~purpose after September 16, 2011, by either the entity to which the money was~~
17 ~~appropriated or the entity to which the money was subsequently granted or~~
18 ~~transferred, and must be reverted to the State General Fund on or before~~
19 ~~September 16, 2011.~~

20 ~~{Sec. 6}~~ Sec. 7. __ This act becomes effective upon passage and approval.