

ASSEMBLY BILL NO. 404—ASSEMBLYMAN OCEGUERA

MARCH 21, 2011

Referred to Committee on Government Affairs

SUMMARY—Revises provisions regarding properties leased for use by the State. (BDR 27-381)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to state buildings; requiring the Chief of the Buildings and Grounds Division of the Department of Administration to negotiate and approve any agreements to lease office rooms for use by certain state entities; requiring certain state entities to provide the Chief with an inventory of all real property used by the entity; requiring the Chief to post on an Internet website certain information regarding real property owned or leased by the State; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the Chief of the Buildings and Grounds Division of the
2 Department of Administration is authorized to lease and equip office rooms outside
3 of state buildings for the use of certain state officers and employees whenever
4 sufficient space cannot be provided within state buildings. (NRS 331.110) **Section**
5 **1** of this bill requires that any agreement to lease office rooms for state officers,
6 departments, agencies, commissions or boards must be negotiated, approved and
7 overseen by the Chief. **Section 1** also requires state officers, departments, agencies,
8 commissions and boards to provide the Chief with an inventory of all real property
9 leased to the State that is used by the state officer, department, agency, commission
10 or board. **Section 1** further requires the Chief to post, on an Internet website, a list
11 of all real property that is leased or owned by the State, including a brief
12 description of the property, its use and the terms of the agreement under which the
13 property is leased by the State. **Sections 2, 3 and 4** of this bill extend the
14 requirements of **section 1** to properties leased for use by the Gaming Control
15 Board, the Department of Public Safety and the Department of Motor Vehicles,
16 which are currently exempted from certain requirements relating to the lease or
17 purchase of property. (NRS 463.100, 480.160, 481.055)



* A B 4 0 4 R 1 *

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

1 **Section 1.** NRS 331.110 is hereby amended to read as follows:
2 331.110 1. Except as otherwise provided ~~in subsection 2,~~ by
3 *law*, the Chief may lease and equip office rooms outside of state
4 buildings for the use of state officers , ~~and employees,~~
5 *departments, agencies, boards and commissions* whenever
6 sufficient space ~~for the officers and employees~~ cannot be provided
7 within state buildings . *The Chief shall negotiate, approve and*
8 *oversee any agreement to lease office rooms pursuant to this*
9 *section*, but no such lease may extend beyond the term of 1 year
10 unless it is reviewed and approved by a majority of the members of
11 the State Board of Examiners. The Attorney General shall approve
12 each lease entered into pursuant to this subsection as to form and
13 compliance with law.

14 2. *Notwithstanding any other provision of law, before the*
15 *Chief enters into any lease for office rooms for any state officer,*
16 *department, agency, board or commission, the Chief shall*
17 *consider, without limitation:*

18 (a) *The reasonableness of the terms of the agreement,*
19 *including, without limitation, the cost; and*

20 (b) *The availability of space for use by the state officer,*
21 *department, agency, board or commission in buildings that are*
22 *owned by or leased to the State.*

23 3. *Each state officer, department, agency, board and*
24 *commission shall maintain and provide to the Chief an inventory*
25 *of all real property leased to the State that is occupied by or*
26 *otherwise used by the state officer, department, agency, board and*
27 *commission. The Division of State Lands, Department of*
28 *Transportation and State Public Works Board shall maintain and*
29 *provide to the Chief an inventory of all real property owned by the*
30 *State.*

31 4. *The Chief shall post on an Internet website maintained by*
32 *the State a list of all real property owned or leased by the State.*
33 *Each such listing shall include, without limitation, a brief*
34 *description of:*

35 (a) *The location, size and current use of the real property; and*

36 (b) *The terms of the lease, including, without limitation, the*
37 *cost to the State.*

38 ~~{2. The provisions of subsection 1 do not apply to state officers~~
39 ~~and employees of boards that are exempt from the provisions of~~
40 ~~chapter 353 of NRS pursuant to NRS 353.005.}~~



* A B 4 0 4 R 1 *

1 **Sec. 2.** NRS 463.100 is hereby amended to read as follows:

2 463.100 1. The Board shall keep its main office at Carson
3 City, Nevada, in conjunction with the Commission in rooms
4 provided by the Buildings and Grounds Division of the Department
5 of Administration.

6 2. The Board may, in its discretion, maintain a branch office in
7 Las Vegas, Nevada, or at any other place in this State as the Chair of
8 the Board deems necessary for the efficient operation of the Board.

9 ~~[The Chair of the Board may enter into such leases or other~~
10 ~~agreements as may be necessary to establish a branch office.]~~ **Any**
11 **leases or agreements entered into pursuant to this subsection must**
12 **be executed in accordance with the provisions of NRS 331.110.**

13 **Sec. 3.** NRS 480.160 is hereby amended to read as follows:

14 480.160 1. The Department shall keep its main office at
15 Carson City, Nevada, in rooms provided by the Buildings and
16 Grounds Division of the Department of Administration.

17 2. The Department may maintain such branch offices
18 throughout the State as the Director deems necessary for the
19 efficient operation of the Department and the various divisions
20 thereof. ~~[The Director may enter into such leases or other~~

21 ~~agreements as may be necessary to establish such branch offices.]~~
22 **Any leases or agreements entered into pursuant to this subsection**
23 **must be executed in accordance with the provisions of**
24 **NRS 331.110.**

25 **Sec. 4.** NRS 481.055 is hereby amended to read as follows:

26 481.055 1. The Department shall keep its main office at
27 Carson City, Nevada, in rooms provided by the Buildings and
28 Grounds Division of the Department of Administration.

29 2. The Department may maintain such branch offices
30 throughout the State as the Director may deem necessary to the
31 efficient operation of the Department and the various divisions
32 thereof. ~~[The Director is authorized, on behalf of the Department, to~~

33 ~~enter into such leases or other agreements as may be necessary to~~
34 ~~the establishment of such branch offices.]~~ **Any leases or agreements**
35 **entered into pursuant to this subsection must be executed in**
36 **accordance with the provisions of NRS 331.110.**

37 **Sec. 5.** This act becomes effective on July 1, 2011.

