

Assembly Bill No. 544—Committee
on Government Affairs

CHAPTER.....

AN ACT relating to group homes; requiring, under certain circumstances, that local governments adopt names for group homes and similar facilities which are the same as the names used in state law; clarifying that the names so adopted are solely for purposes of reference and are not definitions for regulatory purposes; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing state law defines the terms “child care institution,” “facility for transitional living for released offenders,” “group foster home,” “halfway house for recovering alcohol and drug abusers,” “home for individual residential care” and “residential facility for groups.” (NRS 424.015, 432A.0245, 449.0055, 449.008, 449.0105, 449.017) Existing county and city ordinances do not necessarily use the same terms or define them in the same way.

This bill requires that each county and city adopt an ordinance using the preceding terms to describe the applicable facilities, homes, houses and institutions. However, a county or city is not required to include a specified term in the ordinance if no facility of the type corresponding to the term exists in the county or city, or if the county's or city's ordinances do not otherwise, by whatever name, refer to a facility of the type corresponding to the term.

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

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

Section 1. Chapter 244 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsections 2 and 3, each board of county commissioners shall adopt an ordinance using the following terms to describe the following types of facilities, homes, houses and institutions:

(a) Child care institution, as that term is used in NRS 432A.0245.

(b) Facility for transitional living for released offenders, as that term is used in NRS 449.0055.

(c) Group foster home, as that term is used in NRS 424.015.

(d) Halfway house for recovering alcohol and drug abusers, as that term is used in NRS 449.008.



(e) Home for individual residential care, as that term is used in NRS 449.0105.

(f) Residential facility for groups, as that term is used in NRS 449.017.

2. Subsection 1 requires the board of county commissioners to use the specified terms solely for the purpose of referring to the named facilities, homes, houses and institutions and does not require the board to adopt the State's definition for the purpose of regulating or imposing any requirement with respect to such a facility, home, house or institution.

3. A board of county commissioners is not required to include a term set forth in subsection 1 in the ordinance if:

(a) A facility, home, house or institution of the type corresponding to the term does not exist in the county; or

(b) The county's ordinances do not otherwise, by whatever name, refer to a facility, home, house or institution of the type corresponding to the term.

Sec. 2. Chapter 268 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsections 2 and 3, the governing body of each city shall adopt an ordinance using the following terms to describe the following types of facilities, homes, houses and institutions:

(a) Child care institution, as that term is used in NRS 432A.0245.

(b) Facility for transitional living for released offenders, as that term is used in NRS 449.0055.

(c) Group foster home, as that term is used in NRS 424.015.

(d) Halfway house for recovering alcohol and drug abusers, as that term is used in NRS 449.008.

(e) Home for individual residential care, as that term is used in NRS 449.0105.

(f) Residential facility for groups, as that term is used in NRS 449.017.

2. Subsection 1 requires the governing body of the city to use the specified terms solely for the purpose of referring to the named facilities, homes, houses and institutions and does not require the governing body to use the State's definition for the purpose of regulating or imposing any requirement with respect to such a facility, home, house or institution.

3. The governing body of a city is not required to include a term set forth in subsection 1 in the ordinance if:



(a) A facility, home, house or institution of the type corresponding to the term does not exist in the city; or

(b) The city's ordinances do not otherwise, by whatever name, refer to a facility, home, house or institution of the type corresponding to the term.

Sec. 3. This act becomes effective on July 1, 2011.

