

Amendment No. 244

Assembly Amendment to Assembly Bill No. 404

(BDR 27-381)

Proposed by: Assembly Committee on Government Affairs**Amends:** Summary: Yes 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 underlining*** is newly added transitory language.

DLJ/BJE



Date: 4/24/2011

A.B. No. 404—Revises provisions regarding properties purchased or leased for use by the State. (BDR 27-381)



ASSEMBLY BILL NO. 404—ASSEMBLYMAN OCEGUERA

MARCH 21, 2011

Referred to Committee on Government Affairs

SUMMARY—Revises provisions regarding properties ~~{purchased or}~~ leased for use by the State. (BDR 27-381)

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

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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 state buildings; requiring the Chief of the Buildings and Grounds Division of the Department of Administration to negotiate and approve any agreements to ~~{purchase or}~~ lease ~~{property}~~ 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 ~~{leases of}~~ real property ~~{for}~~ owned or leased by the State; ~~{use}~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

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

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

Section 1. NRS 331.110 is hereby amended to read as follows:

331.110 1. ~~{Except as otherwise provided in subsection 7, the Chief shall oversee any agreement to purchase or lease property for use by a state officer, department, agency, board or commission.~~

~~2.}~~ Except as otherwise provided ~~{in subsection}~~ ~~{2.}~~ ~~{7.}~~ by law, the Chief may lease and equip office rooms outside of state buildings for the use of state officers , and employees, departments, agencies, boards and commissions whenever sufficient space ~~{for the officers and employees}~~ cannot be provided within state buildings. The Chief shall negotiate, approve and oversee any agreement to lease office rooms pursuant to this section, but no such lease may extend beyond the term of 1 year unless it is reviewed and approved by a majority of the members of the State Board of Examiners. The Attorney General shall approve each lease entered into pursuant to this subsection as to form and compliance with law.

~~{2.}~~ 2. Notwithstanding any other provision of law, and except as otherwise provided in subsection 7, before the Chief enters into any lease for office rooms for any state officer, department, agency, board or commission, may purchase or lease property for use by that state officer, department, agency, board or commission, the agreement for purchase or lease must be approved by the Chief. In determining whether to approve such an agreement for purchase or lease, the Chief shall consider, without limitation:

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

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

~~{4.}~~ 3. No lease entered into pursuant to this section may extend beyond the term of 1 year unless it is reviewed and approved by a majority of the members of the State Board of Examiners. The Attorney General shall approve each lease entered into pursuant to this section as to form and compliance with law.

~~5. Except as otherwise provided in subsection 7, each~~ Each state officer, department, agency, board and commission shall maintain and provide to the Chief an inventory of all real property ~~{owned by or}~~ leased to the State that is occupied by or otherwise used by the state officer, department, agency, board and commission. The Division of State Lands, Department of Transportation and State Public Works Board shall maintain and provide to the Chief an inventory of all real property owned by the State.

~~{6.}~~ 4. The Chief shall post on an Internet website maintained by the State a list of all {properties} real property owned or leased by the State. Each such listing shall include, without limitation, a brief description of:

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

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

~~{2.}~~ ~~{7.}~~ The provisions of {subsection 1} {this section} do not apply to state officers and employees of boards that are exempt from the provisions of chapter 353 of NRS pursuant to NRS 353.005.

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

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

2. The Board may, in its discretion, maintain a branch office in Las Vegas, Nevada, or at any other place in this State as the Chair of the Board deems necessary for the efficient operation of the Board. ~~{The Chair of the Board may enter into such leases or other agreements as may be necessary to establish a branch office. The}~~ Any leases or agreements entered into pursuant to this subsection must be executed in accordance with the provisions of NRS 331.110.

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

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

2. The Department may maintain such branch offices throughout the State as the Director deems necessary for the efficient operation of the Department and the various divisions thereof. ~~{The Director may enter into such leases or other agreements as may be necessary to establish such branch offices. The}~~ Any leases or agreements entered into pursuant to this subsection must be executed in accordance with the provisions of NRS 331.110.

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

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

2. The Department may maintain such branch offices throughout the State as the Director may deem necessary to the efficient operation of the Department and the various divisions thereof. ~~{The Director is authorized, on behalf of the Department, to enter into such leases or other agreements as may be necessary to the establishment of such branch offices. The}~~ Any leases or agreements entered into pursuant to this subsection must be executed in accordance with the provisions of NRS 331.110.

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