

SENATE BILL NO. 445—COMMITTEE ON FINANCE

(ON BEHALF OF THE DIVISION OF BUDGET AND PLANNING)

MARCH 28, 2011

Referred to Committee on Government Affairs

SUMMARY—Allows the Office of the Military to collect rent for the use of its facilities. (BDR 36-1205)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 the state militia; authorizing the rental of facilities of the Office of the Military; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the officer in charge of an armory, after approval by the
2 officer's superiors, may rent out the armory or space within the armory. Half of any
3 rent received is deposited in the Adjutant General's Special Armory Account in the
4 State General Fund, and the remainder is placed in an armory account kept by
5 the officer in charge of the armory. (NRS 412.108) This bill allows the Office of
6 the Military to rent out any other facility of the Office and provides that any rent
7 received will be deposited in the State General Fund to the credit of the Office.

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

1 **Section 1.** Chapter 412 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***1. Except as otherwise provided in NRS 412.108, the person***
4 ***or governmental entity applying for the rental of any facility of the***
5 ***Office must execute and deliver a written agreement which must***
6 ***include among its provisions his, her or its full name and address,***
7 ***the purpose for which its use is desired, the nature and manner of***
8 ***the intended use of the space, a reasonable rental to be paid for***
9 ***that use and the amounts to be paid for heating, lighting,***



1 *janitorial and other services connected with its use. The terms and*
2 *provisions of the agreement must be governed by Office*
3 *regulations issued pursuant to this chapter, which regulations*
4 *must include provisions designed to prevent unfair competition*
5 *with privately owned property and business.*

6 2. *No agreement for use made pursuant to this section is*
7 *effective until the agreement or lease has been approved and*
8 *executed as prescribed by Office regulations issued pursuant to*
9 *this chapter.*

10 3. *No agreement or lease made pursuant to this section may*
11 *be assigned in whole or in part nor may space be sublet to or used*
12 *by a person or entity not a party to the agreement, unless each*
13 *assignment, subletting or use is first approved in writing by the*
14 *Office.*

15 4. *All money paid or given, directly or indirectly, for the*
16 *rental of a facility or to obtain an agreement or permission to use*
17 *the facility are use fees within the meaning of this section and*
18 *must be paid to the Office to be deposited in the State General*
19 *Fund for credit to the Office.*

20 5. *When the use of a facility is by a federal, state, county or*
21 *municipal bureau, agency or department or by any of the Armed*
22 *Forces of the United States or any of the reserve components*
23 *thereof, or by any unit of the reserve officers training corps, the*
24 *Adjutant General may require the execution of a contract or*
25 *agreement for that use, upon such terms and conditions as he or*
26 *she prescribes.*

27 **Sec. 2.** NRS 412.092 is hereby amended to read as follows:

28 412.092 The word "armory" as used in NRS 412.092 to
29 412.108, inclusive, *and section 1 of this act*, means any building,
30 together with the grounds upon which it is situated, used for the
31 storage and maintenance of military property or the training of
32 troops, and in addition real property acquired or held in
33 contemplation of such use.

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

