

Amendment No. 512

Senate Amendment to Senate Bill No. 411	(BDR S-140)
<b>Proposed by:</b> Senate Committee on Revenue and Economic Development	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

BJF/BJE



Date: 4/19/2015

S.B. No. 411—Allows the imposition of additional statutory taxes in a county to fund capital projects of the school district based on the recommendations of a Public Schools Overcrowding and Repair Needs Committee and voter approval. (BDR S-140)



SENATE BILL NO. 411—SENATOR SMITH

MARCH 17, 2015

JOINT SPONSORS: ASSEMBLYMEN BENITEZ-THOMPSON;  
HICKEY, JOINER AND SPRINKLE

Referred to Committee on Revenue and  
Economic Development

SUMMARY—Allows the imposition of additional statutory taxes in a county to fund capital projects of the school district based on the recommendations of a Public Schools Overcrowding and Repair Needs Committee and voter approval. (BDR S-140)

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 taxation; authorizing the board of trustees of a school district to adopt a resolution establishing the formation of a Public Schools Overcrowding and Repair Needs Committee to recommend the imposition of one or more statutory taxes to fund the capital projects of the school district; providing that if such a Committee is formed and submits its recommendations to the board of county commissioners within the time prescribed, the board of county commissioners is required to submit a question to the voters at the 2016 General Election asking whether the statutory tax or taxes should be imposed in the county; requiring the board of county commissioners to adopt an ordinance imposing any such statutory tax or taxes that are approved by the voters; providing for the prospective expiration of the authority of a board of trustees to establish such a Committee; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

This bill authorizes the board of trustees of a school district to establish by resolution a Public Schools Overcrowding and Repair Needs Committee to recommend the imposition of one or more statutory taxes for consideration by the voters at the 2016 General Election to fund the capital projects of the school district. This bill further requires that if such a Committee is established and submits its recommendations to the board of county commissioners by April 2, 2016, the board of county commissioners is required to submit a question to the voters at the November 8, 2016, General Election asking whether any of the statutory tax or taxes recommended by the Committee should be imposed in the county. If a majority of the voters approve the question, the board of county commissioners is required to

adopt an ordinance imposing the approved statutory tax or taxes and the proceeds resulting from the imposition of such a tax or taxes must be deposited in the fund for capital projects of the school district. The provisions of this bill authorizing the board of trustees of a school district to establish such a Public Schools Overcrowding and Repair Needs Committee expire by limitation on April 2, 2016.

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

**Section 1.** 1. The board of trustees of a school district may, by resolution, establish a Public Schools Overcrowding and Repair Needs Committee to recommend the imposition of a statutory tax or taxes for consideration by the voters at the 2016 General Election to fund the capital projects of the school district. If such a resolution is adopted, the Committee must be appointed consisting of:

(a) The superintendent of schools of the school district, who serves ex officio, or his or her designee.

(b) One Senator whose legislative district includes all or part the school district. If the legislative district of more than one Senator includes the school district, those Senators shall jointly appoint the member to serve.

(c) One member of the Assembly whose legislative district includes all or part of the school district. If the legislative district of more than one member of the Assembly includes the school district, those members of the Assembly shall jointly appoint the member to serve.

(d) One member who is a representative of the Nevada Association of Realtors, appointed by that Association.

(e) One member who is a representative of the Retail Association of Nevada, appointed by that Association.

(f) One member appointed by the board of county commissioners.

(g) If the county includes one or more cities, the mayor of each such city shall appoint a member to serve.

(h) If applicable to the county, one member of the oversight panel for school facilities established pursuant to NRS 393.092 or 393.096, appointed by the chair of the panel.

(i) One member who is a representative of a labor organization, appointed by the State of Nevada AFL-CIO.

(j) One member who is a representative of the largest organization of licensed educators in the county, appointed by that organization.

(k) One member of the general public, appointed by the parent-teacher association with the largest membership in the county.

(l) ~~Any of the following members appointed by the board of trustees:~~

~~(1) One member who represents economic development in the county.~~

~~(2) , appointed by the regional development authority, as defined in NRS 231.009, for that county.~~

~~(m) One member who represents gaming.~~

~~(3) , appointed by the gaming association with the largest membership in the county or, if there are no members of a gaming association in the county, the board of trustees.~~

~~(n) One member who represents business or commercial interests, other than gaming.~~

~~(4) , appointed by the local chamber of commerce with the largest membership in the county or, if there is no local chamber of commerce in the county, the board of trustees.~~

(o) One member who represents homebuilders in the county ~~H~~, appointed by the association of homebuilders with the largest membership in the county or, if there are no members of an association of homebuilders in the county, the board of trustees.

2. The members appointed pursuant to paragraphs (d) to ~~(H)~~ (o), inclusive, of subsection 1 must be residents of the county.

3. Any vacancy occurring in the appointed membership of a Committee established pursuant to subsection 1 must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

4. If a Committee is established pursuant to subsection 1, the Committee shall hold its first meeting upon the call of the superintendent of schools of the school district as soon as practicable after the appointments are made pursuant to subsection 1. At the first meeting of the Committee, the members of the Committee shall elect a chair.

5. A majority of a Committee established pursuant to subsection 1 constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Committee.

6. If a Committee is established pursuant to subsection 1, the superintendent of schools of the school district shall provide administrative support to the Committee.

**Sec. 2.** 1. If a Public Schools Overcrowding and Repair Needs Committee is established pursuant to subsection 1 of section 1 of this act, such a Committee shall, on or before April 2, 2016:

(a) Prepare recommendations for the imposition of one or more statutory taxes in the county to provide funding for the school district for the purposes set forth in subsection 1 of NRS 387.335; and

(b) Submit the recommendations to the board of county commissioners.

2. Upon the receipt of recommendations pursuant to subsection 1, the board of county commissioners shall:

(a) At the General Election on November 8, 2016, submit a question to the voters of the county asking whether any of the recommended statutory tax or taxes should be imposed in the county; and

(b) If a majority of the voters voting on the question vote affirmatively on the question, adopt an ordinance imposing the recommended statutory tax or taxes. The ordinance must provide the same procedures for the administration and enforcement of the statutory tax or taxes as set forth in the statutory provisions governing that tax or taxes. The statutory tax or taxes may be imposed notwithstanding the provisions of any specific statute to the contrary.

**Sec. 3.** The proceeds of any statutory tax or taxes imposed under an ordinance adopted pursuant to section 2 of this act:

1. Must be deposited in the school district's fund for capital projects established pursuant to NRS 387.328, to be held and expended in the same manner as other money deposited in that fund; and

2. May not be used:

(a) To settle or arbitrate disputes between a recognized organization representing employees of a school district and the school district, or to settle any negotiations; or

(b) To adjust the district-wide schedule of salaries and benefits of the employees of a school district.

**Sec. 4.** 1. This act becomes effective upon passage and approval.

2. Section 1 of this act expires by limitation on April 2, 2016.