

CHAPTER.....

AN ACT relating to local governments; prohibiting a county, incorporated city or regional transportation commission from creating, maintaining or displaying a comprehensive model or map of the physical location of all or a substantial portion of the facilities of a public utility, public water system or video service provider; providing that the prohibition does not limit the authority of a county, city or regional transportation commission to require a public utility, public water system or video service provider to disclose information relating to the physical location of the facilities of the public utility, public water system or video service provider to facilitate certain public projects; revising provisions relating to municipal utilities; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Sections 1, 3 and 3.5 of this bill prohibit a county, incorporated city or regional transportation commission, respectively, from creating, maintaining or displaying a comprehensive model or map of the location of all or a substantial portion of the facilities of a public utility, public water system or video service provider. This prohibition does not limit the authority of a county, city or regional transportation system to require a public utility, public water system or video service provider to provide information to the county, city or commission relating to the physical location of the facilities of the public utility, public water system or video service provider to facilitate certain public projects.

Sections 2.3 and 3.3 of this bill provide that if real property is located within the service area of a municipal utility, the provision of services by the municipal utility to the property may not be conditioned upon the property owner agreeing to annexation of the real property to the city.

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. A county, including, without limitation, any board or planning agency of the county, shall not create, maintain or display a comprehensive model or map of the physical location of all or a substantial portion of the facilities of a public utility, public water system or video service provider.

2. The provisions of subsection 1 do not limit the authority of a county, including, without limitation, any board or planning



agency of the county, to require a public utility, public water system, video service provider to provide information about the physical location of the facilities of the public utility, public water system or video service provider for the purpose of facilitating a public work.

3. As used in this section:

(a) "Public utility" has the meaning ascribed to it in NRS 704.020.

(b) "Public water system" has the meaning ascribed to it in NRS 445A.235, except the term does not include a water system that is owned or operated by the county.

(c) "Public work" has the meaning ascribed to it in NRS 338.010.

(d) "Video service provider" has the meaning ascribed to it in NRS 711.151.

Sec. 2. (Deleted by amendment.)

Sec. 2.3. Chapter 266 of NRS is hereby amended by adding thereto a new section to read as follows:

If real property is located within the service area of a public utility acquired or established by a city council pursuant to NRS 266.290, the provision of services by the public utility to the property may not be conditioned upon the property owner agreeing to annexation of the real property to the city.

Sec. 2.5. Chapter 268 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 and 3.3 of this act.

Sec. 3. 1. An incorporated city, including, without limitation, any board or planning agency of the city, shall not create, maintain or display a comprehensive model or map of the physical location of all or a substantial portion of the facilities of a public utility, public water system or video service provider.

2. The provisions of subsection 1 do not limit the authority of an incorporated city, including, without limitation, any board or planning agency of the city, to require a public utility, public water system or video service provider to provide information about the physical location of the facilities of the public utility, public water system or video service provider for the purpose of facilitating a public work or a public improvement project pursuant to a franchise agreement.

3. As used in this section:

(a) "Public utility" has the meaning ascribed to it in NRS 704.020, except the term does not include a sewer system that is owned or operated by the city.



(b) *“Public water system” has the meaning ascribed to it in NRS 445A.235, except the term does not include a water system that is owned or operated by the city.*

(c) *“Public work” has the meaning ascribed to it in NRS 338.010.*

(d) *“Video service provider” has the meaning ascribed to it in NRS 711.151.*

Sec. 3.3. *If real property is located within the service area of a municipal utility, the provision of services by the municipal utility to the property may not be conditioned upon the property owner agreeing to annexation of the real property to the city.*

Sec. 3.5. Chapter 277A of NRS is hereby amended by adding thereto a new section to read as follows:

1. *A commission shall not create, maintain or display a comprehensive model or map of the physical location of all or a substantial portion of the facilities of a public utility, public water system or video service provider.*

2. *The provisions of subsection 1 do not limit the authority of a commission to require a public utility, public water system or video service provider to provide information about the physical location of the facilities of the public utility, public water system or video service provider for the purpose of facilitating a project.*

3. *As used in this section:*

(a) *“Public utility” has the meaning ascribed to it in NRS 704.020.*

(b) *“Public water system” has the meaning ascribed to it in NRS 445A.235.*

(c) *“Video service provider” has the meaning ascribed to it in NRS 711.151.*

Sec. 4. This act becomes effective on July 1, 2015.

