

ASSEMBLY BILL NO. 219—ASSEMBLYWOMAN SWANK

PREFILED FEBRUARY 13, 2017

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to gaming.  
(BDR 41-193)

FISCAL NOTE: Effect on Local Government: No.  
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 gaming; revising the boundaries of the Las Vegas Boulevard gaming corridor; providing for the expiration of the designation of certain locations as a gaming enterprise district; creating the Historic Las Vegas Gaming District; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law provides that the Nevada Gaming Commission is prohibited from  
2 approving a nonrestricted license for an establishment in a county whose population  
3 is 700,000 or more (currently Clark County) unless the establishment is located in a  
4 gaming enterprise district, which is defined as “an area that has been approved by a  
5 county, city or town as suitable for operating an establishment that has been issued  
6 a nonrestricted license.” (NRS 463.0158, 463.308) If the location of a proposed  
7 establishment is within the Las Vegas Boulevard gaming corridor or the rural Clark  
8 County gaming zone, but not within an area already designated as a gaming  
9 enterprise district, the Commission is prohibited from approving a nonrestricted  
10 license for the proposed establishment unless the location of the proposed  
11 establishment is first designated a gaming enterprise district pursuant to the criteria  
12 set forth in NRS 463.3084. (NRS 463.3082) However, if the location of a proposed  
13 establishment is not within the Las Vegas Boulevard gaming corridor or the rural  
14 Clark County gaming zone and not within an area already designated as a gaming  
15 enterprise district, the Commission is prohibited from approving a nonrestricted  
16 license for the proposed establishment unless the location of the proposed  
17 establishment is first designated a gaming enterprise district pursuant to the criteria  
18 set forth in NRS 463.3086, which contains certain additional requirements that are  
19 not contained in NRS 463.3084, such as the requirements that: (1) the property line  
20 of the proposed establishment must not be less than 500 feet from the property line  
21 of a developed residential district and not less than 1,500 feet from the property  
22 line of a public school, private school or structure used primarily for religious  
23 services or worship; and (2) a three-fourths vote of the governing body of the



24 county, city or town is required for designation of the location as a gaming  
25 enterprise district. (NRS 463.3086)

26 **Section 1** of this bill revises the boundaries of the Las Vegas Boulevard gaming  
27 corridor to remove certain residential areas commonly known as the Beverly Green  
28 neighborhood. **Section 2** of this bill provides for the expiration on October 1, 2017,  
29 the effective date of this bill, of any designation as a gaming enterprise district for  
30 the area removed from the Las Vegas Boulevard gaming corridor pursuant to  
31 **section 1**.

32 **Section 3** of this bill: (1) creates the Historic Las Vegas Gaming District; and  
33 (2) exempts certain parcels of real property located within the boundaries of that  
34 District from the application of certain provisions of law relating to gaming  
35 enterprise districts.

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1 WHEREAS, The gaming industry is one of the oldest industries in  
2 Nevada and has its beginnings not only on the Las Vegas Strip, but  
3 also in the Fremont Street corridor; and

4 WHEREAS, Heritage tourism is a relatively unexploited sector of  
5 tourism in Nevada, and gaming is a large part of that heritage  
6 tourism industry; and

7 WHEREAS, It is well known that heritage tourists spend more  
8 and stay longer than other types of tourists; and

9 WHEREAS, Local governments, including the City of Las Vegas,  
10 should be encouraged to foster heritage tourism through the historic  
11 preservation of the neighborhoods, areas and signage that are  
12 reflective of the cultural heritage of this State; and

13 WHEREAS, While it is important to preserve elements of our past  
14 for not only future generations but also for the promotion of this  
15 State's largest industries of tourism and gaming, it is also important  
16 that local governments create an environment where redevelopment  
17 can flourish and create districts with buildings of differing ages in  
18 order to attract investment, foster tourism and provide jobs; and

19 WHEREAS, Historic preservation and redevelopment are both  
20 crucial to the vitality of our communities, and local governments  
21 should be allowed to determine the proper balance between our  
22 historic past and prospective development that will encourage the  
23 continued growth of our economy; and

24 WHEREAS, The State of Nevada hereby creates the Historic Las  
25 Vegas Gaming District as a means of promoting heritage tourism  
26 and invigorating the gaming industries that have been the staple of  
27 downtown Las Vegas gaming; now, therefore,



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1 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
2 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:  
3

4 **Section 1.** NRS 463.3076 is hereby amended to read as  
5 follows:

6 463.3076 **1.** The location of a proposed establishment shall  
7 be deemed to be within the Las Vegas Boulevard gaming corridor if:  
8 ~~1.1~~ **(a)** The property line of the proposed establishment:

9 ~~1.1(a)~~ **(1)** Is within 1,500 feet of the centerline of Las Vegas  
10 Boulevard ~~1.1~~  
11 ~~1.1(b)~~ , unless:

12 **(I)** *The property line of the proposed establishment is*  
13 *east of the western edge line of Paradise Road and north of the*  
14 *southern edge line of Sahara Avenue; and*

15 **(II)** *The property is a parcel of land zoned primarily for*  
16 *residential use;*

17 **(2)** Is south of the intersection of Las Vegas Boulevard and  
18 that portion of St. Louis Avenue which is designated State Highway  
19 No. 605; and

20 ~~1.1(e)~~ **(3)** Is adjacent to or north of the northern edge line of State  
21 Highway No. 146; or

22 ~~1.2~~ **(b)** The property line of the proposed establishment is  
23 within the area beginning at the point of the southern edge line of  
24 Desert Inn Road that is 1,500 feet east of the centerline of Las  
25 Vegas Boulevard, then proceeding east to the western edge line of  
26 Paradise Road, then proceeding south to the northern edge line of  
27 Sands Avenue, then proceeding west to a point that is 1,500 feet east  
28 of the centerline of Las Vegas Boulevard.

29 **2.** *As used in this section, "residential use" has the meaning*  
30 *ascribed to it in NRS 116.083.*

31 **Sec. 2.** Any designation of a location as a gaming enterprise  
32 district which was made before October 1, 2017, and which is  
33 within the area removed from the Las Vegas Boulevard gaming  
34 corridor pursuant to the amendatory provisions of section 1 of this  
35 act expires on October 1, 2017.

36 **Sec. 3.** 1. Notwithstanding any other provision of law, the  
37 provisions of NRS 463.3072 to 463.3094, inclusive, do not apply to  
38 a qualified parcel located within the boundaries of the Historic Las  
39 Vegas Gaming District, which is hereby created.

40 2. As used in this section:

41 (a) "Historic Las Vegas Gaming District" means the area  
42 bounded by the east side of Main Street, the south side of Stewart  
43 Avenue, the west side of Third Street and the north side of Carson  
44 Avenue.



1 (b) "Nonrestricted license" has the meaning ascribed to it in  
2 NRS 463.0177.

3 (c) "Qualified parcel" means a parcel of property or combination  
4 of parcels of property:

5 (1) Comprised of an entire city block or a portion thereof  
6 consisting of at least 2.5 acres in the aggregate;

7 (2) On which is located a resort hotel that has a minimum  
8 capital or debt investment of \$100,000,000 in the real property,  
9 improvements and personal property comprising the resort hotel or,  
10 in the alternative, a market value appraisal of the real property,  
11 improvements and personal property comprising the resort hotel  
12 indicating a minimum value of \$100,000,000, based on an appraisal  
13 report prepared by a certified appraiser, as defined in NRS  
14 645C.047; and

15 (3) Which, before aggregation and development, includes a  
16 parcel upon which was located an establishment which held a  
17 nonrestricted license for a resort hotel on July 16, 1997, and which  
18 has not ceased gaming operations for more than 24 consecutive  
19 months.

20 (d) "Resort hotel" has the meaning ascribed to it in  
21 NRS 463.01865.

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