

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:

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



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

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

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

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

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

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

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

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

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

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



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

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

463.3076 **1.** The location of a proposed establishment shall be deemed to be within the Las Vegas Boulevard gaming corridor if:

~~1.1~~ **(a)** The property line of the proposed establishment:

~~1.1(a)~~ **(1)** Is within 1,500 feet of the centerline of Las Vegas Boulevard ~~1.1~~

~~1.1(b)~~ , unless:

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

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

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

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

~~1.1(f)~~ **(b)** The property line of the proposed establishment is within the area beginning at the point of the southern edge line of Desert Inn Road that is 1,500 feet east of the centerline of Las Vegas Boulevard, then proceeding east to the western edge line of Paradise Road, then proceeding south to the northern edge line of Sands Avenue, then proceeding west to a point that is 1,500 feet east of the centerline of Las Vegas Boulevard.

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

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

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

2. As used in this section:

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



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

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

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

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

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

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

