

ASSEMBLY BILL NO. 324—ASSEMBLYMAN ELLISON

MARCH 18, 2019

Referred to Committee on Growth and Infrastructure

SUMMARY—Creates provisions governing emergency 911 services. (BDR 43-47)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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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 emergency management; creating the Office of the Nevada Statewide 911 Coordinator in the Department of Public Safety; requiring the Coordinator to adopt certain regulations; imposing a surcharge on certain devices; imposing a surcharge and certain taxes to fund the Coordinator and the Nevada Public Safety Communications Advisory Committee; creating the Advisory Committee; establishing the duties of the Committee; creating the State 911 Fund; requiring each county in this State to appoint a county 911 coordinator; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

The Nevada Public Safety Communications Committee was established by Governor Sandoval in 2014 with one of its goals being to advise the Statewide 911 Coordinator. (Executive Order 2014-01) Since the position of Statewide 911 Coordinator does not currently exist, the Committee created the NPSCC Statewide 911 Coordinator Subcommittee to determine the duties and responsibilities of the Statewide 911 Coordinator. As a result, the NPSCC Statewide 911 Coordinator Subcommittee submitted its Recommendations Report to the Committee in 2016 outlining the duties, education and experience requirements and funding mechanisms for the Statewide 911 Coordinator. This bill carries out the Recommendations Report of the NPSCC Statewide 911 Coordinator Subcommittee by creating the Nevada Statewide 911 Coordinator and other entities and funds.

**Section 19** of this bill creates the Office of the Nevada Statewide 911 Coordinator within the Department of Public Safety. **Sections 40 and 41** of this bill make conforming changes. **Section 19** requires the Director of the Department to appoint the Nevada Statewide 911 Coordinator, who is required to manage the Office. **Section 20** of this bill authorizes the Coordinator to employ certain persons to assist the Coordinator in carrying out his or her duties and responsibilities.



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**Section 21** of this bill: (1) requires the Coordinator to meet certain education and experience requirements; and (2) provides further guidance as to the qualifications of the Coordinator.

**Sections 22-25** of this bill set out the various duties of the Coordinator. Federal regulations authorize a state to apply for funds from the 911 Grant Program. To make such an application, a state must: (1) have a State 911 Plan; (2) have a project budget and a supplemental project budget; (3) identify a single officer or government body to serve as the 911 Coordinator of implementation of 911 services; and (4) have the 911 Coordinator sign certain certifications required under federal regulations. (47 C.F.R. § 400.4(a)) **Section 22** of this bill identifies the Nevada Statewide 911 Coordinator as the designated 911 Coordinator of Nevada for the purpose of applying for funds from the 911 Grant Program. **Section 23** of this bill requires the Coordinator to serve as the Executive Director of the Nevada Public Safety Communications Advisory Committee and provides for the responsibilities of the Coordinator in serving as the Executive Director. **Section 24** of this bill provides for the fiscal responsibilities of the Coordinator, including administering the State 911 Fund and approving expenditures from the Fund. **Section 25** of this bill provides for the various other duties of the Coordinator, including creating, implementing, managing and updating the State 911 Plan for the purpose of applying for funds from the 911 Grant Program.

**Section 26** of this bill requires the Coordinator to adopt certain regulations concerning public safety answering points and 911 systems. **Section 26** further authorizes the Coordinator to adopt such other regulations as are necessary for the Coordinator to carry out his or her duties and responsibilities. **Section 27** of this bill provides that the Coordinator is entitled to receive compensation for travel while carrying out his or her duties and responsibilities. **Section 28** of this bill authorizes the Coordinator to apply for and receive gifts, grants, contributions or other money.

**Sections 29-31** of this bill impose a surcharge and various taxes that must be used to fund the duties and responsibilities of the Coordinator and the Nevada Public Safety Communications Advisory Committee. **Section 29** of this bill requires the board of county commissioners in each county in this State to impose a surcharge that does not exceed 75 cents each month on: (1) the access lines or trunk lines of each customer of a telecommunications provider; (2) the mobile telephone service provided to certain customers of that service; and (3) any Internet Protocol-enabled service or Voice over Internet Protocol service provided to certain customers of that service. **Section 29** authorizes the board of county commissioners to impose a schedule of penalties for the delinquent payments of this surcharge from such providers or suppliers. **Sections 44 and 46** of this bill make conforming changes. **Section 30** of this bill imposes an excise tax on each retail sale in this State of a prepaid cellular device by any retailer at a rate of 3 percent of the sales price of the prepaid cellular device. **Section 31** of this bill requires the board of county commissioners in each county in this State to impose a tax in any year that does not exceed 5 cents on each \$100 of the gross receipts from the rental of transient lodging in that county. **Section 31** requires the board of county commissioners to impose a schedule of penalties for the delinquent payments of the tax. **Sections 42, 43 and 45** of this bill make conforming changes. **Sections 29-31** require any revenue received from this surcharge and these taxes to be deposited with the State Treasurer for credit to the State 911 Fund.

**Sections 32-37** of this bill create the Nevada Public Safety Communications Advisory Committee and provide the duties of the Advisory Committee. **Section 32** of this bill creates the Advisory Committee and specifies its membership. **Section 33** of this bill provides for the requirements for the meetings of the Committee and requires such meetings to comply with the Open Meeting Law. (Chapter 241 of NRS) **Section 34** of this bill sets forth: (1) various rules concerning the compensation of members of the Committee; and (2) that the members of the



Committee are entitled to receive compensation for travel by the members of the Committee while carrying out the duties and responsibilities of the Committee. **Section 35** of this bill provides for the duties of the Committee, including advising the Coordinator. **Section 36** of this bill authorizes the Co-Chairs of the Committee, with the approval of the Committee, to appoint any subcommittees that the Co-Chairs of the Committee deem necessary to assist in carrying out the duties of the Committee. **Section 37** of this bill requires the Governor to provide such staff assistance to the Committee as the Governor deems appropriate.

**Section 38** of this bill creates the State 911 Fund in the State General Fund and requires the Coordinator to administer the State 911 Fund. **Section 38** requires any revenue received from the following sources to be deposited with the State Treasurer for credit to the State 911 Fund: (1) the 911 Grant Program; (2) any gifts, grants, contributions or other money received by the Coordinator under **section 28**; (3) the surcharge imposed by **section 29**; (4) the excise tax imposed by **section 30**; and (5) the tax imposed by **section 31**. **Section 38** requires: (1) all expenditures from the State 911 Fund to be approved in advance by the Coordinator; (2) the money in the State 911 Fund to be used for certain purposes; and (3) that the Coordinator may not use more than 5 percent of the money collected in a fiscal year for administrative expenses. **Section 38** requires the Coordinator, at the end of each quarter of a fiscal year, to submit to the Interim Finance Committee a report of the expenditures made from the State 911 Fund.

**Section 39** of this bill requires each county in this State to appoint a county 911 coordinator who: (1) is approved by and works under the supervision of the Nevada Statewide 911 Coordinator; and (2) performs various tasks. **Section 38** requires money in the State 911 Fund to be expended to fund the county 911 coordinators.

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

**Section 1.** Chapter 480 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 39, inclusive, of this act.

**Sec. 2.** *As used in sections 2 to 39, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 18, inclusive, of this act have the meanings ascribed to them in those sections.*

**Sec. 3.** *"911 emergency" means an emergency that is reported to a public safety answering point by use of a 911 system.*

**Sec. 4.** *"911 system" means any system, equipment, software, device, network, technology, architecture, centers, public safety answering point or other feature, tool, hardware or software through which a person can report a 911 emergency.*

**Sec. 5.** *"Basic network service" has the meaning ascribed to it in NRS 704.006.*

**Sec. 6.** *"Committee" means the Nevada Public Safety Communications Advisory Committee created by section 32 of this act.*

**Sec. 7.** *"Coordinator" means the Nevada Statewide 911 Coordinator appointed pursuant to section 19 of this act.*



1     **Sec. 8.** *“E911” means the Enhanced 911 rules established by*  
2 *the Federal Communications Commission that seek to improve the*  
3 *effectiveness and reliability of wireless 911 services.*

4     **Sec. 9.** *“Emergency medical dispatch” means a 911 system*  
5 *in which a trained person determines the nature and priority of a*  
6 *medical call, dispatches the appropriate response and provides*  
7 *instructions to help treat the patient until the emergency responder*  
8 *arrives.*

9     **Sec. 10.** *“Emergency responder” means a person or*  
10 *governmental agency that provides an emergency response.*

11     **Sec. 11.** *“Enhanced 911 service” means a service consisting*  
12 *of telephone network features and public safety answering points*  
13 *provided for a person by a public telephone system to reach the*  
14 *appropriate public safety answering point by dialing the digits 9-1-*  
15 *1, by using selective routing, if required, based on the location*  
16 *from which a call originates, and providing, at the public safety*  
17 *answering point, automatic identification of the telephone number*  
18 *and physical location from which the person is calling.*

19     **Sec. 12.** *“First Responder Network Authority” or “FirstNet”*  
20 *means the independent authority within the National*  
21 *Telecommunications and Information Administration that*  
22 *provides emergency responders with a nationwide, broadband*  
23 *network dedicated to public safety.*

24     **Sec. 13.** *“Next Generation 911” or “NG911” means a digital*  
25 *or Internet Protocol-based 911 system designed to replace analog-*  
26 *based 911 systems.*

27     **Sec. 14.** *“Office” means the Office of the Nevada Statewide*  
28 *911 Coordinator created by section 19 of this act.*

29     **Sec. 15.** *“Personal wireless service” has the meaning*  
30 *ascribed to it in NRS 707.565.*

31     **Sec. 16.** *“Public safety answering point” means a facility,*  
32 *operated 24 hours a day, 7 days a week, that is responsible for*  
33 *receiving 911 telephone calls and directly dispatching an*  
34 *emergency response, or transferring or relaying 911 telephone*  
35 *calls to other governmental agencies. A public safety answering*  
36 *point is the first point of reception by a governmental agency of*  
37 *911 telephone calls and serves the jurisdiction in which it is*  
38 *located and other participating jurisdictions.*

39     **Sec. 17.** *“State 911 Plan” means a plan that satisfies the*  
40 *requirements of 47 C.F.R. § 400.4(a)(1).*

41     **Sec. 18.** *“State Administrative Agent” means the individual*  
42 *listed on the State Administrative Agency Contact List which is*  
43 *published by the Federal Emergency Management Agency.*

44     **Sec. 19. 1.** *The Office of the Nevada Statewide 911*  
45 *Coordinator is hereby created within the Department.*



2. The Director shall appoint the Nevada Statewide 911 Coordinator. The Coordinator serves at the pleasure of the Director.

3. The Coordinator shall manage the Office and any persons employed pursuant to section 20 of this act to carry out the duties and responsibilities of the Coordinator as set forth in sections 2 to 39, inclusive, of this act.

4. The Coordinator must not have any conflicts of interest relating to the performance of his or her duties and responsibilities as set forth in sections 2 to 39, inclusive, of this act.

**Sec. 20.** 1. The Coordinator may employ such persons in the classified service of the State as the Coordinator determines to be necessary to carry out the duties and responsibilities of the Coordinator as set forth in sections 2 to 39, inclusive, of this act.

2. If the Coordinator employs persons pursuant to subsection 1, the salaries for those positions must be paid from the State 911 Fund created pursuant to section 38 of this act.

3. A person employed by the Coordinator pursuant to this section must be qualified by training and experience to perform the duties for which the Coordinator employs the person.

4. A person employed by the Coordinator pursuant to this section must not have any conflicts of interest relating to the performance of his or her duties.

**Sec. 21.** 1. The Coordinator must have at least the following education and experience:

(a) A bachelor's degree in public administration, criminal justice, communications or a related field, as determined by the Director; and

(b) Four years or more of work experience in:

(1) Public safety communications;

(2) Emergency management;

(3) Telecommunications planning and supervision;

(4) Financial management, including, without limitation, management of grants, contracts, claims and budgets;

(5) Public affairs;

(6) Management of programs or projects;

(7) Environmental analysis or planning;

(8) Civil or structural engineering;

(9) Urban planning; or

(10) Any equivalent combination of experience or education that the Director determines provides the desired knowledge, skills and ability required for the position of Coordinator.



2. The Coordinator should have as many of the following characteristics as possible:

(a) Experience and knowledge in managing employees;

(b) Knowledge of:

(1) Public safety answering points, 911 systems and enhanced 911 services;

(2) Employment laws and regulations;

(3) Industry trends in technology, architecture, networks, information systems and the Internet that would affect 911 systems;

(4) Interoperability between FirstNet, NG911 and land mobile radio systems;

(5) Current and emerging emergency 911 systems and services, including, without limitation:

(I) E911, including, without limitation, wireless 911 services and Phase I and Phase II of E911;

(II) Public safety answering points;

(III) Channel-associated signaling (CAS);

(IV) Non-call-path associated signaling (NCAS);

(V) Automatic number identification (ANI) or automatic location identification (ALI);

(VI) Computer-aided dispatch (CAD);

(VII) Emergency medical dispatch; and

(VIII) Automotive vehicle location (AVL);

(6) Legislation relating to 911 systems;

(7) Contingency and disaster planning;

(8) Health and safety factors associated with operating public safety answering points;

(9) Public relations and public education; and

(10) Geographic information systems and their interoperability with 911 systems;

(c) Working knowledge of:

(1) Regulations adopted by the Federal Communications Commission; and

(2) NG911;

(d) Ability to:

(1) Analyze issues related to technology and develop solutions and recommendations for projects;

(2) Advise and oversee activities in person and remotely;

(3) Communicate effectively, both orally and in writing;

(4) Speak in front of large crowds;

(5) Draft plans, policies, standards or guidelines that relate to 911 systems; and



(6) Work effectively with agency leadership, state and local managers and staff, policy boards and nongovernment groups; and

(e) Hold or pass the following certification or programs:

(1) Hold the ENP Certification of the National Emergency Number Association;

(2) Pass the Certified Public-Safety Executive Program of the Association of Public-Safety Communications Officials; and

(3) Pass the Registered Public-Safety Leader Program of the Association of Public-Safety Communications Officials.

**Sec. 22.** The Coordinator is the designated 911 Coordinator of Nevada for the purpose of applying for funds from the 911 Grant Program pursuant to 47 C.F.R. § 400.4.

**Sec. 23.** 1. The Coordinator shall serve as the Executive Director of the Committee.

2. The Coordinator is responsible for:

(a) The day-to-day management of the Committee; and

(b) Implementing any action that is approved or requested by the Committee that the Coordinator determines to be appropriate.

**Sec. 24.** The Coordinator shall:

1. Develop requests for proposals for 911 systems and maintenance services on such 911 systems;

2. Review any bids received pursuant to the requests for proposals developed pursuant to subsection 1 and, with the advice of the Committee, determine which bids to accept;

3. Prepare and approve the annual budget for:

(a) The Committee;

(b) If applicable, any subcommittee of the Committee appointed pursuant to section 36 of this act; and

(c) Any county 911 coordinators who are appointed and approved pursuant to section 39 of this act;

4. Administer the State 911 Fund created by section 38 of this act;

5. Approve expenditures from the State 911 Fund that comply with section 38 of this act;

6. Maintain financial records for any expenditure from the State 911 Fund for the purpose of submitting the quarterly report to the Interim Finance Committee pursuant to subsection 6 of section 38 of this act;

7. Manage any gifts, grants, contributions or other money received pursuant to section 28 of this act; and

8. Prepare any request for reimbursement of expenses incurred by the Coordinator in the discharge of his or her duties.



**Sec. 25. The Coordinator shall:**

**1. Be the single point of contact for this State for coordinating 911 systems in this State.**

**2. Coordinate:**

**(a) With state agencies, local governments, Indian tribes or nations, special districts, telephone companies or providers of basic network services, providers of personal wireless service, law enforcement agencies, providers of fire protection services and providers of emergency medical services to implement, use and update 911 systems;**

**(b) The implementation, use and updating of 911 systems;**

**(c) With counties that have enhanced 911 services in existence while implementing enhanced 911 services across the State pursuant to subsection 14; and**

**(d) With the Governor and other officials of this State to update or amend Nevada Revised Statutes.**

**3. Serve as the coordinator for this State for NG911.**

**4. Provide research and technical support to the Committee.**

**5. Propose goals and programs that may be established and carried out, respectively, to promote the availability and effectiveness of 911 systems.**

**6. Administer any laws relating to 911 systems.**

**7. Review technical and operational specifications, standards, policies, procedures and best practices for 911 systems and develop a detailed description of such 911 systems.**

**8. Negotiate and enter into contracts upon accepting a bid pursuant to subsection 2 of section 24 of this act.**

**9. Evaluate the performance of contractors who entered into a contract with the Coordinator pursuant to subsection 8 to determine if the terms and conditions of the contract are being complied with.**

**10. Create and implement the State 911 Plan.**

**11. Manage and update the State 911 Plan.**

**12. Be the single point of accountability for issues concerning 911 systems for this State that arise as a result of the State 911 Plan.**

**13. Gather and provide to the public information on how the initiatives implemented by the State 911 Plan are progressing.**

**14. Create a plan to implement enhanced 911 service in each county in this State.**

**15. Provide to the public information about local, state and national 911 systems.**

**16. Respond to inquiries and complaints concerning 911 systems.**



17. Act as the liaison with local, county, state and federal agencies and governments that have an interest in providing 911 systems.

18. Present reports, speeches and seminars to federal, state and local agencies, including, without limitation, to:

(a) The National Emergency Number Association;

(b) The Association of Public-Safety Communications Officials; and

(c) The National Association of State 911 Administrators.

19. Ensure that all telephones in a county are or can be selectively routed to one or more public safety answering points.

20. Ensure that the equipment used by a public safety answering point in this State meets the standards of ESInet and any other national standard the Coordinator determines to apply to public safety answering points in this State.

21. Perform any other acts related to his or her duties that the Coordinator determines are necessary.

**Sec. 26. 1. The Coordinator shall adopt regulations that provide:**

(a) The technical and operational standards for public safety answering points;

(b) The standards and procedures for developing and maintaining a database of 911 systems; and

(c) The standards and procedures for ensuring the security of 911 systems and the database of 911 systems.

2. The Coordinator may adopt such other regulations as are necessary to carry out the provisions of sections 2 to 39, inclusive, of this act.

**Sec. 27. In addition to any compensation received by the Coordinator, while carrying out the duties and responsibilities of the Coordinator as set forth in sections 2 to 39, inclusive, of this act, the Coordinator is entitled to receive the per diem allowance and travel expenses provided for state officers generally.**

**Sec. 28. The Coordinator may apply for and receive gifts, grants, contributions or other money, including, without limitation, the 911 Grant Program pursuant to 47 C.F.R. § 400.4, from governmental and private agencies, affiliated associations and other persons to carry out the duties of the Coordinator and to defray expenses incurred by the Coordinator in the discharge of his or her duties.**

**Sec. 29. 1. The board of county commissioners in each county in this State shall impose a surcharge on:**

(a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in the county;



(b) The mobile telephone service provided to each customer of that service whose place of primary use is in the county; and

(c) Any Internet Protocol-enabled service or Voice over Internet Protocol service provided to each customer of that service whose place of primary use is in the county.

2. The surcharge imposed by a board of county commissioners pursuant to subsection 1 must not exceed 75 cents each month.

3. The board of county commissioners may impose a schedule of penalties for the delinquent payment of amounts due from telecommunications providers which provides access lines or trunk lines in a county which imposes a surcharge pursuant to this section or a supplier which provides mobile telephone service, Internet Protocol-enabled service or Voice over Internet Protocol service to a customer in such a county pursuant to this section. Such a schedule:

(a) Must provide for a grace period of not less than 90 days after the date on which the telecommunications provider or supplier must otherwise remit the surcharge to the Department of Taxation; and

(b) Must not provide for a penalty that exceeds 5 percent of the cumulative amount of surcharges owed by a telecommunications provider or a supplier.

4. A telecommunications provider or a supplier shall collect the surcharge from its customers each month. Except as otherwise provided in subsection 5, the telecommunications provider or supplier shall remit the surcharge it collects to the Department of Taxation not later than the 15th day of the month after the month it receives payment of the surcharge from its customers. The Department of Taxation shall deposit the surcharge with the State Treasurer for credit to the State 911 Fund created by section 38 of this act.

5. A telecommunications provider or supplier which collects the surcharge imposed pursuant to this section is entitled to retain an amount of the surcharge collected which is equal to the cost to collect the surcharge.

6. As used in this section:

(a) "Internet Protocol-enabled service" means any service, functionality or application which uses Internet Protocol or a successor protocol that enables an end-user to send or receive voice, data or video communications. The term does not include Voice over Internet Protocol service.

(b) "Mobile telephone service" means cellular or other service to a telephone installed in a vehicle or which is otherwise portable.



(c) "Place of primary use" has the meaning ascribed to it in 4 U.S.C. § 124(8), as that section existed on August 1, 2002.

(d) "Supplier" means a person authorized by the Federal Communications Commission to provide mobile telephone service, Internet Protocol-enabled service or Voice over Internet Protocol service.

(e) "Trunk line" means a line which provides a channel between a switchboard owned by a customer of a telecommunications provider and the local exchange of the telecommunications provider.

(f) "Voice over Internet Protocol service" means any service that:

(1) Enables real-time, two-way voice communication originating from or terminating at the user's location in Internet Protocol or a successor protocol;

(2) Uses a broadband connection from the user's location; and

(3) Permits a user to receive a call that originates on the public switched telephone network and to terminate a call to the public switched telephone network.

**Sec. 30. 1.** An excise tax is hereby imposed on each retail sale in this State of a prepaid cellular device by any retailer at the rate of 3 percent of the sales price of the prepaid cellular device. The excise tax imposed pursuant to this subsection is:

(a) The obligation of the retailer; and

(b) Separate from and in addition to any general state and local sales and use taxes that apply to retail sales of tangible personal property.

2. The revenues collected from the excise tax imposed pursuant to subsection 1 must be distributed to the State Treasurer to be deposited to the credit of the State 911 Fund created by section 38 of this act.

3. As used in this section:

(a) "Prepaid cellular device" means a cellular phone or any other portable device for which the service is purchased in a set amount at the time of purchasing the cellular phone or other portable device and the service does not involve a long-term contract.

(b) "Retailer" includes every seller who makes any retail sale or sales of prepaid cellular devices.

(c) "Tangible personal property" has the meaning ascribed to it in NRS 360B.095.

**Sec. 31. 1.** The board of county commissioners in each county in this State shall impose a tax in any 1 year of not more than 5 cents on each \$100 of the gross receipts from the rental of



transient lodging in that county upon all persons in the business of providing lodging. This tax must be imposed by the board of county commissioners in each county, regardless of the existence or nonexistence of any other license fee or tax imposed on the revenues from the rental of transient lodging. The ordinance imposing the tax must include a schedule for the payment of the tax and the provisions of subsection 4.

2. The tax imposed pursuant to subsection 1 must be collected and administered pursuant to NRS 244.335.

3. The tax imposed pursuant to subsection 1 may be collected from the paying guests and may be shown as an addition to the charge for the rental of transient lodging. The person providing the transient lodging is liable to the county for the tax whether or not it is actually collected from the paying guest.

4. If the tax imposed pursuant to subsection 1 is not paid within the time set forth in the schedule for payment, the county shall charge and collect in addition to the tax:

(a) A penalty of not more than 10 percent of the amount due, exclusive of interest, or an administrative fee established by the board of county commissioners, whichever is greater; and

(b) Interest on the amount due at the rate of not more than 1.5 percent per month or fraction thereof from the date on which the tax became due until the date of payment.

5. The proceeds of the tax imposed pursuant to this section and any applicable penalty or interest must be paid to the Department of Taxation for deposit with the State Treasurer for credit to the State 911 Fund created by section 38 of this act.

6. As used in this section, "gross receipts from the rental of transient lodging" does not include the tax imposed and collected from paying guests pursuant to this section, NRS 244.3352 or 268.096.

**Sec. 32. 1. The Nevada Public Safety Communications Advisory Committee is hereby created within the Office.**

2. The Governor shall appoint the following voting members to the Committee who serve at the Governor's pleasure:

(a) The Director;

(b) The Chief Information Officer for the State;

(c) One member who is a representative of the Department of Transportation;

(d) One member who is a representative of the Nevada National Guard;

(e) One member who is a representative of the Nevada Commission on Homeland Security;

(f) One member who is a representative of the Nevada Sheriffs' and Chiefs' Association;



(g) One member who is a representative of the Inter-Tribal Council of Nevada, Inc., or its successor organization, to represent tribal governments in Nevada;

(h) One member who is a representative of the Las Vegas Metropolitan Police Department, appointed by the Sheriff of Clark County;

(i) One member who is a representative of the Southern Nevada Area Communications Council;

(j) One member who is a representative of the Washoe County Regional Communications System;

(k) One member who is a representative of the Nevada System of Higher Education;

(l) One member who is a representative of NV Energy;

(m) One member who is a representative of the Nevada Hospital Association;

(n) One member from a county whose population is less than 100,000 who represents public safety; and

(o) One member who is a representative of the Nevada Fire Chiefs Association or its legal successor. If the Association ceases to exist and no legal successor is formed, the Governor shall appoint one member who is a fire chief.

3. The Governor shall appoint the following nonvoting members to the Committee who serve at the Governor's pleasure:

(a) The Chief of the Division of Emergency Management of the Department of Public Safety;

(b) The Statewide Interoperability Coordinator for Nevada, if any; and

(c) One member who is a representative of the United States Department of Homeland Security, the Federal Emergency Management Agency or the First Responder Network Authority.

4. The Governor shall appoint two Co-Chairs of the Committee from the membership of the Committee. At least one of the Co-Chairs must be a representative of a state agency.

5. The Committee may select one of the Co-Chairs to serve as a delegate of the Committee to represent the interests of the Committee for the purposes of gathering information and government relations on matters relating to FirstNet.

**Sec. 33. 1.** The Committee shall meet at the call of either of the Co-Chairs as frequently as required to perform its duties, but not less than quarterly.

2. A majority of the voting members of the Committee constitutes a quorum for the transaction of business, and a majority of those voting members present at any meeting is sufficient for any official action taken by the Committee.



3. *The Committee and any subcommittee appointed pursuant to section 36 of this act shall comply with the provisions of chapter 241 of NRS and shall conduct all meetings in accordance with that chapter.*

**Sec. 34.** 1. *Each member of the Committee who is not a public employee is entitled to receive compensation of not more than \$80 per day, as fixed by the Committee, while engaged in the business of the Committee.*

2. *A member of the Committee who is a public employee may not receive any compensation for his or her services as a member of the Committee. Any member of the Committee who is a public employee must be granted administrative leave from the member's duties to engage in the business of the Committee without loss of his or her regular compensation. Such leave does not reduce the amount of the member's other accrued leave.*

3. *In addition to any compensation received pursuant to this section, while engaged in the business of the Committee, each member and employee of the Committee is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.*

**Sec. 35.** *The Committee shall:*

1. *Advise the Nevada Commission on Homeland Security on the compatibility and interoperability of information systems and systems of communication used by response agencies within this State.*

2. *Advise the State Administrative Agent on all communications concerning funding, including, without limitation, the prioritization of the investment made by the State in communications systems and the advancement of statewide communications and interoperability goals.*

3. *Serve as the coordinating body for communications systems operating within the State, including, without limitation, statewide, federal, tribal, local and discipline-specific systems.*

4. *Serve as the applicable state agency for issues related to public safety communication and involving the Federal Communications Commission. For such purposes the Committee may identify itself as the Statewide Interoperability Executive Committee.*

5. *Develop guidance for the Coordinator on how to improve operational and interoperable communications in the State, and perform an annual review of this guidance. For such purposes, the Committee may identify itself as the Statewide Interoperability Governing Body, and may identify the guidance it develops as the Statewide Communications Interoperability Plan.*

6. *Advise the Coordinator.*



7. Perform an annual review of the State 911 Plan and provide the Coordinator with guidance on how to improve operational and interoperable 911 systems in the State.

8. Designate, as appropriate, working groups and subcommittees to address issues facing interoperable communications in Nevada, including, without limitation:

(a) 911 systems;

(b) Governmental agencies, and divisions thereof, which provide dispatch services; and

(c) Nevada's participation in FirstNet.

9. Support outreach and education on existing, new and emerging 911 systems affecting Nevada first responders and agencies.

10. Advise the Governor to opt-in or opt-out of FirstNet.

11. Provide recommendations to the Coordinator and state and local governments for the purpose of fulfilling any state or federal mandates concerning 911 systems.

**Sec. 36. 1.** Either Co-Chair of the Committee may, with the approval of the Committee, appoint any subcommittees that the respective Co-Chair deems necessary to assist in carrying out the duties of the Committee. The respective Co-Chair shall appoint to the subcommittee the number of voting members or nonvoting members, or both, that the Co-Chair determines to be appropriate. The respective Co-Chair may appoint any person the Co-Chair deems appropriate to serve on a subcommittee, except that a subcommittee must include at least one member of the Committee. At its first meeting and annually thereafter, a subcommittee shall select a chair and a vice chair from the members of the subcommittee.

2. If a member of a subcommittee formed pursuant to subsection 1 is a public employee, the member's employer must grant the member administrative leave from his or her duties to serve on the subcommittee without loss of the member's regular compensation and without reducing the amount of any other accrued leave the member may have.

**Sec. 37.** The Governor shall provide such staff assistance to the Committee as the Governor deems appropriate and may designate a state agency to provide such assistance.

**Sec. 38. 1.** The State 911 Fund is hereby created in the State General Fund.

2. The Coordinator shall administer the State 911 Fund.

3. Any revenue received from the following sources must be deposited with the State Treasurer for credit to the State 911 Fund:



- (a) The 911 Grant Program pursuant to 47 C.F.R. § 400.4;  
(b) Gifts, grants, contributions or other money pursuant to section 28 of this act;  
(c) The surcharge imposed pursuant to section 29 of this act;  
(d) The excise tax imposed pursuant to section 30 of this act;  
and  
(e) The tax imposed pursuant to section 31 of this act.

4. Except as otherwise provided in subparagraph (3) of paragraph (c), all expenditures from the State 911 Fund must be approved in advance by the Coordinator. The money in the State 911 Fund:

(a) If received from the 911 Grant Program pursuant to 47 C.F.R. § 400.4, may only be expended in accordance with the provisions of the 911 Grant Program pursuant to 47 C.F.R. § 400.4;

(b) If received by some other means as set forth in paragraphs (b) to (e), inclusive, of subsection 3, must be expended to fund county 911 coordinators that are appointed and approved pursuant to section 39 of this act; and

(c) If received by some other means as set forth in paragraphs (b) to (e), inclusive, of subsection 3, may be expended:

(1) To enable the Coordinator to carry out his or her duties and responsibilities as set forth in sections 2 to 39, inclusive, of this act;

(2) To enable the Committee to carry out its duties as set forth in section 35 of this act; or

(3) For any other purpose authorized by the Legislature.

5. The Coordinator may use not more than 5 percent of the money collected in a fiscal year pursuant to subsection 3 for administrative expenses.

6. Beginning with the fiscal year that begins on July 1, 2020, the Coordinator shall, at the end of each quarter of a fiscal year, submit to the Interim Finance Committee a report of the expenditures made from the State 911 Fund for the previous quarter.

7. The Coordinator may adopt such regulations as are necessary to administer the State 911 Fund.

8. Money in the State 911 Fund does not revert to the State General Fund at the end of a fiscal year. The interest and income earned on the money in the State 911 Fund, after deducting any applicable charges, must be credited to the State 911 Fund. Any claims against the State 911 Fund must be paid as other claims against the State are paid.



1     **Sec. 39. 1. Each county in this State shall appoint a county**  
2     **911 coordinator who must be approved by and work under the**  
3     **supervision of the Coordinator.**

4     **2. Each county 911 coordinator shall assist the Coordinator**  
5     **in determining:**

6         **(a) Equipment and services needs for 911 systems; and**

7         **(b) Perform such other services as requested by the**  
8     **Coordinator.**

9     **3. Two or more counties jointly may create one county 911**  
10    **coordinator to service those counties.**

11    **Sec. 40.** NRS 480.130 is hereby amended to read as follows:

12    480.130 The Department consists of:

13         1. An Investigation Division;

14         2. A Nevada Highway Patrol Division;

15         3. A Division of Emergency Management;

16         4. A State Fire Marshal Division;

17         5. A Division of Parole and Probation;

18         6. A Capitol Police Division;

19         7. A Nevada Office of Cyber Defense Coordination;

20         8. A Training Division; ~~and~~

21         9. A Records, Communications and Compliance Division ~~H~~ ;  
22    **and**

23    **10. The Office of the Nevada Statewide 911 Coordinator.**

24    **Sec. 41.** NRS 480.140 is hereby amended to read as follows:

25    480.140 The primary functions and responsibilities of the  
26    divisions of the Department are as follows:

27         1. The Investigation Division shall:

28             (a) Execute, administer and enforce the provisions of chapter  
29     453 of NRS relating to controlled substances and chapter 454 of  
30     NRS relating to dangerous drugs;

31             (b) Assist the Secretary of State in carrying out an investigation  
32     pursuant to NRS 293.124; and

33             (c) Perform such duties and exercise such powers as may be  
34     conferred upon it pursuant to this chapter and any other specific  
35     statute.

36         2. The Nevada Highway Patrol Division shall, in conjunction  
37     with the Department of Motor Vehicles, execute, administer and  
38     enforce the provisions of chapters 484A to 484E, inclusive, of NRS  
39     and perform such duties and exercise such powers as may be  
40     conferred upon it pursuant to NRS 480.360 and any other specific  
41     statute.

42         3. The Division of Emergency Management shall execute,  
43     administer and enforce the provisions of chapters 414 and 414A of  
44     NRS and perform such duties and exercise such powers as may be



1 conferred upon it pursuant to chapters 414 and 414A of NRS and  
2 any other specific statute.

3 4. The State Fire Marshal Division shall execute, administer  
4 and enforce the provisions of chapter 477 of NRS and perform such  
5 duties and exercise such powers as may be conferred upon it  
6 pursuant to chapter 477 of NRS and any other specific statute.

7 5. The Division of Parole and Probation shall execute,  
8 administer and enforce the provisions of chapters 176A and 213 of  
9 NRS relating to parole and probation and perform such duties and  
10 exercise such powers as may be conferred upon it pursuant to those  
11 chapters and any other specific statute.

12 6. The Capitol Police Division shall assist in the enforcement  
13 of subsection 1 of NRS 331.140.

14 7. The Nevada Office of Cyber Defense Coordination shall:

15 (a) Serve as the strategic planning, facilitating and coordinating  
16 office for cybersecurity policy and planning in this State; and

17 (b) Execute, administer and enforce the provisions of NRS  
18 480.900 to 480.950, inclusive, and perform such duties and exercise  
19 such powers as may be conferred upon it pursuant to NRS 480.900  
20 to 480.950, inclusive, and any other specific statute.

21 8. The Training Division shall provide training to the  
22 employees of the Department.

23 9. The Records, Communications and Compliance Division  
24 shall:

25 (a) Execute, administer and enforce the provisions of chapter  
26 179A of NRS and perform such duties and exercise such powers as  
27 may be conferred upon it pursuant to chapter 179A of NRS and any  
28 other specific statute;

29 (b) Provide dispatch services for the Department and other  
30 agencies as determined by the Director;

31 (c) Maintain records of the Department as determined by the  
32 Director; and

33 (d) Provide support services to the Director, the divisions of the  
34 Department and the Nevada Criminal Justice Information System as  
35 may be imposed by the Director.

36 ***10. The Office of the Nevada Statewide 911 Coordinator shall***  
37 ***assist the Nevada Statewide 911 Coordinator in executing,***  
38 ***administering and enforcing the provisions of sections 2 to 39,***  
39 ***inclusive, of this act.***

40 **Sec. 42.** NRS 244.3352 is hereby amended to read as follows:

41 244.3352 1. The board of county commissioners:

42 (a) In a county whose population is 700,000 or more, shall  
43 impose a tax at a rate of 2 percent; and

44 (b) In a county whose population is less than 700,000, shall  
45 impose a tax at the rate of 1 percent,



1 ➡ of the gross receipts from the rental of transient lodging in that  
2 county upon all persons in the business of providing lodging. This  
3 tax must be imposed by the board of county commissioners in each  
4 county, regardless of the existence or nonexistence of any other  
5 license fee or tax imposed on the revenues from the rental of  
6 transient lodging. The ordinance imposing the tax must include a  
7 schedule for the payment of the tax and the provisions of  
8 subsection 4.

9 2. The tax imposed pursuant to subsection 1 must be collected  
10 and administered pursuant to NRS 244.335.

11 3. The tax imposed pursuant to subsection 1 may be collected  
12 from the paying guests and may be shown as an addition to the  
13 charge for the rental of transient lodging. The person providing the  
14 transient lodging is liable to the county for the tax whether or not it  
15 is actually collected from the paying guest.

16 4. If the tax imposed pursuant to subsection 1 is not paid within  
17 the time set forth in the schedule for payment, the county shall  
18 charge and collect in addition to the tax:

19 (a) A penalty of not more than 10 percent of the amount due,  
20 exclusive of interest, or an administrative fee established by the  
21 board of county commissioners, whichever is greater; and

22 (b) Interest on the amount due at the rate of not more than 1.5  
23 percent per month or fraction thereof from the date on which the tax  
24 became due until the date of payment.

25 5. As used in this section, "gross receipts from the rental of  
26 transient lodging" does not include the tax imposed and collected  
27 from paying guests pursuant to this section or NRS 268.096 **H or**  
28 **section 31 of this act.**

29 **Sec. 43.** NRS 244.3359 is hereby amended to read as follows:

30 244.3359 1. A county whose population is 700,000 or more  
31 shall not impose a new tax on the rental of transient lodging or  
32 increase the rate of an existing tax on the rental of transient lodging  
33 after March 25, 1991, except pursuant to NRS 244.3351, 244.3352  
34 and 244.33561 **H and section 31 of this act.**

35 2. A county whose population is 100,000 or more but less than  
36 700,000 shall not impose a new tax on the rental of transient lodging  
37 or increase the rate of an existing tax on the rental of transient  
38 lodging after March 25, 1991, except pursuant to NRS 244.33561  
39 and 244A.910 **H and section 31 of this act.**

40 3. Except as otherwise provided in subsection 2 and NRS  
41 387.191 and 387.193, the Legislature hereby declares that the  
42 limitation imposed by subsection 2 will not be repealed or amended  
43 except to allow the imposition of an increase in such a tax for the  
44 promotion of tourism or for the construction or operation of tourism  
45 facilities by a convention and visitors authority.



**Sec. 44.** NRS 244A.7646 is hereby amended to read as follows:

244A.7646 1. If a customer of a supplier of mobile telephone service believes that the amount of a surcharge imposed pursuant to NRS 244A.7643 *or section 29 of this act* or the designation of a place of primary use is incorrect, the customer may notify the supplier of mobile telephone service in writing of the alleged error. The notice must include:

(a) The street address for the place of primary use of the customer;

(b) The account number and name shown on the billing statement of the account for which the customer alleges the error;

(c) A description of the alleged error; and

(d) Any other information which the supplier of mobile telephone service may reasonably require to investigate the alleged error.

2. Within 60 days after receiving a notice sent pursuant to subsection 1, the supplier of mobile telephone service shall review the records that the supplier of mobile telephone service uses to determine the place of primary use of its customers.

3. If the review indicates:

(a) That the alleged error exists, the supplier of mobile telephone service shall correct the error and refund or credit the customer for the amount which was erroneously collected for the applicable period, not to exceed the 24 months immediately preceding the date on which the customer notified the supplier of mobile telephone service of the alleged error.

(b) That no error exists, the supplier of mobile service shall provide a written explanation to the customer who alleged the error.

4. A customer may not bring a cause of action against a supplier of mobile telephone service for surcharges incorrectly imposed pursuant to NRS 244A.7643 *or section 29 of this act* unless the customer first complies with this section.

**Sec. 45.** NRS 268.096 is hereby amended to read as follows:

268.096 1. The city council or other governing body of each incorporated city:

(a) In a county whose population is 700,000 or more, shall impose a tax at a rate of 2 percent; and

(b) In a county whose population is less than 700,000, shall impose a tax at the rate of 1 percent,

➤ of the gross receipts from the rental of transient lodging in that city upon all persons in the business of providing lodging. This tax must be imposed by the city council or other governing body of each incorporated city, regardless of the existence or nonexistence of any other license fee or tax imposed on the revenues from the



1 rental of transient lodging. The ordinance imposing the tax must  
2 include a schedule for the payment of the tax and the provisions of  
3 subsection 4.

4 2. The tax imposed pursuant to subsection 1 must be collected  
5 and administered pursuant to NRS 268.095.

6 3. The tax imposed pursuant to subsection 1 may be collected  
7 from the paying guests and may be shown as an addition to the  
8 charge for the rental of transient lodging. The person providing the  
9 transient lodging is liable to the city for the tax whether or not it is  
10 actually collected from the paying guest.

11 4. If the tax imposed pursuant to subsection 1 is not paid within  
12 the time set forth in the schedule for payment, the city shall charge  
13 and collect in addition to the tax:

14 (a) A penalty of not more than 10 percent of the amount due,  
15 exclusive of interest, or an administrative fee established by the  
16 governing body, whichever is greater; and

17 (b) Interest on the amount due at the rate of not more than 1.5  
18 percent per month or fraction thereof from the date on which the tax  
19 became due until the date of payment.

20 5. As used in this section, "gross receipts from the rental of  
21 transient lodging" does not include the tax imposed or collected  
22 from paying guests pursuant to this section or NRS 244.3352 ~~or~~ *or*  
23 *section 31 of this act.*

24 **Sec. 46.** NRS 704.685 is hereby amended to read as follows:

25 704.685 1. Except as otherwise provided in subsection 2, a  
26 state agency or political subdivision of the State may not, directly or  
27 indirectly, regulate the rates charged for, service or contract terms  
28 for, conditions for, or requirements for entry for Internet Protocol-  
29 enabled service or Voice over Internet Protocol service.

30 2. The provisions of subsection 1 must not be construed to:

31 (a) Affect or limit the enforcement of criminal or civil laws,  
32 including, without limitation, laws concerning consumer protection  
33 and unfair or deceptive trade practices, that apply generally to the  
34 conduct of business;

35 (b) Affect, mandate or prohibit:

36 (1) The assessment of taxes, fees or surcharges which are of  
37 general applicability or which are otherwise authorized by statute;

38 ~~for~~

39 (2) The levy and collection of the assessment required by  
40 NRS 704.033 from a provider of Voice over Internet Protocol  
41 service that has a certificate of public convenience and necessity; *or*

42 *(3) The surcharge levied and collected pursuant to section*  
43 *29 of this act from a supplier of Internet Protocol-enabled service*  
44 *or Voice over Internet Protocol service; or*

45 (c) Affect or modify:



(1) Any right or obligation of any telecommunication provider, or the authority granted to the Commission pursuant to 47 U.S.C. §§ 251 and 252, including, without limitation, any authority granted to the Commission to address or affect the resolution of disputes regarding reciprocal compensation and interconnection;

(2) Any obligation relating to the provision of video service by any person pursuant to chapter 711 of NRS;

(3) Any applicable wholesale tariff; or

(4) Any authority granted to the Commission pursuant to 47 U.S.C. §§ 214(e) and 254(f).

3. As used in this section:

(a) "Internet Protocol-enabled service" means any service, functionality or application which uses Internet Protocol or a successor protocol that enables an end-user to send or receive voice, data or video communications. The term does not include Voice over Internet Protocol service.

(b) "Voice over Internet Protocol service" means any service that:

(1) Enables real-time, two-way voice communication originating from or terminating at the user's location in Internet Protocol or a successor protocol;

(2) Uses a broadband connection from the user's location; and

(3) Permits a user to receive a call that originates on the public switched telephone network and to terminate a call to the public switched telephone network.

