

Assembly Bill No. 188—Committee
on Growth and Infrastructure

CHAPTER.....

AN ACT relating to special license plates; abolishing the Commission on Special License Plates and transferring the duties and authorities of the Commission to the Department of Motor Vehicles; requiring the Department to hold public meetings and comply with certain notice requirements for such public meetings before approving or disapproving an application for the design, preparation and issuance of a special license plate; requiring the Legislative Auditor to compile certain reports and submit such reports to the Department and the Director of the Legislative Counsel Bureau for transmittal to the Legislature or Legislative Commission, as applicable; transferring certain duties and authorities relating to certain actions concerning charitable organizations from the Commission to the Department; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Commission on Special License Plates and requires the Commission to recommend to the Department of Motor Vehicles whether to approve or disapprove: (1) applications for the design, preparation and issuance of special license plates; (2) the issuance by the Department of special license plates that have been designed and prepared by the Department; and (3) applications for the design, preparation and issuance of special license plates that have been authorized by an act of the Legislature. When making such recommendations, existing law requires the Commission to consider whether it would be appropriate and feasible for the Department to design, prepare or issue the particular special license plate. Existing law requires the Commission to: (1) compile a list of each special license plate which the Commission, during the immediately preceding fiscal year, recommended that the Department approve; and (2) recommend that the Department approve or disapprove any proposed change in the distribution of money received through certain means. (NRS 482.367004) **Section 17** of this bill abolishes the Commission. **Sections 1-16** of this bill transfer the duties and authorities of the Commission to the Department.

Section 1 of this bill requires the Department to hold a public meeting before determining whether to approve or disapprove: (1) an application for the design, preparation and issuance of a special license plate; and (2) an application for the design, preparation and issuance of a special license plate that has been authorized by an act of the Legislature. When making such determinations, **section 1** requires the Department to consider whether it would be appropriate and feasible for the Department to design, prepare and issue the particular license plate. **Section 1** requires the Department to comply with certain notice requirements before holding such a public meeting. **Section 1** authorizes the Department to design and prepare a special license plate if the Department: (1) determines that the application complies with certain requirements; and (2) approves the application for the special license plate after holding the public meeting. **Section 1** authorizes the Department to issue a special license plate that: (1) the Department has designed and prepared;



and (2) complies with the requirements for the issuance of license plates in general. **Section 1** requires the Department to annually: (1) compile a list of each special license plate which the Department designed and prepared or determined to issue during the immediately preceding fiscal year; and (2) compile and submit a report that contains certain information relating to special reports to the Director of the Legislative Counsel Bureau for transmittal to the Legislature if the Legislature is in session, or to the Legislative Commission, if the Legislature is not in session.

Existing law establishes the procedure regarding certain determinations that the Commission is required to make relating to charitable organizations that receive additional fees from special license plates. (NRS 482.382765-482.38279) **Sections 8-13** transfer these duties to the Department.

Section 9 of this bill requires certain charitable organizations that receive certain fees to, on or before September 1 of each fiscal year, prepare a balance sheet for the immediately preceding fiscal year and file the balance sheet with the Legislative Auditor. **Section 9** additionally provides that the Legislative Auditor shall require that certain information be provided by such charitable organizations and may request certain other information. **Sections 10 and 11** of this bill require the Legislative Auditor to present certain final written reports to the Department and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature if the Legislature is in session, or to the Legislative Commission, if the Legislature is not in session, instead of the Commission on Special License Plates.

Existing law requires the Commission to notify a charitable organization if the charitable organization has failed to comply with certain provisions or standards relating to the finances of the organization. If the Commission decides to uphold its own determination that a charitable organization has failed to comply with the provisions or standards, the Commission is required to issue its decision in writing and may recommend that the Department take certain actions regarding the collection of additional fees or production of the particular design of special license plate. (NRS 482.38279) **Section 13** of this bill transfers such duties of the Commission to the Department.

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. NRS 482.367002 is hereby amended to read as follows:

482.367002 1. A person may request that the Department design, prepare and issue a special license plate by submitting an application to the Department. A person may submit an application for a special license plate that is intended to generate financial support for an organization only if:

(a) For an organization which is not a governmental entity, the organization is established as a nonprofit charitable organization which provides services to the community relating to public health, education or general welfare;

(b) For an organization which is a governmental entity, the organization only uses the financial support generated by the special



license plate for charitable purposes relating to public health, education or general welfare;

(c) The organization is registered with the Secretary of State, if registration is required by law, and has filed any documents required to remain registered with the Secretary of State;

(d) The name and purpose of the organization do not promote, advertise or endorse any specific product, brand name or service that is offered for profit;

(e) The organization is nondiscriminatory; and

(f) The license plate will not promote a specific religion, faith or antireligious belief.

2. An application submitted to the Department pursuant to subsection 1:

(a) Must be on a form prescribed and furnished by the Department;

(b) Must specify whether the special license plate being requested is intended to generate financial support for a particular cause or charitable organization and, if so:

(1) The name of the cause or charitable organization; and

(2) Whether the financial support intended to be generated for the particular cause or charitable organization will be for:

(I) General use by the particular cause or charitable organization; or

(II) Use by the particular cause or charitable organization in a more limited or specific manner;

(c) Must include the name and signature of a person who represents:

(1) The organization which is requesting that the Department design, prepare and issue the special license plate; and

(2) If different from the organization described in subparagraph (1), the cause or charitable organization for which the special license plate being requested is intended to generate financial support;

(d) Must include proof that the organization satisfies the requirements set forth in subsection 1;

(e) Must be accompanied by a surety bond posted with the Department in the amount of \$5,000, except that if the special license plate being requested is one of the type described in subsection 3 of NRS 482.367008, the application must be accompanied by a surety bond posted with the Department in the amount of \$20,000;

(f) Must, if the organization is a charitable organization, not including a governmental entity whose budget is included in the



executive budget, include a budget prepared by or for the charitable organization which includes, without limitation, the proposed operating and administrative expenses of the charitable organization; and

(g) May be accompanied by suggestions for the design of and colors to be used in the special license plate.

3. If an application for a special license plate has been submitted pursuant to this section but the Department has not yet designed, prepared or issued the plate, the applicant shall amend the application with updated information when any of the following events take place:

(a) The name of the organization that submitted the application has changed since the initial application was submitted.

(b) The cause or charitable organization for which the special license plate being requested is intended to generate financial support has a different name than that set forth on the initial application.

(c) The cause or charitable organization for which the special license plate being requested is intended to generate financial support is different from that set forth on the initial application.

(d) A charitable organization which submitted a budget pursuant to paragraph (f) of subsection 2 prepares or has prepared a new or subsequent budget.

➤ The updated information described in this subsection must be submitted to the Department within 90 days after the relevant change takes place, unless the applicant has received notice that the special license plate is on an agenda to be heard at a **public** meeting of the ~~{Commission on Special License Plates,}~~ **Department held pursuant to subsection 4,** in which case the updated information must be submitted to the Department within 48 hours after the applicant receives such notice. The updating of information pursuant to this subsection does not alter, change or otherwise affect the issuance of special license plates by the Department in accordance with the chronological order of their authorization or approval, as described in subsection 2 of NRS 482.367008.

4. ***The Department shall hold a public meeting before determining whether to approve or disapprove:***

(a) An application for the design, preparation and issuance of a special license plate that is submitted to the Department pursuant to subsection 1; and

(b) Except as otherwise provided in subsection 6, an application for the design, preparation and issuance of a special



license plate that has been authorized by an act of the Legislature after January 1, 2007.

➔ In determining whether to approve such an application, the Department shall consider, without limitation, whether it would be appropriate and feasible for the Department to design, prepare and issue the particular special license plate. The Department shall consider each application in the chronological order in which the application was received by the Department.

5. Before holding a public meeting pursuant to subsection 4, the Department shall:

(a) At least 30 days before the public meeting is held, notify:

(1) The person who requested the special license plate pursuant to subsection 1; and

(2) The charitable organization for which the special license plate is intended to generate financial support, if any; and

(b) Post a notice of the public meeting that complies with chapter 241 of NRS.

6. The provisions of paragraph (b) of subsection 4 do not apply with regard to special license plates that are issued pursuant to NRS 482.3746, 482.3751, 482.3752, 482.3757, 482.3783, 482.3785, 482.3787, 482.37901, 482.37902, 482.37906, 482.3791, 482.3794 or 482.3817.

7. The Department may design and prepare a special license plate requested pursuant to subsection 1 if ~~it~~:

~~—(a) The~~ the Department ~~{determines}~~:

(a) ~~Determines~~ that the application for that plate complies with subsection 2; and

(b) ~~{The Commission on Special License Plates recommends to the Department that the Department approve}~~ Approves the application for that plate ~~{pursuant to subsection 5 of NRS 482.367004}~~.

~~—5.} after holding the public meeting required pursuant to subsection 4.~~

8. Except as otherwise provided in NRS 482.367008, the Department may issue a special license plate that:

(a) The Department has designed and prepared pursuant to subsection 7; and

(b) Complies with the requirements of subsection 6 of NRS 482.270,

➔ for any passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this



chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with a special license plate issued pursuant to this section if that person pays the fees for personalized prestige license plates in addition to the fees for the special license plate.

9. Upon making a determination to issue a special license plate pursuant to ~~this section,~~ **subsection 8**, the Department shall notify:

(a) The person who requested the special license plate pursuant to subsection 1; **and**

(b) The charitable organization for which the special license plate is intended to generate financial support, if any. ~~;~~ **and**

~~—(c) The Commission on Special License Plates.~~

~~—6. Except as otherwise provided in NRS 482.367008, the Department may issue a special license plate that:~~

~~—(a) The Department has designed and prepared pursuant to this section;~~

~~—(b) The Commission on Special License Plates has recommended the Department approve for issuance pursuant to subsection 5 of NRS 482.367004; and~~

~~—(c) Complies with the requirements of subsection 6 of NRS 482.270;~~

~~→ for any passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with a special license plate issued pursuant to this section if that person pays the fees for personalized prestige license plates in addition to the fees for the special license plate.~~

~~—7.]~~ **10.** The Department must promptly release the surety bond posted pursuant to subsection 2:

(a) If the Department determines not to issue the special license plate;

(b) If the Department distributes the additional fees collected on behalf of a charitable organization to another charitable organization pursuant to subparagraph (3) of paragraph (b) of subsection 5 of NRS 482.38279 and the surety bond has not been released to the initial charitable organization; or

(c) If it is determined that at least 1,000 special license plates have been issued pursuant to the assessment of the viability of the design of the special license plate conducted pursuant to NRS 482.367008, except that if the special license plate is one of the type



described in subsection 3 of NRS 482.367008, the Department must promptly release the surety bond posted pursuant to subsection 2 if it is determined that at least 3,000 special license plates have been issued pursuant to the assessment of the viability of the design of the special license plate conducted pursuant to NRS 482.367008.

~~18.1~~ 11. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall:

(a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

12. *On or before September 1 of each fiscal year, the Department shall compile a list of each special license plate the Department, during the immediately preceding fiscal year, has designed and prepared pursuant to subsection 7 or has issued pursuant to subsection 8. The list must set forth, for each such plate, the cause or charitable organization for which the special license plate generates or would generate financial support, and the intended use to which the financial support is being put or would be put. The Department shall make that information available on its Internet website.*

13. *On or before January 31 of each year, the Department shall:*

(a) Compile a report that contains information detailing:

(1) The requests submitted pursuant to subsection 1;

(2) The list compiled pursuant to subsection 12 for the immediately preceding fiscal year;

(3) Any special license plates that the Department will no longer issue pursuant to NRS 482.367008;

(4) The results of any activities conducted pursuant to NRS 482.38272 to 482.38279, inclusive; and

(5) Any actions taken by the Department pursuant to subsections 4 and 5 of NRS 482.38279; and

(b) Submit the report to the Director of the Legislative Counsel Bureau for transmittal to the Legislature, if the Legislature is in session, or to the Legislative Commission, if the Legislature is not in session.



Sec. 2. NRS 482.367008 is hereby amended to read as follows:

482.367008 1. As used in this section, “special license plate” means:

(a) A license plate that the Department has designed and prepared pursuant to NRS 482.367002 in accordance with the system of application described in that section;

(b) A license plate approved by the Legislature that the Department has designed and prepared pursuant to NRS 482.3747, 482.37903, 482.37905, 482.37917, 482.379175, 482.37918, 482.37919, 482.3792, 482.3793, 482.37933, 482.37934, 482.37935, 482.379355, 482.379365, 482.37937, 482.379375, 482.37938, 482.37939, 482.37945 or 482.37947; and

(c) Except for a license plate that is issued pursuant to NRS 482.3746, 482.3751, 482.3752, 482.3757, 482.3783, 482.3785, 482.3787, 482.37901, 482.37902, 482.37906, 482.3791, 482.3794 or 482.3817, a license plate that is approved by the Legislature after July 1, 2005.

2. Notwithstanding any other provision of law to the contrary, and except as otherwise provided in subsection 3, the Department shall not, at any one time, issue more than 30 separate designs of special license plates. Whenever the total number of separate designs of special license plates issued by the Department at any one time is less than 30, the Department shall issue a number of additional designs of special license plates that have been authorized by an act of the Legislature or the application for which has been ~~recommended by the Commission on Special License Plates to be~~ approved by the Department pursuant to ~~subsection 5 of~~ NRS ~~482.367004;~~ **482.367002**, not to exceed a total of 30 designs issued by the Department at any one time. Such additional designs must be issued by the Department in accordance with the chronological order of their authorization or approval by the Department.

3. In addition to the special license plates described in subsection 2, the Department may issue not more than five separate designs of special license plates in excess of the limit set forth in that subsection. To qualify for issuance pursuant to this subsection:

(a) The ~~Commission on Special License Plates must have recommended to the~~ Department ~~that the Department~~ **must** approve the design, preparation and issuance of the special plates as described in ~~paragraphs (a) and (b) of subsection 5 of~~ NRS ~~482.367004;~~ **482.367002**; and



(b) The special license plates must have been applied for, designed, prepared and issued pursuant to NRS 482.367002, except that:

(1) The application for the special license plates must be accompanied by a surety bond posted with the Department in the amount of \$20,000; and

(2) Pursuant to the assessment of the viability of the design of the special license plates that is conducted pursuant to this section, it is determined that at least 3,000 special license plates have been issued.

4. Except as otherwise provided in this subsection, on October 1 of each year the Department shall assess the viability of each separate design of special license plate that the Department is currently issuing by determining the total number of validly registered motor vehicles to which that design of special license plate is affixed. The Department shall not determine the total number of validly registered motor vehicles to which a particular design of special license plate is affixed if:

(a) The particular design of special license plate was designed and prepared by the Department pursuant to NRS 482.367002; and

(b) On October 1, that particular design of special license plate has been available to be issued for less than 12 months.

5. If, on October 1, the total number of validly registered motor vehicles to which a particular design of special license plate is affixed is:

(a) In the case of special license plates not described in subsection 3, less than 1,000; or

(b) In the case of special license plates described in subsection 3, less than 3,000,

the Director shall provide notice of that fact in the manner described in subsection 6.

6. The notice required pursuant to subsection 5 must be provided:

(a) If the special license plate generates financial support for a cause or charitable organization, to that cause or charitable organization.

(b) If the special license plate does not generate financial support for a cause or charitable organization, to an entity which is involved in promoting the activity, place or other matter that is depicted on the plate.

7. If, on December 31 of the same year in which notice was provided pursuant to subsections 5 and 6, the total number of validly



registered motor vehicles to which a particular design of special license plate is affixed is:

(a) In the case of special license plates not described in subsection 3, less than 1,000; or

(b) In the case of special license plates described in subsection 3, less than 3,000,

↳ the Director shall, notwithstanding any other provision of law to the contrary, issue an order providing that the Department will no longer issue that particular design of special license plate. Except as otherwise provided in subsection 2 of NRS 482.265, such an order does not require existing holders of that particular design of special license plate to surrender their plates to the Department and does not prohibit those holders from renewing those plates.

Sec. 3. NRS 482.36705 is hereby amended to read as follows:

482.36705 1. Except as otherwise provided in subsection 2:

(a) If a new special license plate is authorized by an act of the Legislature after January 1, 2003, other than a special license plate that is authorized pursuant to NRS 482.379375, the Legislature will direct that the license plate not be designed, prepared or issued by the Department unless the Department receives at least 1,000 applications for the issuance of that plate within 2 years after the effective date of the act of the Legislature that authorized the plate.

(b) In addition to the requirements set forth in paragraph (a), if a new special license plate is authorized by an act of the Legislature after July 1, 2005, the Legislature will direct that the license plate not be issued by the Department unless its issuance complies with subsection 2 of NRS 482.367008.

(c) In addition to the requirements set forth in paragraphs (a) and (b), if a new special license plate is authorized by an act of the Legislature after January 1, 2007, the Legislature will direct that the license plate not be designed, prepared or issued by the Department unless the ~~{Commission on Special License Plates recommends to the Department that the}~~ Department ~~{approve}~~ **approves** the application for the authorized plate pursuant to NRS ~~{482.367004.}~~ **482.367002.**

2. The provisions of subsection 1 do not apply with regard to special license plates that are issued pursuant to NRS 482.3746, 482.3751, 482.3752, 482.3757, 482.3783, 482.3785, 482.3787, 482.37901, 482.37902, 482.37906, 482.3791, 482.3794 or 482.3817.

Sec. 4. NRS 482.37904 is hereby amended to read as follows:

482.37904 1. Except as otherwise provided in subsection 2, the Department, in conjunction with the Ice Age Park Foundation or



its successor, shall design, prepare and issue license plates which indicate support for Tule Springs State Park, using any colors that the Department deems appropriate.

2. The Department shall not design, prepare or issue the license plates described in subsection 1 unless:

(a) The ~~{Commission on Special License Plates recommends to the}~~ Department ~~{that the Department approve}~~ **approves** the design, preparation and issuance of those plates as described in NRS ~~[482.367004;]~~ **482.367002**; and

(b) A surety bond in the amount of \$5,000 is posted with the Department.

3. If the conditions set forth in subsection 2 are met, the Department shall issue license plates which indicate support for Tule Springs State Park for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates which indicate support for Tule Springs State Park if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates which indicate support for Tule Springs State Park pursuant to subsections 4 and 5.

4. The fee for license plates which indicate support for Tule Springs State Park is \$35, in addition to all other applicable registration and license fees and governmental services tax. The license plates are renewable upon the payment of \$10.

5. In addition to all other applicable registration and license fees and governmental services tax and the fee prescribed pursuant to subsection 4, a person who requests a set of license plates which indicate support for Tule Springs State Park must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be deposited in accordance with subsection 6.

6. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 5 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Ice Age Park Foundation or its successor for use in programs, projects and activities in support of Tule Springs State Park.

7. The Department shall promptly release the surety bond that is required to be posted pursuant to paragraph (b) of subsection 2 if:



(a) The Department ~~{, based upon the recommendation of the Commission on Special License Plates,}~~ determines not to issue the special license plate; or

(b) It is determined that at least 1,000 special license plates have been issued pursuant to the assessment of the viability of the design of the special license plate conducted pursuant to NRS 482.367008.

8. The provisions of paragraph (a) of subsection 1 of NRS 482.36705 do not apply to license plates described in this section.

9. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall:

(a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

Sec. 5. NRS 482.379375 is hereby amended to read as follows:

482.379375 1. Except as otherwise provided in this subsection, the Department, in cooperation with the Reno Recreation and Parks Commission or its successor, shall design, prepare and issue license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno, using any colors and designs that the Department deems appropriate. The Department shall not design, prepare or issue the license plates unless:

(a) The ~~{Commission on Special License Plates recommends to the}~~ Department ~~{that the Department approve}~~ **approves** the design, preparation and issuance of those plates as described in NRS ~~{482.367004;}~~ **482.367002**; and

(b) The Department receives at least 1,000 applications for the issuance of those plates.

2. If the ~~{Commission on Special License Plates recommends to the}~~ Department ~~{that the Department approve}~~ **approves** the design, preparation and issuance of license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno pursuant to subsection 1, and the Department receives at least 1,000 applications for the issuance of the license plates, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this



chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno pursuant to subsections 3 and 4.

3. The fee for license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10.

4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20 to be distributed pursuant to subsection 5.

5. The Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this section to the City Treasurer of the City of Reno to be used to pay for the support and enhancement of parks, recreation facilities and programs in the City of Reno.

6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall:

(a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

Sec. 6. NRS 482.37939 is hereby amended to read as follows:

482.37939 1. Except as otherwise provided in subsection 2, the Department, in cooperation with the Nevada Firearms Coalition or its successor, shall design, prepare and issue license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution, using any colors that the Department deems appropriate.



2. The Department shall not design, prepare or issue the license plates described in subsection 1 unless:

(a) The ~~Commission on Special License Plates recommends to the~~ Department ~~[that the Department approve]~~ **approves** the design, preparation and issuance of those plates as described in NRS ~~[482.367004;]~~ **482.367002**; and

(b) A surety bond in the amount of \$5,000 is posted with the Department.

3. If the conditions set forth in subsection 2 are met, the Department shall issue license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution pursuant to subsections 4 and 5.

4. The fee for license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10.

5. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed pursuant to subsection 4, a person who requests a set of license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be deposited in accordance with subsection 6.

6. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 5 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Nevada Firearms Coalition or its successor for use only to provide or pay for firearm training or firearm safety education.



7. The Department must promptly release the surety bond that is required to be posted pursuant to paragraph (b) of subsection 2:

(a) If the Department ~~[, based upon the recommendation of the Commission on Special License Plates,]~~ determines not to issue the special license plate; or

(b) If it is determined that at least 1,000 special license plates have been issued pursuant to the assessment of the viability of the design of the special license plate conducted pursuant to NRS 482.367008.

8. The provisions of paragraph (a) of subsection 1 of NRS 482.36705 do not apply to license plates described in this section.

9. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall:

(a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

Sec. 7. NRS 482.37947 is hereby amended to read as follows:

482.37947 1. Except as otherwise provided in subsection 2, the Department, in cooperation with the Boy Scouts of America, shall design, prepare and issue license plates that indicate support for the Boy Scouts of America using any colors the Department deems appropriate.

2. The Department shall not design, prepare or issue the license plates described in subsection 1 unless:

(a) The ~~[Commission on Special License Plates recommends to the]~~ Department ~~[that the Department approve]~~ **approves** the design, preparation and issuance of those plates as described in NRS ~~[482.367004;]~~ **482.367002;** and

(b) A surety bond in the amount of \$5,000 is posted with the Department.

3. If the conditions set forth in subsection 2 are met, the Department shall issue license plates that indicate support for the Boy Scouts of America for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that indicate support for the Boy Scouts of America if that person



pays the fees for the personalized prestige license plates in addition to the fees for the license plates that indicate support for the Boy Scouts of America pursuant to subsections 4 and 5.

4. The fee payable to the Department for license plates that indicate support for the Boy Scouts of America is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment to the Department of \$10.

5. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed pursuant to subsection 4, a person who requests a set of license plates that indicate support for the Boy Scouts of America must pay for the issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be deposited in accordance with subsection 6.

6. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 5 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Las Vegas Area Council of the Boy Scouts of America. The Las Vegas Area Council shall allocate the fees to itself and the Nevada Area Council of the Boy Scouts of America in proportion to the number of license plates issued pursuant to this section in the area represented by each area council. The fees must be used to assist boys from low-income families with the costs of participating in the Boy Scouts of America and to promote the Boy Scouts of America in schools.

7. The Department must promptly release the surety bond that is required to be posted pursuant to paragraph (b) of subsection 2 if:

(a) The Department ~~[, based upon the recommendation of the Commission on Special License Plates,]~~ determines not to issue the special license plate; or

(b) If it is determined that at least 1,000 special license plates have been issued pursuant to the assessment of the viability of the design of the special license plate conducted pursuant to NRS 482.367008.

8. The provisions of paragraph (a) of subsection 1 of NRS 482.36705 do not apply to license plates described in this section.

9. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall:

(a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the



transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

Sec. 8. NRS 482.382765 is hereby amended to read as follows:

482.382765 1. Upon receiving notification by the Department pursuant to subsection ~~5~~ 9 of NRS 482.367002 that a special license plate that is intended to generate financial support for an organization will be issued by the Department, or upon a determination pursuant to subparagraph (3) of paragraph (b) of subsection 5 of NRS 482.38279 to distribute additional fees from a special license plate to the charitable organization, a charitable organization, not including a governmental entity whose budget is in the executive budget, that is to receive additional fees shall, if the charitable organization wishes to award grants with any of the money received in the form of additional fees, submit to the ~~{Commission on Special License Plates}~~ **Department** in writing the methods and procedures to be used by the charitable organization in awarding such grants, including, without limitation:

(a) A copy of the application form to be used by any person or entity seeking a grant from the charitable organization;

(b) The guidelines established by the charitable organization for the submission and review of applications to receive a grant from the charitable organization; and

(c) The criteria to be used by the charitable organization in awarding such a grant.

2. Upon receipt of the information required, the ~~{Commission}~~ **Department** shall review the procedures to determine if the methods and procedures are adequate to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient. If the ~~{Commission}~~ **Department** determines that the methods and procedures are:

(a) Adequate to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient, the ~~{Commission}~~ **Department** shall notify the charitable organization of that determination.

(b) Inadequate to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient, the ~~{Commission}~~ **Department** shall notify the charitable organization and request that the charitable organization submit a revised version of the methods and procedures to be used by the charitable organization in awarding grants.



3. A charitable organization may not award any grants of money received in the form of additional fees until the procedures and methods have been determined adequate by the ~~{Commission}~~ **Department** pursuant to subsection 2.

Sec. 9. NRS 482.38277 is hereby amended to read as follows:

482.38277 1. Except as otherwise provided in subsection 4, on or before September 1 of each fiscal year, each charitable organization, not including a governmental entity whose budget is included in the executive budget, that receives additional fees shall prepare a balance sheet for the immediately preceding fiscal year on a form provided by the ~~{Commission on Special License Plates}~~ **Legislative Auditor** and file the balance sheet, accompanied by a recent bank statement, with the ~~{Commission}~~ **Legislative Auditor**. The ~~{Commission}~~ **Legislative Auditor** shall prepare and make available, or cause to be prepared and made available, a form that must be used by a charitable organization to prepare such a balance sheet.

2. Except as otherwise provided in subsection 4, on or before July 1 of each fiscal year, each charitable organization, not including a governmental entity whose budget is included in the executive budget, that receives additional fees shall provide to the ~~{Commission}~~ **Legislative Auditor** and the Department:

(a) A list of the names of the persons, whether or not designated officers, who are responsible for overseeing the operation of the charitable organization;

(b) The current mailing address of the charitable organization;

(c) The current telephone number of the charitable organization;

(d) A report on the budget of the charitable organization, including, without limitation:

(1) A copy of the most recent annual budget of the charitable organization; and

(2) A description of how all money received by the charitable organization in the form of additional fees was expended, including, without limitation, how that money was expended by the charitable organization, or any recipient or awardee of that money from the charitable organization; and

(e) A copy of the most recent federal tax return of the charitable organization, if any, including all schedules related thereto.

3. On or before July 1 of each fiscal year, each charitable organization, not including a governmental entity whose budget is included in the executive budget, that receives additional fees shall post on the Internet website of the charitable organization or, if no such Internet website exists, publish in a newspaper of general



circulation in the county where the charitable organization is based, the most recent federal tax return of the charitable organization, if any, including all schedules related thereto.

4. A charitable organization, not including a governmental entity whose budget is included in the executive budget, is not required to comply with the provisions of subsection 1 or 2, unless requested by the ~~Commission~~ **Legislative Auditor or the Department** if it receives additional fees:

- (a) In an amount less than \$10,000 in a fiscal year; or
- (b) From special license plates which are no longer in production.

5. The Legislative Auditor shall prescribe:

(a) The form and content of the balance sheets required to be filed pursuant to subsection 1; and

(b) Any additional information that must accompany the balance sheets and bank statements required to be filed pursuant to subsection 1, including, without limitation, the methods and procedures used to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient.

~~6. The Commission shall provide to the Legislative Auditor:
—(a) A copy of each balance sheet and bank statement that it receives from a charitable organization pursuant to subsection 1; and
—(b) A copy of the information that it receives from a charitable organization pursuant to subsection 2.~~

Sec. 10. NRS 482.38278 is hereby amended to read as follows:

482.38278 1. On or before September 30 following the end of each fiscal year, the Legislative Auditor shall ~~present~~ **submit a final written report with respect to the charitable organizations that have filed with the Legislative Auditor a balance sheet pursuant to subsection 1 of NRS 482.38277 to the Commission on Special License Plates a final written report with respect to the charitable organizations for which the Commission provided to the Legislative Auditor a balance sheet pursuant to subsection 6 of NRS 482.38277.] :**

(a) **The Department; and**

(b) **The Director of the Legislative Counsel Bureau for transmittal to the Legislature, if the Legislature is in session, or to the Legislative Commission, if the Legislature is not in session.**

2. ~~The final written report must be distributed to each member of the Commission before the report is presented to the Commission.~~



~~—3.1~~ Along with any statement of explanation or rebuttal from the ~~{audited}~~ charitable organization, the final written report may include, without limitation:

(a) Evidence regarding the inadequacy or inaccuracy of any forms or records filed by the charitable organization with the ~~{Commission or the}~~ Department;

(b) Evidence regarding any improper practices of financial administration on the part of the charitable organization;

(c) Evidence regarding the methods and procedures, or lack thereof, used to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient; and

(d) Any other evidence or information that the Legislative Auditor determines to be relevant to the propriety of the financial administration and recordkeeping of the charitable organization, including, without limitation, the disposition of any additional fees received by the charitable organization.

Sec. 11. NRS 482.382785 is hereby amended to read as follows:

482.382785 1. The ~~{Commission on Special License Plates}~~ **Department** may request the Legislative Commission to direct the Legislative Auditor to perform an audit of any charitable organization if the ~~{Commission on Special License Plates;}~~ **Department:**

(a) Has reasonable cause to believe or has received a credible complaint that the charitable organization has filed with the ~~{Commission on Special License Plates or the}~~ Department forms or records that are inadequate or inaccurate, has committed improper practices of financial administration, or has failed to use adequate methods and procedures to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient; or

(b) Determines that an audit is reasonably necessary to assist the ~~{Commission on Special License Plates}~~ **Department** in administering ~~{any provision of this chapter which it is authorized or required to administer.}~~ **NRS 482.3667 to 482.38279, inclusive.**

2. If the Legislative Commission directs the Legislative Auditor to perform an audit of a charitable organization, the Legislative Auditor shall:

(a) Conduct the audit and prepare a final written report of the audit; **and**

(b) Distribute a copy of the final written report to ~~{each member of}~~ the ~~{Commission on Special License Plates; and}~~



~~—(c) Present the final written report to the Commission on Special License Plates at its next regularly scheduled meeting.~~ **Director.**

3. Along with any statement of explanation or rebuttal from the audited charitable organization, the final written report of the audit may include, without limitation:

(a) Evidence regarding the inadequacy or inaccuracy of any forms or records filed by the charitable organization with the ~~{Commission on Special License Plates or the}~~ Department;

(b) Evidence regarding any improper practices of financial administration on the part of the charitable organization;

(c) Evidence regarding the methods and procedures, or lack thereof, used to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient; and

(d) Any other evidence or information that the Legislative Auditor determines to be relevant to the propriety of the financial administration and recordkeeping of the charitable organization, including, without limitation, the disposition of any additional fees received by the charitable organization.

Sec. 12. NRS 482.382787 is hereby amended to read as follows:

482.382787 All documents and information submitted to the ~~{Commission}~~ **Department** pursuant to NRS 482.382765 to 482.382785, inclusive, by a charitable organization that is to receive additional fees, not including a governmental entity whose budget is in the executive budget, are public records and are available for public inspection as provided in chapter 239 of NRS.

Sec. 13. NRS 482.38279 is hereby amended to read as follows:

482.38279 1. If the ~~{Commission on Special License Plates}~~ **Department** determines that a charitable organization has failed to comply with one or more of the provisions of NRS 482.38277 or if, in a report provided to the ~~{Commission}~~ **Department** by the Legislative Auditor pursuant to NRS 482.38278 or 482.382785, the Legislative Auditor determines that a charitable organization has committed improper practices of financial administration, has filed with the ~~{Commission or the}~~ Department forms or records that are inadequate or inaccurate, or has failed to use adequate methods and procedures to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient, the ~~{Commission}~~ **Department** shall notify the charitable organization of that determination.



2. A charitable organization may request in writing a hearing, within 20 days after receiving notification pursuant to subsection 1, to respond to the determinations of the ~~{Commission}~~ **Department** or Legislative Auditor. The hearing must be held not later than 30 days after the receipt of the request for a hearing unless the parties, by written stipulation, agree to extend the time.

3. The ~~{Commission}~~ **Department** shall issue a decision on whether to uphold the original determination of the ~~{Commission}~~ **Department** or the Legislative Auditor or to overturn that determination. The decision required pursuant to this subsection must be issued:

(a) Immediately after the hearing, if a hearing was requested; or

(b) Within 30 days after the expiration of the 20-day period within which a hearing may be requested, if a hearing was not requested.

4. If the ~~{Commission}~~ **Department** decides to uphold its own determination that a charitable organization has failed to comply with one or more of the provisions of NRS 482.38277 or decides to uphold the determination of the Legislative Auditor that the organization has committed improper practices of financial administration, has filed with the ~~{Commission or the}~~ Department forms or records that are inadequate or inaccurate, or has failed to use adequate methods and procedures to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient, the ~~{Commission}~~ **Department** shall issue its decision in writing and may : ~~{recommend that the Department;}~~

(a) Terminate production and distribution of the particular design of the special license plate and collection of all additional fees collected on behalf of the charitable organization, and allow any holder of the special license plate to continue to renew the plate without paying the additional fee;

(b) Suspend the production and distribution of the particular design of special license plates and collection of all additional fees collected on behalf of the charitable organization, if the Department is still producing that design and allow any holder of the special license plate to renew the plate without paying the additional fee; or

(c) Suspend the distribution of all additional fees collected on behalf of the charitable organization for a specified period and allow the production and distribution of the special license plate and the collection of additional fees to continue if the Department is still producing that design, and allow holders of the special license plates to renew the plate with the payment of the additional fees.



5. If the ~~Commission recommends that the~~ Department ~~take~~ **takes** the action described in paragraph (c) of subsection 4, the Department ~~in consultation with the Commission,~~ shall inform the charitable organization in writing of the corrective actions that must be taken and upon conclusion of the suspension determine whether the charitable organization completed the corrective actions. If the Department ~~in consultation with the Commission,~~ determines that the charitable organization:

(a) Completed the corrective actions, the Department ~~in consultation with the Commission,~~ may terminate the suspension and forward to the charitable organization any additional fees collected on behalf of the charitable organization during the suspension.

(b) Has not completed the corrective actions, the Department ~~in consultation with the Commission,~~ may:

(1) Extend the period of the suspension, but not more than one time;

(2) Terminate production and distribution of the special license plate and collection of all additional fees on behalf of the charitable organization, allow any holders of the special license plate to renew the plate without paying the additional fee and distribute all fees collected during the suspension in a manner determined by the Department ; ~~in consultation with the Commission;~~ or

(3) Continue production and distribution of the special license plate and ~~in consultation with the Commission,~~ distribute all additional fees collected, including any fees held during the suspension, to another charitable organization that:

(I) Submits an application to the Department on a form prescribed and furnished by the Department;

(II) Meets all applicable requirements of subsection 1 of NRS 482.367002 for a charitable organization seeking to receive financial support from a special license plate; and

(III) Provides evidence satisfactory to the Department ~~in consultation with the Commission,~~ that the additional fees collected on behalf of the charitable organization will be used for a purpose similar to the purpose for which the additional fees were intended to be used by the initial charitable organization.

6. If, in accordance with subsection 4 or paragraph (b) of subsection 5, the ~~Commission recommends that the~~ Department **determines** to take adverse action against a charitable organization, the ~~Commission~~ **Department** shall notify the charitable organization, in writing, of that fact within 30 days after making the



~~{recommendation}~~ **determination** and include a description of any necessary corrective action that must be taken by the charitable organization, if applicable. A charitable organization aggrieved by a ~~{recommendation}~~ **determination** of the ~~{Commission}~~ **Department** may, within 30 days after the date on which it received notice of the ~~{recommendation}~~ **determination**, submit to the Department any facts, evidence or other information that it believes is relevant to the propriety of the ~~{Commission's recommendation}~~ **Department's determination**. Within 30 days after receiving all facts, evidence and other relevant information submitted to the Department by the aggrieved charitable organization, the Department shall render a decision, in writing, as to whether the Department ~~{accepts or rejects the Commission's recommendation}~~ **decides to uphold or not uphold its determination to take adverse action against the charitable organization**. The decision of the Department is a final decision for the purpose of judicial review.

Sec. 14. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 15. 1. Any administrative regulations adopted by an officer or an agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remain in force until amended by the officer or agency to which the responsibility for the adoption of the regulations has been transferred.

2. Any contracts or other agreements entered into by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency are binding upon the officer or agency to which the responsibility for the administration of the provisions of the contract or other agreement has been transferred. Such contracts and other agreements may be enforced by the officer or agency to which the responsibility for the enforcement of the provisions of the contract or other agreement has been transferred.

3. Any action taken by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remains in effect as if taken by the officer or agency to which the responsibility for the enforcement of such actions has been transferred.

Sec. 16. The Legislative Counsel shall:

1. In preparing the reprint and supplements to the Nevada Revised Statutes, appropriately change any references to an officer,



agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

2. In preparing supplements to the Nevada Administrative Code, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

Sec. 17. NRS 482.367004 is hereby repealed.

Sec. 18. 1. This section and sections 1, 2, 3 and 5 to 17, inclusive, of this act become effective on October 1, 2021.

2. Section 4 of this act becomes effective on the date 2 years after the date on which the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources establishes Tule Springs State Park.

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