

ASSEMBLY BILL NO. 2—COMMITTEE  
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTIES)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to appointments to public bodies. (BDR 18-437)

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

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public bodies; revising provisions relating to the prohibition against gubernatorial appointees serving simultaneously on more than one board, commission or similar body; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law establishes provisions relating to appointments by the Governor to boards, commissions or similar bodies. Under existing law, the Governor is prohibited from appointing a person to a board, commission or similar body if the person is a member of any other board, commission or similar body. (NRS 232A.020) This bill revises the prohibition against gubernatorial appointees serving simultaneously on multiple boards, commissions or similar bodies by prohibiting the appointment of a person if he or she is a member of three other boards, commissions or similar bodies.

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

**Section 1.** (Deleted by amendment.)  
**Sec. 2.** NRS 232A.020 is hereby amended to read as follows:  
232A.020 1. Except as otherwise provided in this section, a person appointed to a new term or to fill a vacancy on a board, commission or similar body by the Governor must have, in



1 accordance with the provisions of NRS 281.050, actually, as  
2 opposed to constructively, resided, for the 6 months immediately  
3 preceding the date of the appointment:

4 (a) In this State; and

5 (b) If current residency in a particular county, district, ward,  
6 subdistrict or any other unit is prescribed by the provisions of law  
7 that govern the position, also in that county, district, ward,  
8 subdistrict or other unit.

9 2. After the Governor's initial appointments of members to  
10 boards, commissions or similar bodies, all such members shall hold  
11 office for terms of 3 years or until their successors have been  
12 appointed and have qualified.

13 3. A vacancy on a board, commission or similar body occurs  
14 when a member dies, resigns, becomes ineligible to hold office or is  
15 absent from the State for a period of 6 consecutive months.

16 4. Any vacancy must be filled by the Governor for the  
17 remainder of the unexpired term.

18 5. A member appointed to a board, commission or similar body  
19 as a representative of the general public must be a person who:

20 (a) Has an interest in and a knowledge of the subject matter  
21 which is regulated by the board, commission or similar body; and

22 (b) Does not have a pecuniary interest in any matter which is  
23 within the jurisdiction of the board, commission or similar body.

24 6. Except as otherwise provided in NRS 232.162, the Governor  
25 shall not appoint a person to a board, commission or similar body if  
26 the person is a member of ~~{any} three other {board, commission}~~  
27 ~~boards, commissions~~ or similar ~~{body-} bodies~~.

28 7. The provisions of subsection 1 do not apply if:

29 (a) A requirement of law concerning another characteristic or  
30 status that a member must possess, including, without limitation,  
31 membership in another organization, would make it impossible to  
32 fulfill the provisions of subsection 1; or

33 (b) The membership of the particular board, commission or  
34 similar body includes residents of another state and the provisions of  
35 subsection 1 would conflict with a requirement that applies to all  
36 members of that body.

37 **Sec. 3.** (Deleted by amendment.)

38 **Sec. 4.** This act becomes effective upon passage and approval.

