

CHAPTER.....

AN ACT relating to emergency management; transferring the Division of Emergency Management and its powers and duties from the Department of Public Safety to the Office of the Military; granting the Adjutant General of the Office of the Military authority over the Division of Emergency Management; revising provisions governing the Adjutant General of the Office of the Military; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Division of Emergency Management in the Department of Public Safety and grants the Division certain powers and duties concerning emergencies and disasters. (NRS 414.040) **Sections 25 and 32** of this bill transfer the Division from the Department of Public Safety to the Office of the Military. **Sections 1-23, 33-42 and 44-55** of this bill make conforming changes that reorganize the Division and its powers and duties from the Department to the Office. **Sections 4, 31, 40 and 41** of this bill similarly transfer authority over the Division from the Director of the Department to the Adjutant General of the Office. The transfer of the Division from the Department to the Office in **sections 1, 2, 34, and 41** of this bill grant the Office certain powers and duties concerning an emergency or disaster, including: (1) developing a written plan to address behavioral health needs in an emergency or disaster; (2) the assumption of control over all or part of the state communications system; (3) administration of the Emergency Assistance Account in the State General Fund; and (4) administration of the Nevada Intrastate Mutual Aid System. (NRS 232.3532, 233F.170, 414.135, 414A.100) **Section 24** of this bill provides that the Chief of the Division serves at the pleasure of the Adjutant General and prescribes the powers and duties of the Chief. **Section 7** of this bill grants the Chief the powers of a peace officer.

Existing law grants the Division a role in coordinating with schools in this State concerning disaster and emergency preparation and response including: (1) providing a representative to the committee on statewide school safety; (2) consulting with development committees established by the board of trustees of a school district that are required to develop a plan to respond to a crisis, emergency or suicide; (3) reviewing the development plan of a development committee; (4) preparing a report on compliance by schools in this State with the requirements for developing and reviewing development plans; (5) assisting the Department of Education in developing a model plan for the management of a crisis, emergency or suicide at a public or private school; (6) assisting in responding to a crisis or emergency at a public or private school; (7) consulting with the board of trustees of certain school districts and the governing body of certain charter schools concerning safety in schools; and (8) coordinating with the Department of Education concerning an annual conference regarding safety in public schools. (NRS 388.1324, 388.243, 388.245, 388.246, 388.253, 388.257, 388.264, 388.265) **Sections 10-13, 15, 16, 18 and 19** of this bill transfer such powers and duties from the Department of Public Safety to the Office of the Military. **Sections 20-23** of this bill make similar changes for private schools and their development committees.

Existing law grants the Director of the Department authority over the Division and its employees. (NRS 414.040, 414A.100, 480.540) **Sections 31, 32, 41 and 51** of this bill transfer authority over the Division from the Director of the Department



to the Adjutant General of the Office of the Military. **Section 30** of this bill requires the Office to supervise emergency management affairs and requires the Division to execute, administer and enforce emergency management and the Nevada Intrastate Mutual Aid System.

Existing law creates the position of the Adjutant General as an appointed member of the Governor's staff and grants the Adjutant General authority over the Office of the Military. (NRS 412.042, 412.044, 412.068) Existing law grants the Adjutant General the authority to appoint two assistant adjutants general and personal aides-de-camp to the Governor that are selected from the commissioned officers of the Nevada National Guard or from reserve officers of the Armed Forces of the United States who are residents of this State and who are not serving on extended active duty. (NRS 412.042) **Section 26** of this bill repeals the authority of the Adjutant General to appoint an aides-de-camp to the Governor. **Section 26** also repeals the requirement that an assistant adjutant general be a resident of this State not serving on extended active duty. Existing law provides that the Adjutant General shall hold office for a 4-year term. (NRS 412.044) **Section 27** of this bill removes the 4-year term limit and requires instead that the Adjutant General serve at the pleasure of the Governor. **Section 27** also revises certain requirements for eligibility for appointment to the office of the Adjutant General. Existing law provides that to be eligible for appointment as an Assistant Adjutant General, a person must be an officer of the Nevada National Guard, federally recognized in the grade of lieutenant colonel or higher and must have completed at least 6 years of service in the Nevada National Guard as a federally recognized officer. (NRS 412.054) **Section 28** of this bill requires instead that to be eligible for appointment as an Assistant Adjutant General, a person must be an officer of the Armed Forces of the United States and be federally recognized in the grade of colonel or higher.

Existing law authorizes the State Emergency Response Commission to adopt regulations setting forth the manner in which the Division is required to allocate certain money relating to hazardous materials. (NRS 459.742) **Section 43** of this bill eliminates such authority.

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 232.3532 is hereby amended to read as follows:

232.3532 1. The Department shall develop a written plan to address behavioral health needs in an emergency or disaster. Such a plan must, without limitation:

(a) Prescribe a process for assessing the need for behavioral health resources during or after an emergency or disaster based on the estimated impact of the emergency or disaster and the estimated depletion of resources during the emergency or disaster;

(b) Ensure continuity of services for existing patients with a mental illness, developmental disability or intellectual disability during an emergency or disaster;



(c) Prescribe strategies to deploy triage and psychological first-aid services during an emergency or disaster;

(d) Identify opportunities for the rendering of mutual aid during an emergency or disaster;

(e) Prescribe procedures to address the behavioral health needs of first responders during and after an emergency or disaster; and

(f) Prescribe measures to aid the recovery of the behavioral health system after an emergency or disaster.

2. On or before December 31 of each year, the Department shall:

(a) Review the plan developed pursuant to subsection 1 and revise the plan as necessary; and

(b) Transmit the plan to the Chief of the Division of Emergency Management of the ~~{Department of Public Safety.}~~ *Office of the Military.*

3. As used in this section:

(a) “Disaster” has the meaning ascribed to it in NRS 414.0335.

(b) “Emergency” has the meaning ascribed to it in NRS 414.0345.

Sec. 2. NRS 233F.170 is hereby amended to read as follows:

233F.170 In the event of any emergency, the Governor may direct the Division of Emergency Management of the ~~{Department of Public Safety.}~~ *Office of the Military* to assume control over all or part of the state communications system.

Sec. 3. NRS 239C.045 is hereby amended to read as follows:

239C.045 “Division” means the Division of Emergency Management of the ~~{Department of Public Safety.}~~ *Office of the Military.*

Sec. 4. NRS 239C.175 is hereby amended to read as follows:

239C.175 1. The ~~{Director of the Department of Public Safety}~~ *Adjutant General of the Office of the Military* may employ such persons in the classified service of the State as the ~~{Director}~~ *Adjutant General* determines to be necessary to carry out the duties of the Commission, including, without limitation, an Executive Assistant to the Commission, a Policy Analyst to the Commission, a Grant Analyst to the Commission and a Specialist in Public Information to the Commission.

2. If the ~~{Director of the Department of Public Safety}~~ *Adjutant General of the Office of the Military* employs persons pursuant to subsection 1, the salaries for those positions must be paid from the State General Fund or from money received as grants from the Federal Government to the extent allowable pursuant to federal law, or both.



Sec. 5. NRS 239C.400 is hereby amended to read as follows:

239C.400 1. The Nevada Resilience Advisory Committee is hereby created.

2. With the approval of the ~~[Director of the Department of Public Safety.]~~ *Adjutant General of the Office of the Military*, the Chief of the Division shall appoint to the Committee not more than 34 voting members that the Chief determines to be appropriate and who have expertise in:

- (a) Emergency management;
- (b) Homeland security;
- (c) Public safety;
- (d) Cybersecurity;
- (e) School safety; or
- (f) Public health.

3. With the approval of the ~~[Director of the Department of Public Safety.]~~ *Adjutant General of the Office of the Military*, the Chief or his or her designee shall:

(a) Serve as the Chair and a voting member of the Committee; and

(b) Appoint one voting member of the Committee to serve as Vice Chair.

4. The term of office of each voting member of the Committee is 2 years. This term limit does not apply to the Chair. A member may be reappointed.

Sec. 6. NRS 281.149 is hereby amended to read as follows:

281.149 1. Any public officer or employee of the State or any agency thereof, or of a political subdivision or an agency of a political subdivision, who is an emergency communications technician must be relieved from the officer's or employee's duties, upon the request of the Division of Emergency Management of the ~~[Department of Public Safety]~~ *Office of the Military* or a local organization for emergency management and the approval of the employer of the officer or employee, to assist the division or local organization for emergency management during a disaster or emergency that occurs in this state, California, Oregon, Idaho, Utah or Arizona, without loss of the officer's or employee's regular compensation for a period of not more than 15 working days in any calendar year. No such absence may be a part of the annual vacation of the public officer or employee which is provided for by law.

2. As used in this section:

(a) "Disaster" has the meaning ascribed to it in NRS 414.0335.

(b) "Emergency" has the meaning ascribed to it in NRS 414.0345.



(c) “Emergency communications technician” means a person who is:

(1) Licensed by the Federal Communications Commission as an amateur radio operator; and

(2) A member of:

(I) The Radio Amateur Civil Emergency Service or a successor organization sponsored by the agency of the Federal Government for emergency management; or

(II) The Amateur Radio Emergency Service or a successor organization sponsored by the American Radio Relay League or its successor.

(d) “Local organization for emergency management” has the meaning ascribed to it in NRS 414.036.

Sec. 7. NRS 289.270 is hereby amended to read as follows:

289.270 1. The following persons have the powers of a peace officer:

(a) The Director of the Department of Public Safety.

(b) The chiefs of the divisions of the Department of Public Safety.

(c) The deputy directors of the Department of Public Safety employed pursuant to NRS 480.120.

(d) The sworn personnel of the Department of Public Safety.

(e) The Chief of the Division of Emergency Management of the Office of the Military.

2. Administrators and investigators of the Division of Compliance Enforcement of the Department of Motor Vehicles have the powers of a peace officer to enforce any law of the State of Nevada in carrying out their duties pursuant to NRS 481.048.

3. Officers and investigators of the Section for the Control of Emissions From Vehicles and the Enforcement of Matters Related to the Use of Special Fuel of the Department of Motor Vehicles, appointed pursuant to NRS 481.0481, have the powers of peace officers in carrying out their duties under that section.

Sec. 8. NRS 353.2712 is hereby amended to read as follows:

353.2712 “Division” means the Division of Emergency Management of the ~~[Department of Public Safety.]~~ *Office of the Military.*

Sec. 9. NRS 353.353 is hereby amended to read as follows:

353.353 1. If, during a state of emergency or declaration of disaster proclaimed pursuant to NRS 414.070, the Chief of the Division of Emergency Management of the ~~[Department of Public Safety]~~ *Office of the Military* determines that the balance in the Emergency Assistance Account created by NRS 414.135 is



insufficient to cover the expenses relating to the emergency or disaster that are authorized pursuant to NRS 414.135, the Chief may request from the Director of the Office of Finance a temporary advance from the State General Fund to the Emergency Assistance Account for the payment of those expenses.

2. The Director of the Office of Finance shall notify the State Controller and the Fiscal Analysis Division of the Legislative Counsel Bureau of his or her approval of a request made pursuant to subsection 1. The State Controller shall draw his or her warrant upon receipt of the approval by the Director of the Office of Finance.

3. Any money which is advanced from the State General Fund to the Emergency Assistance Account pursuant to subsection 1 must be repaid as soon as the money which the advance replaced is deposited in the Emergency Assistance Account.

Sec. 10. NRS 388.1324 is hereby amended to read as follows:

388.1324 1. The Governor shall appoint a committee on statewide school safety. Appointments must be made to represent each of the geographic areas of the State.

2. The committee must consist of:

- (a) One representative of the Department of Education;
- (b) One representative of the Department of Public Safety;
- (c) One representative of the Division of Emergency Management of the ~~Department of Public Safety;~~ *Office of the Military;*
- (d) One representative of the Department of Health and Human Services;
- (e) One representative who is a licensed teacher in this State;
- (f) One representative who is the principal of a school in this State;
- (g) One superintendent of a school district in this State;
- (h) One school resource officer assigned to a school in this State;
- (i) One person employed as a paraprofessional, as defined in NRS 391.008, by a school in this State;
- (j) One school psychologist employed by a school in this State;
- (k) One provider of mental health other than a psychologist who provides services to pupils at a school in this State;
- (l) The State Fire Marshal or his or her designee;
- (m) One parent or legal guardian of a pupil enrolled in a school in this State;
- (n) At least two pupils enrolled in a school in this State; and
- (o) Any other representative the Governor deems appropriate.



3. The committee shall:

(a) Establish methods which facilitate the ability of a pupil enrolled in a school in this State to express his or her ideas related to school safety and the well-being of pupils enrolled in schools in this State;

(b) Evaluate the impact of social media on school safety and the well-being of pupils enrolled in schools in this State; and

(c) Discuss and make recommendations to the Governor and the Department related to the findings of the committee.

4. As used in this section, "social media" has the meaning ascribed to it in NRS 232.003.

Sec. 11. NRS 388.243 is hereby amended to read as follows:

388.243 1. Each development committee established by the board of trustees of a school district shall develop one plan, which constitutes the minimum requirements of a plan, to be used by all the public schools other than the charter schools in the school district in responding to a crisis, emergency or suicide. Each development committee established by the governing body of a charter school shall develop a plan, which constitutes the minimum requirements of a plan, to be used by the charter school in responding to a crisis, emergency or suicide. Each development committee shall, when developing the plan:

(a) Consult with local social service agencies and local public safety agencies in the county in which its school district or charter school is located.

(b) If the school district has an emergency manager designated pursuant to NRS 388.262, consult with the emergency manager.

(c) If the school district has school resource officers, consult with the school resource officer or a person designated by him or her.

(d) If the school district has school police officers, consult with the chief of school police of the school district or a person designated by him or her.

(e) Consult with the director of the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* or his or her designee.

(f) Consult with the State Fire Marshal or his or her designee and a representative of a local government responsible for enforcement of the ordinances, codes or other regulations governing fire safety.



(g) Determine which persons and organizations in the community, including, without limitation, a provider of mental health services which is operated by a state or local agency, that could be made available to assist pupils and staff in recovering from a crisis, emergency or suicide.

2. The plan developed pursuant to subsection 1 must include, without limitation:

(a) The plans, procedures and information included in the model plan developed by the Department pursuant to NRS 388.253;

(b) A procedure for responding to a crisis or an emergency and for responding during the period after a crisis or an emergency has concluded, including, without limitation, a crisis or an emergency that results in immediate physical harm to a pupil or employee of a school in the school district or the charter school;

(c) A procedure for enforcing discipline within a school in the school district or the charter school and for obtaining and maintaining a safe and orderly environment during a crisis or an emergency;

(d) The names of persons and organizations in the community, including, without limitation, a provider of mental health services which is operated by a state or local agency, that are available to provide counseling and other services to pupils and staff of the school to assist them in recovering from a crisis, emergency or suicide;

(e) A plan for making the persons and organizations described in paragraph (d) available to pupils and staff after a crisis, emergency or suicide;

(f) A procedure for responding to a crisis or an emergency that occurs during an extracurricular activity which takes place on school grounds;

(g) A plan which includes strategies to assist pupils and staff at a school in recovering from a suicide; and

(h) A description of the organizational structure which ensures there is a clearly defined hierarchy of authority and responsibility used by the school for the purpose of responding to a crisis, emergency or suicide.

3. Each development committee shall provide a copy of the plan that it develops pursuant to this section to the board of trustees of the school district that established the committee or the governing body of the charter school that established the committee.

4. The board of trustees of the school district that established the committee or the governing body of the charter school that established the committee shall submit for approval to the Division



of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* the plan developed pursuant to this section.

5. Except as otherwise provided in NRS 388.249 and 388.251, each public school must comply with the plan developed for it pursuant to this section.

Sec. 12. NRS 388.245 is hereby amended to read as follows:

388.245 1. Each development committee shall, at least once each year, review and update as appropriate the plan that it developed pursuant to NRS 388.243. In reviewing and updating the plan, the development committee shall consult with the director of the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* or his or her designee.

2. Each development committee shall provide an updated copy of the plan to the board of trustees of the school district that established the committee or the governing body of the charter school that established the committee.

3. On or before July 1 of each year, the board of trustees of the school district that established the committee or the governing body of the charter school that established the committee shall submit for approval to the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* the plan updated pursuant to subsection 1.

4. The board of trustees of each school district and the governing body of each charter school shall:

(a) Post a notice of the completion of each review and update that its development committee performs pursuant to subsection 1 at each school in its school district or at its charter school;

(b) File with the Department a copy of the notice provided pursuant to paragraph (a);

(c) Post a copy of NRS 388.229 to 388.266, inclusive, at each school in its school district or at its charter school;

(d) Retain a copy of each plan developed pursuant to NRS 388.243, each plan updated pursuant to subsection 1 and each deviation approved pursuant to NRS 388.251;

(e) Provide a copy of each plan developed pursuant to NRS 388.243 and each plan updated pursuant to subsection 1 to:

(1) Each local public safety agency in the county in which the school district or charter school is located; and

(2) The local organization for emergency management, if any;



(f) Upon request, provide a copy of each plan developed pursuant to NRS 388.243 and each plan updated pursuant to subsection 1 to a local agency that is included in the plan and to an employee of a school who is included in the plan;

(g) Provide a copy of each deviation approved pursuant to NRS 388.251 as soon as practicable to:

- (1) The Department;
- (2) A local public safety agency in the county in which the school district or charter school is located;
- (3) The Division of Emergency Management of the ~~Department of Public Safety;~~ *Office of the Military;*
- (4) The local organization for emergency management, if any;

(5) A local agency that is included in the plan; and

(6) An employee of a school who is included in the plan; and

(h) At least once each year, provide training in responding to a crisis and training in responding to an emergency to each employee of the school district or of the charter school, including, without limitation, training concerning drills for evacuating and securing schools.

5. The board of trustees of each school district and the governing body of each charter school may apply for and accept gifts, grants and contributions from any public or private source to carry out the provisions of NRS 388.229 to 388.266, inclusive.

Sec. 13. NRS 388.246 is hereby amended to read as follows:

388.246 The Division of Emergency Management of the ~~Department of Public Safety;~~ *Office of the Military;*

1. Shall prepare a report regarding the extent to which:

(a) The board of trustees of each school district, governing body of a charter school and each public school has complied with the provisions of NRS 388.243 and 388.245; and

(b) Each private school has complied with the provisions of NRS 394.1687 and 394.1688;

2. Shall, on or before January 1 of each year, submit the report prepared pursuant to subsection 1 to the Director of the Legislative Counsel Bureau for transmittal to the Legislature or, if the Legislature is not in session, to the Legislative Committee on Education; and

3. May conduct on a random basis audits of any plan submitted pursuant to NRS 388.243 and 388.245.



Sec. 14. NRS 388.249 is hereby amended to read as follows:

388.249 1. Each school committee shall, at least once each year, review the plan developed pursuant to NRS 388.243 and determine whether the school should deviate from the plan.

2. Each school committee shall, when reviewing the plan:

(a) Consult with the local social service agencies and law enforcement agencies in the county, city or town in which its school is located.

(b) Consult with the director of the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* or his or her designee.

(c) Consider the specific needs and characteristics of the school, including, without limitation, the length of time for law enforcement to respond to the school and for a fire-fighting agency to respond to a fire, explosion or other similar emergency.

3. If a school committee determines that the school should deviate from the plan, the school committee shall notify the development committee that developed the plan, describe the proposed deviation and explain the reason for the proposed deviation. The school may deviate from the plan only if the deviation is approved by the development committee pursuant to NRS 388.251.

4. Each public school shall post at the school a notice of the completion of each review that the school committee performs pursuant to this section.

Sec. 15. NRS 388.253 is hereby amended to read as follows:

388.253 1. The Department shall, with assistance from other state agencies, including, without limitation, the Division of Emergency Management ~~{}~~ *of the Office of the Military* and the Investigation Division ~~{}~~ and the Nevada Highway Patrol Division of the Department of Public Safety, develop a model plan for the management of:

(a) A suicide; or

(b) A crisis or emergency that involves a public school or a private school and that requires immediate action.

2. The model plan must include, without limitation, a procedure for:

(a) In response to a crisis or emergency:

(1) Coordinating the resources of local, state and federal agencies, officers and employees, as appropriate;

(2) Accounting for all persons within a school;



(3) Assisting persons within a school in a school district, a charter school or a private school to communicate with each other;

(4) Assisting persons within a school in a school district, a charter school or a private school to communicate with persons located outside the school, including, without limitation, relatives of pupils and relatives of employees of such a school, the news media and persons from local, state or federal agencies that are responding to a crisis or an emergency;

(5) Assisting pupils of a school in the school district, a charter school or a private school, employees of such a school and relatives of such pupils and employees to move safely within and away from the school, including, without limitation, a procedure for evacuating the school and a procedure for securing the school;

(6) Reunifying a pupil with his or her parent or legal guardian;

(7) Providing any necessary medical assistance;

(8) Recovering from a crisis or emergency;

(9) Carrying out a lockdown at a school;

(10) Providing shelter in specific areas of a school; and

(11) Providing disaster behavioral health related to a crisis, emergency or suicide;

(b) Providing specific information relating to managing a crisis or emergency that is a result of:

(1) An incident involving hazardous materials;

(2) An incident involving mass casualties;

(3) An incident involving an active shooter;

(4) An incident involving a fire, explosion or other similar situation;

(5) An outbreak of disease;

(6) Any threat or hazard identified in the hazard mitigation plan of the county in which the school district is located, if such a plan exists; or

(7) Any other situation, threat or hazard deemed appropriate;

(c) Providing pupils and staff at a school that has experienced a crisis or emergency with access to counseling and other resources to assist in recovering from the crisis or emergency;

(d) Evacuating pupils and employees of a charter school to a designated space within an identified public middle school, junior high school or high school in a school district that is separate from the general population of the school and large enough to accommodate the charter school, and such a space may include, without limitation, a gymnasium or multipurpose room of the public school;



(e) Selecting an assessment tool which assists in responding to a threat against the school by a pupil or pupils;

(f) On an annual basis, providing drills to instruct pupils in the appropriate procedures to be followed in response to a crisis or an emergency. Such drills must occur:

(1) At different times during normal school hours; and

(2) In cooperation with other state agencies, pursuant to this section.

(g) Responding to a suicide or attempted suicide to mitigate the effects of the suicide or attempted suicide on pupils and staff at the school, including, without limitation, by making counseling and other appropriate resources to assist in recovering from the suicide or attempted suicide available to pupils and staff;

(h) Providing counseling and other appropriate resources to pupils and school staff who have contemplated or attempted suicide;

(i) Outreach to persons and organizations located in the community in which a school that has had a suicide by a pupil, including, without limitation, religious and other nonprofit organizations, that may be able to assist with the response to the suicide;

(j) Addressing the needs of pupils at a school that has experienced a crisis, emergency or suicide who are at a high risk of suicide, including, without limitation, pupils who are members of the groups described in subsection 3 of NRS 388.256; and

(k) Responding to a pupil who is determined to be a person in mental health crisis, as defined in NRS 433A.0175, including, without limitation:

(1) Utilizing mobile mental health crisis response units, where available, before transporting the pupil to a public or private mental health facility pursuant to subparagraph (2); and

(2) Transporting the pupil to a public or private mental health facility or hospital for admission pursuant to NRS 433A.150.

3. In developing the model plan, the Department shall consider the plans developed pursuant to NRS 388.243 and 394.1687 and updated pursuant to NRS 388.245 and 394.1688.

4. The Department shall require a school district to ensure that each public school in the school district identified pursuant to paragraph (d) of subsection 2 is prepared to allow a charter school to evacuate to the school when necessary in accordance with the procedure included in the model plan developed pursuant to subsection 1. A charter school shall hold harmless, indemnify and defend the school district to which it evacuates during a crisis or an emergency against any claim or liability arising from an act or



omission by the school district or an employee or officer of the school district.

5. The Department may disseminate to any appropriate local, state or federal agency, officer or employee, as the Department determines is necessary:

(a) The model plan developed by the Department pursuant to subsection 1;

(b) A plan developed pursuant to NRS 388.243 or updated pursuant to NRS 388.245;

(c) A plan developed pursuant to NRS 394.1687 or updated pursuant to NRS 394.1688; and

(d) A deviation approved pursuant to NRS 388.251 or 394.1692.

6. The Department shall, at least once each year, review and update as appropriate the model plan developed pursuant to subsection 1.

Sec. 16. NRS 388.257 is hereby amended to read as follows:

388.257 1. If a crisis or an emergency that requires immediate action occurs at a public school or a suicide occurs, the principal of the school involved, or the principal's designated representative, shall, in accordance with the plan developed for the school pursuant to NRS 388.243 and in accordance with any deviation approved pursuant to NRS 388.251, contact all appropriate local agencies, including, without limitation, a provider of mental health services which is operated by a state or local agency, to respond to the crisis, emergency or suicide.

2. If a local agency that is responsible for responding to a crisis or an emergency is contacted pursuant to subsection 1 and the local agency determines that the crisis or the emergency requires assistance from a state agency, the local agency may:

(a) If a local organization for emergency management has been established in the city or county in which the local agency that was contacted is located, through such local organization for emergency management, notify the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* of the crisis or the emergency and request assistance from the Division in responding to the crisis or the emergency; or

(b) If a local organization for emergency management has not been established in the city or county in which the local agency that was contacted is located, directly notify the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* of the crisis or the emergency and request assistance from the Division in responding to the crisis or the emergency.



3. If the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* receives notification of a crisis or an emergency and a request for assistance pursuant to subsection 2 and the Governor or the Governor's designated representative determines that the crisis or the emergency requires assistance from a state agency, the Division shall carry out its duties set forth in the model plan developed pursuant to NRS 388.253 and its duties set forth in chapter 414 of NRS, including, without limitation, addressing the immediate crisis or emergency and coordinating the appropriate and available local, state and federal resources to provide support services and counseling to pupils, teachers, and parents or legal guardians of pupils, and providing support for law enforcement agencies, for as long as is reasonably necessary.

4. If a local law enforcement agency responds to a crisis, emergency or suicide that occurs at a public school or notifies a public school regarding a crisis, emergency or suicide that occurs outside of the public school, the local law enforcement agency must consider whether it is necessary and appropriate to notify any other public school or any private school of the crisis, emergency or suicide. Such notification must include, without limitation, any information necessary for the public school or private school to appropriately respond to the crisis, emergency or suicide.

Sec. 17. NRS 388.261 is hereby amended to read as follows:

388.261 The provisions of chapter 241 of NRS do not apply to a meeting of:

1. A development committee;
2. A school committee;
3. The State Board if the meeting concerns a regulation adopted pursuant to NRS 388.255;
4. The Department of Education if the meeting concerns the model plan developed pursuant to NRS 388.253; or
5. The Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* if the meeting concerns the approval of a plan developed pursuant to NRS 388.243 or the approval of a plan updated pursuant to NRS 388.245.

Sec. 18. NRS 388.264 is hereby amended to read as follows:

388.264 1. The board of trustees of each school district and the governing body of each charter school shall consult with the person described in subsection 2 or 3, as applicable, regarding safety in schools before:

- (a) Designing, constructing or purchasing new buildings for schools or related facilities;



(b) Enlarging, remodeling or renovating existing buildings for schools or related facilities; or

(c) Acquiring sites for building schools or related facilities.

2. In a county whose population is 100,000 or more, the board of trustees of a school district or the governing body of a charter school that plans to take an action described in subsection 1 shall consult with the emergency manager designated pursuant to NRS 388.262 or, if the school district has school police officers, the chief of school police of the school district or a person designated by him or her.

3. In a county whose population is less than 100,000, the board of trustees of a school district or the governing body of a charter school that plans to take an action described in subsection 1 shall consult with:

(a) If the school district has school police officers, the chief of school police of the school district or a person designated by him or her or, if the school district has designated a full-time employee to serve as an emergency manager, the emergency manager; or

(b) If the county has not designated a full-time employee to serve as an emergency manager and does not have school police officers, the Division of Emergency Management of the ~~{Department of Public Safety,}~~ *Office of the Military*.

Sec. 19. NRS 388.265 is hereby amended to read as follows:

388.265 1. The Department of Education shall, at least once each year, coordinate with the Division of Emergency Management of the ~~{Department of Public Safety,}~~ *Office of the Military*, any emergency manager designated pursuant to NRS 388.262, any chief of police of a school district that has police officers and any school resource officer to conduct a conference regarding safety in public schools.

2. The board of trustees of each school district shall designate persons to attend the conference held pursuant to subsection 1. The persons so designated must include, without limitation:

(a) An administrator from the school district;

(b) If the school district has school resource officers, a school resource officer or a person designated by him or her;

(c) If the school district has school police officers, the chief of school police of the school district or a person designated by him or her; and

(d) If the school district has an emergency manager designated pursuant to NRS 388.262, the emergency manager.

3. The conference conducted pursuant to subsection 1 may be attended by:



- (a) A licensed teacher of a school or charter school;
- (b) Educational support personnel employed by a school district or charter school;
- (c) The parent or legal guardian of a pupil who is enrolled in a public school;
- (d) An employee of a local law enforcement agency; and
- (e) A person employed or appointed to serve as a school police officer.

4. The State Public Charter School Authority shall annually, at a designated meeting of the State Public Charter School Authority or at a workshop or conference coordinated by the State Public Charter School Authority, discuss safety in charter schools. The governing body of each charter school shall designate persons to attend a meeting, workshop or conference at which such a discussion will take place pursuant to this subsection.

Sec. 20. NRS 394.1687 is hereby amended to read as follows:

394.1687 1. Each development committee shall develop a plan to be used by its school in responding to a crisis, emergency or suicide. Each development committee shall, when developing the plan:

(a) Consult with local social service agencies and local public safety agencies in the county in which its school is located.

(b) Consult with the director of the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the Division of Emergency Management of the ~~[Department of Public Safety]~~ *Office of the Military* or his or her designee.

2. The plan developed pursuant to subsection 1 must include, without limitation:

(a) The plans, procedures and information included in the model plan developed by the Department pursuant to NRS 388.253;

(b) A procedure for immediately responding to a crisis or an emergency and for responding during the period after a crisis or an emergency has concluded, including, without limitation, a crisis or an emergency that results in immediate physical harm to a pupil or employee of the school; and

(c) A procedure for enforcing discipline within the school and for obtaining and maintaining a safe and orderly environment during a crisis or an emergency.

3. Each development committee shall provide a copy of the plan that it develops pursuant to this section to the governing body of the school that established the committee.



4. Except as otherwise provided in NRS 394.1691 and 394.1692, each private school must comply with the plan developed for it pursuant to this section.

Sec. 21. NRS 394.1688 is hereby amended to read as follows:

394.1688 1. Each development committee shall, at least once each year, review and update as appropriate the plan that it developed pursuant to NRS 394.1687. In reviewing and updating the plan, the development committee shall consult with the director of the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* or his or her designee.

2. On or before July 1 of each year, each development committee shall provide an updated copy of the plan to the governing body of the school.

3. The governing body of each private school shall:

(a) Post a notice of the completion of each review and update that its development committee performs pursuant to subsection 1 at the school;

(b) File with the Department a copy of the notice provided pursuant to paragraph (a);

(c) Post a copy of NRS 388.253 and 394.168 to 394.1699, inclusive, at the school;

(d) Retain a copy of each plan developed pursuant to NRS 394.1687, each plan updated pursuant to subsection 1 and each deviation approved pursuant to NRS 394.1692;

(e) On or before July 1 of each year, provide a copy of each plan developed pursuant to NRS 394.1687 and each plan updated pursuant to subsection 1 to:

(1) Each local public safety agency in the county in which the school is located;

(2) The Division of Emergency Management of the ~~{Department of Public Safety;}~~ *Office of the Military*; and

(3) The local organization for emergency management, if any;

(f) Upon request, provide a copy of each plan developed pursuant to NRS 394.1687 and each plan updated pursuant to subsection 1 to a local agency that is included in the plan and to an employee of the school who is included in the plan;

(g) Upon request, provide a copy of each deviation approved pursuant to NRS 394.1692 to:

(1) The Department;



(2) A local public safety agency in the county in which the school is located;

(3) The Division of Emergency Management of the ~~[Department of Public Safety;]~~ *Office of the Military;*

(4) The local organization for emergency management, if any;

(5) A local agency that is included in the plan; and

(6) An employee of the school who is included in the plan; and

(h) At least once each year, provide training in responding to a crisis and training in responding to an emergency to each employee of the school, including, without limitation, training concerning drills for evacuating and securing the school.

4. As used in this section, “public safety agency” has the meaning ascribed to it in NRS 388.2345.

Sec. 22. NRS 394.1691 is hereby amended to read as follows:

394.1691 1. Each school committee shall, at least once each year, review the plan developed for its school pursuant to NRS 394.1687 and determine whether the school should deviate from the plan.

2. Each school committee shall, when reviewing the plan, consult with:

(a) The local social service agencies and law enforcement agencies in the county, city or town in which its school is located.

(b) The director of the local organization for emergency management or, if there is no local organization for emergency management, with the Chief of the Division of Emergency Management of the ~~[Department of Public Safety]~~ *Office of the Military* or his or her designee.

3. If a school committee determines that its school should deviate from the plan, the school committee shall notify the development committee that developed the plan, describe the proposed deviation and explain the reason for the proposed deviation. The school may deviate from the plan only if the deviation is approved by the development committee pursuant to NRS 394.1692.

4. Each private school shall post at the school a notice of the completion of each review that its school committee performs pursuant to this section.

Sec. 23. NRS 394.1696 is hereby amended to read as follows:

394.1696 1. If a crisis or an emergency that requires immediate action occurs at a private school or a suicide occurs, the principal or other person in charge of the private school involved, or



his or her designated representative, shall, in accordance with the plan developed for the school pursuant to NRS 394.1687 and in accordance with any deviation approved pursuant to NRS 394.1692, contact all appropriate local agencies, including, without limitation, a provider of mental health services which is operated by a state or local agency, to respond to the crisis, emergency or suicide.

2. If a local agency that is responsible for responding to a crisis or an emergency is contacted pursuant to subsection 1 and the local agency determines that the crisis or the emergency requires assistance from a state agency, the local agency may:

(a) If a local organization for emergency management has been established in the city or county in which the local agency that was contacted is located, through such local organization for emergency management, notify the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* of the crisis or the emergency and request assistance from the Division in responding to the crisis or the emergency; or

(b) If a local organization for emergency management has not been established in the city or county in which the local agency that was contacted is located, directly notify the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* of the crisis or the emergency and request assistance from the Division in responding to the crisis or the emergency.

3. If the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* receives notification of a crisis or an emergency and a request for assistance pursuant to subsection 2 and the Governor or the Governor's designated representative determines that the crisis or the emergency requires assistance from a state agency, the Division shall carry out its duties set forth in the model plan developed pursuant to NRS 388.253 and its duties set forth in chapter 414 of NRS, including, without limitation, addressing the immediate crisis or emergency and coordinating the appropriate and available local, state and federal resources to provide support services and counseling to pupils, teachers, and parents or legal guardians of pupils, and providing support for law enforcement agencies, for as long as is reasonably necessary.

4. If a local law enforcement agency responds to a crisis, emergency or suicide that occurs at a private school or notifies a private school regarding a crisis, emergency or suicide that occurs outside of the private school, the local law enforcement agency must consider whether it is necessary and appropriate to notify any public school or any other private school of the crisis, emergency or



suicide. Such notification must include, without limitation, any information necessary for the public school or private school to appropriately respond to the crisis, emergency or suicide.

Sec. 24. Chapter 412 of NRS is hereby amended by adding thereto a new section to read as follows:

The Chief of the Division of Emergency Management serves at the pleasure of the Adjutant General and maintains the powers and duties set forth in NRS 414.020 to 414.340, inclusive.

Sec. 25. NRS 412.014 is hereby amended to read as follows:

412.014 “Office” means the Office of the Military, including, without limitation, the Nevada Army National Guard, ~~and~~ the Nevada Air National Guard ~~and~~ *and the Division of Emergency Management.*

Sec. 26. NRS 412.042 is hereby amended to read as follows:

412.042 1. The military staff of the Governor consists of the Adjutant General ~~and~~ *and* not more than two assistant adjutants general ~~and personal aides-de-camp to the Governor~~ selected from the commissioned officers of the ~~Nevada National Guard or from reserve officers of the~~ Armed Forces of the United States. ~~who are residents of Nevada and who are not serving on extended active duty.~~

2. ~~Officers detailed as personal aides-de-camp under this section shall not be relieved from their ordinary duties except when actually on duty with the Governor.~~

~~—3.—~~ The military staff of the Governor shall perform such ceremonial functions and duties as the Governor may prescribe.

Sec. 27. NRS 412.044 is hereby amended to read as follows:

412.044 1. The Governor shall appoint an Adjutant General who shall ~~hold office for a 4-year term~~ *serve at the pleasure of the Governor* or until relieved by reason of resignation, withdrawal of federal recognition or for cause to be determined by a court-martial. The ~~current term of an~~ *service of the* Adjutant General shall continue ~~until its prescribed expiration date~~ while such Adjutant General is serving in a federal active duty status under an order or call by the President of the United States.

2. To be eligible for appointment to the office of Adjutant General, a person must be an officer of the ~~Nevada National Guard,~~ *Armed Forces of the United States and* federally recognized in the grade of ~~lieutenant~~ colonel or higher. ~~and must have completed at least 6 years of service in the Nevada National Guard as a federally recognized officer.~~

3. The Adjutant General may be appointed in the grade of ~~lieutenant~~ colonel or higher, but not exceeding that of major



general. If appointed in a lower grade, the Adjutant General may be promoted by the Governor to any grade not exceeding that of major general.

Sec. 28. NRS 412.054 is hereby amended to read as follows:

412.054 1. The Adjutant General may appoint two Assistant Adjutants General, one each from the Nevada Army National Guard and the Nevada Air National Guard, who may serve as Chief of Staff for Army and Chief of Staff for Air, respectively, at the pleasure of the Adjutant General or until relieved by reason of resignation, withdrawal of federal recognition or for cause to be determined by a court-martial.

2. To be eligible for appointment to the office of Assistant Adjutant General, a person must be an officer of the ~~[Nevada National Guard.]~~ *Armed Forces of the United States and be* federally recognized in the grade of ~~[Lieutenant]~~ colonel or higher. ~~[and must have completed at least 6 years of service in the Nevada National Guard as a federally recognized officer.]~~

3. An Assistant Adjutant General may be appointed in the grade of ~~[Lieutenant]~~ colonel or higher, but not exceeding that of brigadier general. An Assistant Adjutant General may be promoted by the Governor to any grade not exceeding that of brigadier general.

4. The Assistant Adjutants General shall perform such duties as may be assigned by the Adjutant General.

5. Whoever serves as Chief of Staff for Army is in the unclassified service of the State and, except as otherwise provided in NRS 284.143, shall not hold any other city, county, state or federal office of profit.

6. In the event of the absence or inability of the Adjutant General to perform his or her duties, the Adjutant General shall designate by Office regulations:

(a) One of the Assistant Adjutants General to perform the duties of his or her office as Acting Adjutant General.

(b) If neither Assistant Adjutant General is available, any national guard officer to be the Acting Adjutant General.

➤ The designated Assistant Adjutant General or designated officer may continue to receive his or her authorized salary while so serving as Acting Adjutant General, and shall so serve until the Adjutant General is again able to perform the duties of the office, or if the office is vacant, until an Adjutant General is regularly appointed and qualified.



Sec. 29. NRS 412.056 is hereby amended to read as follows:

412.056 1. If the federally recognized Nevada National Guard, or any portion thereof, is called or ordered to active federal duty by the President, and if such call or order includes the Adjutant General and Assistant Adjutants General, the Governor may appoint an Acting Adjutant General who shall assume the responsibilities and powers and perform all duties required of the Adjutant General, and who must be selected from the federally recognized officers not called or ordered to active duty and who meet the qualifications established for the appointment of an Adjutant General . ~~[, or if no such officer is available, then from the following:~~

~~—(a) Inactive or retired officers of the Nevada National Guard.~~
~~—(b) Army or Air Force officers who are inactive or have retired and are residents of the State of Nevada.]~~

2. If, on the occurrence of a vacancy in the office of Adjutant General, there is no qualified and appointed Assistant Adjutant General, the Governor may designate an Acting Adjutant General who shall assume temporarily the responsibilities and powers and perform all duties required of the Adjutant General until such time as an Adjutant General is regularly appointed and qualified. An Acting Adjutant General designated under this provision must have the same qualifications as are required for the appointment of an Adjutant General.

3. The Acting Adjutant General serving under the terms of this section must be compensated as determined by the Governor, but the amount must not exceed that authorized for a regularly appointed Adjutant General.

Sec. 30. NRS 412.064 is hereby amended to read as follows:

412.064 1. The Office of the Military is hereby established. The Office, under the direction of the Governor, shall supervise the military *and emergency management* affairs of the State.

2. The Office shall adopt, subject to the approval of the Governor, necessary regulations for the organization, government, armament, equipment, training and compensation of the militia of the State in conformity with the provisions of this chapter and the laws of the United States.

3. The Office shall make such changes in the military organization of the Nevada National Guard as are necessary from time to time to conform to the requirements of the laws of the United States and the directives of the National Guard Bureau.

4. The Office shall fix the location of the units and headquarters of the Nevada National Guard, and shall, subject to the approval of the National Guard Bureau, transfer, attach, consolidate



or inactivate any organization or unit when in its judgment the efficiency of the present organization will be increased thereby.

5. The Office may establish and continue awards and decorations and approve the design therefor, which must conform to the requirements of the laws of the United States and the directives of the National Guard Bureau.

6. The Division of Emergency Management shall execute, administer and enforce the provisions of chapters 414 and 414A of NRS and perform such duties and exercise such powers as may be conferred upon it pursuant to chapters 414 and 414A of NRS and any other statute.

Sec. 31. NRS 414.0315 is hereby amended to read as follows:

414.0315 “Chief” means the Chief of the Division of Emergency Management of the ~~{Department of Public Safety.}~~ *Office of the Military.*

Sec. 32. NRS 414.040 is hereby amended to read as follows:

414.040 1. A Division of Emergency Management is hereby created within the ~~{Department of Public Safety.}~~ *Office of the Military.* The Chief of the Division is appointed by and holds office at the pleasure of the ~~{Director}~~ *Adjutant General* of the ~~{Department of Public Safety.}~~ *Office of the Military.* The Division is the State Agency for Emergency Management and the State Agency for Civil Defense for the purposes of the Compact ratified by the Legislature pursuant to NRS 415.010. The Chief is the State’s Director of Emergency Management and the State’s Director of Civil Defense for the purposes of that Compact.

2. The Chief may employ technical, clerical, stenographic and other personnel as may be required, and may make such expenditures therefor and for other expenses of his or her office within the appropriation therefor, or from other money made available to him or her for purposes of emergency management, as may be necessary to carry out the purposes of this chapter.

3. The Chief, subject to the direction and control of the ~~{Director.}~~ *Adjutant General*, shall carry out the program for emergency management in this State. The Chief shall coordinate the activities of all organizations for emergency management within the State, maintain liaison with and cooperate with agencies and organizations of other states and of the Federal Government for emergency management and carry out such additional duties as may be prescribed by the ~~{Director.}~~ *Adjutant General.*

4. The Chief shall assist in the development of comprehensive, coordinated plans for emergency management by adopting an integrated process, using the partnership of governmental entities,



business and industry, volunteer organizations and other interested persons, for the mitigation of, preparation for, response to and recovery from emergencies or disasters. In adopting this process, the Chief shall:

(a) Except as otherwise provided in NRS 232.3532, develop written plans for the mitigation of, preparation for, response to and recovery from emergencies and disasters. The plans developed by the Chief pursuant to this paragraph must include the information prescribed in NRS 414.041 to 414.044, inclusive.

(b) Conduct activities designed to:

(1) Eliminate or reduce the probability that an emergency will occur or to reduce the effects of unavoidable disasters;

(2) Prepare state and local governmental agencies, private organizations and other persons to be capable of responding appropriately if an emergency or disaster occurs by fostering the adoption of plans for emergency operations, conducting exercises to test those plans, training necessary personnel and acquiring necessary resources;

(3) Test periodically plans for emergency operations to ensure that the activities of state and local governmental agencies, private organizations and other persons are coordinated;

(4) Provide assistance to victims, prevent further injury or damage to persons or property and increase the effectiveness of recovery operations; and

(5) Restore the operation of vital community life-support systems and return persons and property affected by an emergency or disaster to a condition that is comparable to or better than what existed before the emergency or disaster occurred.

5. In addition to any other requirement concerning the program of emergency management in this State, the Chief shall:

(a) Maintain an inventory of any state or local services, equipment, supplies, personnel and other resources related to participation in the Nevada Intrastate Mutual Aid System established pursuant to NRS 414A.100;

(b) Coordinate the provision of resources and equipment within this State in response to requests for mutual aid pursuant to NRS 414.075 or chapter 414A of NRS;

(c) Coordinate with state agencies, local governments, Indian tribes or nations and special districts to use the personnel and equipment of those state agencies, local governments, Indian tribes or nations and special districts as agents of the State during a response to a request for mutual aid pursuant to NRS 414.075 or 414A.130; and



(d) Provide notice:

(1) On or before February 15 of each year to the governing body of each political subdivision of whether the political subdivision has complied with the requirements of NRS 239C.250;

(2) On or before February 15 of each year to the Chair of the Public Utilities Commission of Nevada of whether each utility that is not a governmental utility and each provider of new electric resources has complied with the requirements of NRS 239C.270;

(3) On or before February 15 of each year to the Governor of whether each governmental utility described in subsection 1 of NRS 239C.050 and each provider of new electric resources has complied with the requirements of NRS 239C.270;

(4) On or before February 15 of each year to the governing body of each governmental utility described in subsection 2 of NRS 239C.050 and each provider of new electric resources of whether each such governmental utility has complied with the requirements of NRS 239C.270;

(5) On or before August 15 of each year to the Superintendent of Public Instruction of whether each board of trustees of a school district, governing body of a charter school or governing body of a private school has complied with the requirements of NRS 388.243 or 394.1687, as applicable; and

(6) On or before November 15 of each year to the Chair of the Nevada Gaming Control Board of whether each resort hotel has complied with the requirements of NRS 463.790.

6. The Division shall:

(a) Perform the duties required pursuant to chapter 415A of NRS;

(b) Perform the duties required pursuant to NRS 353.2753 at the request of a state agency or local government;

(c) Adopt regulations setting forth the manner in which federal funds received by the Division to finance projects related to emergency management and homeland security are allocated, except with respect to any funds committed by specific statute to the regulatory authority of another person or agency, including, without limitation, funds accepted by the State Emergency Response Commission pursuant to NRS 459.740; and

(d) Submit a written report to the Nevada Commission on Homeland Security within 60 days of making a grant of money to a state agency, political subdivision or tribal government to pay for a project or program relating to the prevention of, detection of, mitigation of, preparedness for, response to and recovery from acts of terrorism that includes, without limitation:



(1) The total amount of money that the state agency, political subdivision or tribal government has been approved to receive for the project or program;

(2) A description of the project or program; and

(3) An explanation of how the money may be used by the state agency, political subdivision or tribal government.

7. The Division shall develop a written guide for the preparation and maintenance of an emergency response plan to assist a person or governmental entity that is required to file a plan pursuant to NRS 239C.250, 239C.270, 388.243, 394.1687 or 463.790. The Division shall review the guide on an annual basis and revise the guide if necessary. On or before January 15 of each year, the Division shall provide the guide to:

(a) Each political subdivision required to adopt a response plan pursuant to NRS 239C.250;

(b) Each utility and each provider of new electric resources required to prepare and maintain an emergency response plan pursuant to NRS 239C.270;

(c) Each development committee required to develop a plan to be used in responding to a crisis, emergency or suicide by:

(1) A public school or charter school pursuant to NRS 388.243; or

(2) A private school pursuant to NRS 394.1687; and

(d) Each resort hotel required to adopt an emergency response plan pursuant to NRS 463.790.

Sec. 33. NRS 414.044 is hereby amended to read as follows:

414.044 1. The written plan for recovery from an emergency or disaster required by paragraph (a) of subsection 4 of NRS 414.040 must, without limitation:

(a) Establish an organizational structure that facilitates support by the Division of Emergency Management of the ~~Department of Public Safety~~ *Office of the Military* of any recovery activities conducted by local governments and Indian tribes or nations after an emergency or disaster;

(b) Assign roles and responsibilities to state agencies to support recovery activities;

(c) Identify persons who are employees of federal agencies, state and local governmental agencies, Indian tribes or nations, private organizations or other entities identified by the Division who will serve as liaisons between those agencies, organizations or entities and the Division to coordinate recovery activities; and

(d) Facilitate the stabilization, rebuilding and revitalization of communities impacted by an emergency or disaster.



2. Upon request of a state agency, local government or Indian tribe or nation, the Division shall provide training regarding the plan.

3. On or before December 31 of each year, the Chief shall review and revise the plan as necessary.

Sec. 34. NRS 414.135 is hereby amended to read as follows:

414.135 1. There is hereby created in the State General Fund the Emergency Assistance Account. Beginning with the fiscal year that begins on July 1, 1999, the State Controller shall, at the end of each fiscal year, transfer the interest earned during the previous fiscal year on the money in the Disaster Relief Account created pursuant to NRS 353.2735 to the Emergency Assistance Account in an amount not to exceed \$500,000.

2. The Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* shall administer the Emergency Assistance Account. The Division may adopt regulations authorized by this section before, on or after July 1, 1999.

3. Except as otherwise provided in paragraph (c), all expenditures from the Emergency Assistance Account must be approved in advance by the Division. Except as otherwise provided in subsection 4, all money in the Emergency Assistance Account must be expended:

(a) To provide supplemental emergency assistance to this state or to local governments in this state that are severely and adversely affected by a natural, technological or man-made emergency or disaster for which available resources of this state or the local government are inadequate to provide a satisfactory remedy;

(b) To pay any actual expenses incurred by the Division for administration during a natural, technological or man-made emergency or disaster; and

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

4. Beginning with the fiscal year that begins on July 1, 1999, if any balance remains in the Emergency Assistance Account at the end of a fiscal year and the balance has not otherwise been committed for expenditure, the Division may, with the approval of the Interim Finance Committee, allocate all or any portion of the remaining balance, not to exceed \$250,000, to this state or to a local government to:

(a) Purchase equipment or supplies required for emergency management;

(b) Provide training to personnel related to emergency management; and



(c) Carry out the provisions of NRS 388.229 to 388.266, inclusive.

5. Beginning with the fiscal year that begins on July 1, 1999, the Division 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 Emergency Assistance Account for the previous quarter.

6. The Division shall adopt such regulations as are necessary to administer the Emergency Assistance Account.

7. The Division may adopt regulations to provide for reimbursement of expenditures made from the Emergency Assistance Account. If the Division requires such reimbursement, the Attorney General shall take such action as is necessary to recover the amount of any unpaid reimbursement plus interest at a rate determined pursuant to NRS 17.130, computed from the date on which the money was removed from the Disaster Relief Account, upon request by the Division.

Sec. 35. NRS 414.165 is hereby amended to read as follows:

414.165 1. The Nevada Tribal Emergency Coordinating Council, consisting of not more than 27 members appointed by the Chief, is hereby created within the Division of Emergency Management of the ~~Department of Public Safety.~~ *Office of the Military.* The Chief shall appoint each member from a different federally recognized Indian tribe or nation, all or part of which is located within the boundaries of this State. A member of the Council may not represent more than one federally recognized Indian tribe or nation.

2. The term of office of each member of the Council is 2 years.

3. The Council shall meet at the call of the Chief and at least once every 3 months.

4. The Division of Emergency Management shall provide the Council with administrative support.

5. The Council shall:

(a) Advise the Chief regarding emergency management on tribal lands;

(b) Assist in the coordination of mitigation, preparedness, response and recovery activities related to an emergency on tribal lands; and

(c) Submit an annual report to the Chief on or before January 31 of each year which must include, without limitation:

(1) A summary of the activities of the Council during the immediately preceding calendar year; and

(2) Recommendations relating to emergency management on tribal lands.



6. The Attorney General shall enter into any agreements necessary to carry out the provisions of this section.

Sec. 36. NRS 414.200 is hereby amended to read as follows:

414.200 The Chief, with the advice of the Board, shall appoint an employee of the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* as Coordinator of Search and Rescue.

Sec. 37. NRS 414.270 is hereby amended to read as follows:

414.270 1. A State Disaster Identification Coordination Committee is hereby established within the Division of Emergency Management of the ~~{Department of Public Safety.}~~ *Office of the Military*. The Chief shall appoint to the State Disaster Identification Coordination Committee:

(a) One or more representatives of a state or local organization for emergency management;

(b) One or more representatives of the office of a county coroner;

(c) One or more representatives of the Office of the Attorney General;

(d) One or more representatives of the Nevada Hospital Association or its successor organization;

(e) One or more representatives of a state or local public health agency whose duties relate to emergency preparedness;

(f) The Chief Medical Officer;

(g) An employee of the Department of Health and Human Services whose duties relate to ensuring compliance with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended, and any applicable regulations; and

(h) A consumer of healthcare services.

2. The State Disaster Identification Coordination Committee shall meet at least once each calendar quarter.

3. The provisions of chapter 241 of NRS do not apply to any meeting held by the State Disaster Identification Coordination Committee or a subcommittee thereof.

Sec. 38. NRS 414.300 is hereby amended to read as follows:

414.300 The ~~{Department of Public Safety}~~ *Office of the Military* shall adopt such regulations as are necessary to govern the State Disaster Identification Coordination Committee.

Sec. 39. NRS 414.310 is hereby amended to read as follows:

414.310 Broadcasters in this State shall, in cooperation with the Division of Emergency Management of the ~~{Department of Public Safety}~~ *Office of the Military* and the Nevada Broadcasters Association or its successor organization, develop comprehensive,



coordinated plans for preparing for and responding appropriately to an emergency or disaster.

Sec. 40. NRS 414A.025 is hereby amended to read as follows:
414A.025 “Division” means the Division of Emergency Management of the ~~{Department of Public Safety.}~~ *Office of the Military.*

Sec. 41. NRS 414A.100 is hereby amended to read as follows:
414A.100 1. The Nevada Intrastate Mutual Aid System is hereby established within the Division.

2. The Chief of the Division, subject to the direction and control of the ~~{Director.}~~ *Adjutant General* of the ~~{Department of Public Safety.}~~ *Office of the Military*, shall administer the System pursuant to the provisions of this chapter and shall:

(a) Coordinate the provision of mutual aid during the response to and recovery from an emergency or disaster;

(b) Maintain records of the requests for and provision of mutual aid throughout this State;

(c) Identify, maintain an inventory of and coordinate participant personnel and equipment available for intrastate mutual aid response;

(d) Provide information and assistance, upon request, to participants concerning reimbursement for services and other guidelines and procedures developed by the Intrastate Mutual Aid Committee pursuant to subsection 4 of NRS 414A.110; and

(e) Adopt regulations relating to the administration of the System.

Sec. 42. NRS 415A.040 is hereby amended to read as follows:
415A.040 “Division” means the Division of Emergency Management of the ~~{Department of Public Safety.}~~ *Office of the Military.*

Sec. 43. NRS 459.742 is hereby amended to read as follows:
459.742 The Commission, in carrying out its duties and within the limits of legislative appropriations and other available money, may:

1. Enter into contracts, leases or other agreements or transactions;

2. Provide grants of money to local emergency planning committees to improve their ability to respond to emergencies involving hazardous materials;

3. Assist with the development of comprehensive plans for responding to such emergencies in this State;

4. Provide technical assistance and administrative support to the Telecommunications Group of the Communication and



Computing Unit of the Division of Enterprise Information Technology Services of the Department of Administration for the development of systems for communication during such emergencies;

5. Provide technical and administrative support and assistance for training programs;

6. Develop a system to provide public access to data relating to hazardous materials;

7. Support any activity or program eligible to receive money from the Contingency Account for Hazardous Materials;

8. ~~[Adopt regulations setting forth the manner in which the Division of Emergency Management of the Department shall:~~

~~—(a) Allocate money received by the Division which relates to hazardous materials or is received pursuant to 42 U.S.C. §§ 11001 et seq. or 49 U.S.C. §§ 5101 et seq.; and~~

~~—(b)]~~ Approve programs developed to address planning for and responding to emergencies involving hazardous materials; and

9. Coordinate the activities administered by state agencies to carry out the provisions of this chapter, 42 U.S.C. §§ 11001 et seq. and 49 U.S.C. §§ 5101 et seq.

Sec. 44. NRS 459.796 is hereby amended to read as follows:

459.796 A person is entitled to immunity under subsection 2 of NRS 459.792 only if:

1. In the case of one furnishing advice or assistance, the person is qualified by training, education or experience in the handling of hazardous materials and provides advice or assistance within the area of his or her qualifications; and

2. The person was requested to provide the equipment, advice or other assistance by:

(a) The person responsible for the discharge;

(b) The Division of Emergency Management of the ~~[Department of Public Safety;]~~ *Office of the Military;*

(c) The Division of Industrial Relations of the Department of Business and Industry;

(d) The Division of Environmental Protection of the State Department of Conservation and Natural Resources;

(e) The Nevada Highway Patrol Division of the Department of Public Safety;

(f) The State Fire Marshal Division of the Department of Public Safety;

(g) The State Emergency Response Commission or a local emergency planning committee appointed by the Commission;

(h) A local fire department; or



(i) A local agency for law enforcement.

Sec. 45. NRS 463.790 is hereby amended to read as follows:

463.790 1. Each resort hotel shall adopt and maintain an emergency response plan. Each new or revised plan must be filed within 3 days after adoption or revision with each local fire department and local law enforcement agency whose jurisdiction includes the area in which the resort hotel is located and with the Division of Emergency Management of the ~~[Department of Public Safety.]~~ *Office of the Military.*

2. The emergency response plan required by subsection 1 must include:

(a) A drawing or map of the layout of all areas within the building or buildings and grounds that constitute a part of the resort hotel and its support systems and a brief description of the purpose or use for each area;

(b) A drawing or description of the internal and external access routes;

(c) The location and inventory of emergency response equipment and resources;

(d) The location of any unusually hazardous substances;

(e) The name and telephone number of:

(1) The emergency response coordinator for the resort hotel; and

(2) The person responsible for ensuring that the resort hotel is in compliance with this section;

(f) The location of one or more site emergency response command posts;

(g) A description of any special equipment needed to respond to an emergency at the resort hotel;

(h) An evacuation plan;

(i) A description of any public health or safety hazards present on the site; and

(j) Any other information requested by a local fire department or local law enforcement agency whose jurisdiction includes the area in which the resort hotel is located or by the Division of Emergency Management.

3. Each resort hotel shall review its emergency response plan at least once each year and, as soon as practicable after the review is completed but not later than November 1 of each year, file with each local fire department and local law enforcement agency whose jurisdiction includes the area in which the resort hotel is located and with the Division of Emergency Management:



(a) Any revised emergency response plan resulting from the review; or

(b) A written certification that the most recent emergency response plan filed pursuant to this subsection or subsection 1 is the current emergency response plan for the resort hotel.

4. A plan filed pursuant to the requirements of this section, including any revisions adopted thereto, is confidential and must be securely maintained by the department, agency and Division with whom it is filed. An officer, employee or other person to whom the plan is entrusted by the department, agency or Division shall not disclose the contents of such a plan except:

(a) Upon the lawful order of a court of competent jurisdiction; or

(b) As is reasonably necessary in the case of an emergency involving public health or safety.

5. If the Board maintains a list of resort hotels, the Board shall provide a copy of the list to the Division of Emergency Management, upon request, for purposes of this section.

6. As used in this section, the term “local law enforcement agency” means:

- (a) The sheriff’s office of a county;
- (b) A metropolitan police department; or
- (c) A police department of an incorporated city.

Sec. 46. NRS 480.110 is hereby amended to read as follows:

480.110 Except as otherwise provided therein, the Department shall execute, administer and enforce, and perform the functions and duties provided in:

1. Chapters 176A and 213 of NRS relating to parole and probation;

2. ~~Chapter 414 of NRS relating to emergency management;~~

~~—3— Chapter 414A of NRS;~~

~~—4—~~ Chapter 453 of NRS relating to controlled substances and chapter 454 of NRS relating to dangerous drugs;

~~{5}~~ 3. Chapter 459 of NRS relating to the transportation of hazardous materials;

~~{6}~~ 4. Chapter 477 of NRS relating to the State Fire Marshal; and

~~{7}~~ 5. NRS 486.363 to 486.375, inclusive, relating to the education and safety of motorcycle riders.

Sec. 47. NRS 480.130 is hereby amended to read as follows:

480.130 The Department consists of:

- 1. An Investigation Division;
- 2. A Nevada Highway Patrol Division;



3. ~~[A Division of Emergency Management;~~

~~4.]~~ A State Fire Marshal Division;

~~[5.]~~ 4. A Division of Parole and Probation;

~~[6.]~~ 5. A Capitol Police Division;

~~[7.]~~ 6. A Nevada Office of Cyber Defense Coordination;

~~[8.]~~ 7. A Training Division; and

~~[9.]~~ 8. A Records, Communications and Compliance Division.

Sec. 48. NRS 480.140 is hereby amended to read as follows:

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

1. The Investigation Division shall:

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

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

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

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

3. ~~[The Division of Emergency Management shall execute, administer and enforce the provisions of chapters 414 and 414A of NRS and perform such duties and exercise such powers as may be conferred upon it pursuant to chapters 414 and 414A of NRS and any other specific statute.~~

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

~~[5.]~~ 4. The Division of Parole and Probation shall execute, administer and enforce the provisions of chapters 176A and 213 of NRS relating to parole and probation and perform such duties and exercise such powers as may be conferred upon it pursuant to those chapters and any other specific statute.

~~[6.]~~ 5. The Capitol Police Division shall assist in the enforcement of subsection 1 of NRS 331.140.

~~[7.]~~ 6. The Nevada Office of Cyber Defense Coordination shall:



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

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

~~[8.]~~ 7. The Training Division shall provide training to the employees of the Department.

~~[9.]~~ 8. The Records, Communications and Compliance Division shall:

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

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

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

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

Sec. 49. NRS 480.170 is hereby amended to read as follows:

480.170 Money collected or received by ~~[]~~:

~~— 1. The Division of Emergency Management pursuant to chapter 414 of NRS; or~~

~~— 2. The *the* State Fire Marshal Division pursuant to chapter 477 of NRS ~~[]~~~~

~~→]~~ must be deposited with the State Treasurer for credit to the appropriate accounts of the respective divisions.

Sec. 50. NRS 480.425 is hereby amended to read as follows:

480.425 “Public safety agency” means:

1. A public fire department, fire protection district or other agency of this State or a political subdivision of this State, the primary functions of which are to control, extinguish and suppress fires;

2. A law enforcement agency as defined in NRS 277.035;

3. An emergency medical service;

4. ~~The Division of Emergency Management of the [Department;]~~ *Office of the Military;* or

5. A local organization for emergency management, as defined in NRS 414.036.



Sec. 51. NRS 480.540 is hereby amended to read as follows:

480.540 1. The Nevada Threat Analysis Center Advisory Committee is hereby created within the Investigation Division. Except as otherwise provided in subsection 2, the Advisory Committee consists of 2 ex officio nonvoting members pursuant to subsection 2 and not more than 15 voting members, which must include, without limitation:

- (a) The Chief of the Investigation Division;
- (b) The Chief of the Nevada Highway Patrol of the Department;
- (c) The Chief of the Division of Emergency Management of the ~~Department~~ *Office of the Military* or another person designated by the ~~Director~~ *Adjutant General* of the ~~Department~~ *Office of the Military* who has experience relating to homeland security;

- (d) Three members appointed by the Nevada Sheriffs' and Chiefs' Association or its legal successor who are representatives of the Association or its legal successor;

- (e) One member appointed by the Director of the Department who is a representative of the Nevada Fire Chiefs' Association or its legal successor;

- (f) One member appointed by the Director of the Department who is employed as a police officer by an Indian tribe;

- (g) One member appointed by the sheriff of each county in which a metropolitan police department has been established who is a representative of the metropolitan police department; and

- (h) Any other members appointed by the Director of the Department based on their experience or knowledge.

2. Except as otherwise provided in this subsection, the following persons are ex officio nonvoting members of the Advisory Committee:

- (a) The Director of the Nevada Threat Analysis Center created by NRS 480.530.

- (b) The Director of the Department or his or her designee except, in the case of a tie vote on any question, the Director or his or her designee shall cast the deciding vote.

3. The Director of the Department or his or her designee shall:

- (a) Serve as the Chair of the Committee; and

- (b) Select from the members a Vice Chair.

4. Appointed members of the Advisory Committee serve at the pleasure of the appointing authority.

5. The Advisory Committee shall meet at least twice annually at the call of the Chair and in conformance with NRS 480.545.



6. Members of the Advisory Committee serve without compensation and are not entitled to receive a per diem allowance or travel expenses.

7. The Advisory Committee shall advise the Nevada Threat Analysis Center created by NRS 480.530 on best practices for the collection, maintenance, analysis and dissemination of criminal intelligence information.

Sec. 52. NRS 480.926 is hereby amended to read as follows:

480.926 The Office shall:

1. Establish partnerships with:
 - (a) Local governments;
 - (b) The Nevada System of Higher Education; and
 - (c) Private entities, to the extent practicable,

↳ to encourage the development of strategies to prepare for and mitigate risks to, and otherwise protect, the security of information systems that are operated or maintained by a public or private entity in this State.

2. Establish partnerships to assist and receive assistance from local governments and appropriate agencies of the Federal Government regarding the development of strategies to prepare for and mitigate risks to, and otherwise protect, the security of information systems.

3. Consult with the Division of Emergency Management of the ~~[Department]~~ *Office of the Military* and the Division of Enterprise Information Technology Services of the Department of Administration regarding the development of strategies to prepare for and mitigate risks to, and otherwise protect, the security of information systems.

4. Coordinate with the Investigation Division of the Department regarding gathering intelligence on and initiating investigations of cyber threats and incidents.

Sec. 53. NRS 616A.140 is hereby amended to read as follows:

616A.140 A member of the Nevada Wing of the Civil Air Patrol who participates:

1. In a mission; or
2. In training,

↳ which has been authorized by the Division of Emergency Management of the ~~[Department of Public Safety]~~ *Office of the Military* shall be deemed for the purposes of chapters 616A to 616D, inclusive, of NRS to be an employee of the Division of Emergency Management at the wage of \$600 per month and, in the event of injury during such a mission or training, is entitled to the benefits of those chapters.



Sec. 54. 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. 55. 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. 56. This act becomes effective on July 1, 2021.

