

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Eighty-First Session
May 6, 2021**

The Committee on Government Affairs was called to order by Chair Edgar Flores at 9:04 a.m. on Thursday, May 6, 2021, Online and in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/81st2021.

COMMITTEE MEMBERS PRESENT:

Assemblyman Edgar Flores, Chair
Assemblywoman Selena Torres, Vice Chair
Assemblywoman Natha C. Anderson
Assemblywoman Annie Black
Assemblywoman Tracy Brown-May
Assemblywoman Venicia Considine
Assemblywoman Jill Dickman
Assemblywoman Bea Duran
Assemblyman John Ellison
Assemblywoman Susie Martinez
Assemblyman Andy Matthews
Assemblyman Richard McArthur
Assemblywoman Clara Thomas

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Dina Neal, Senate District No. 4
Senator Dallas Harris, Senate District No. 11



STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Erin Sturdivant, Committee Counsel
Judith Bishop, Committee Manager
Kyla Beecher, Committee Secretary
Cheryl Williams, Committee Assistant

OTHERS PRESENT:

Ngai Pindell, Professor, William S. Boyd School of Law, University of Nevada,
Las Vegas
Kara Jenkins, Administrator, Nevada Equal Rights Commission, Department of
Employment, Training and Rehabilitation
Arielle Edwards, Government Affairs Specialist, City of North Las Vegas
William Pregman, Communications Director, Battle Born Progress
Doralee Uchel-Martinez, Private Citizen, Reno, Nevada
Tess Opferman, representing Nevada Women's Lobby
Nicholas Shepack, Program and Policy Associate, American Civil Liberties Union of
Nevada
Gregory Peek, President, ERGS Properties, Reno, Nevada
Susy Vasquez, Executive Director, Nevada State Apartment Association
Teresa McKee, CEO, Nevada REALTORS
Emily Paulsen, Executive Director, Nevada Homeless Alliance
Matthew Walker, representing Southern Nevada Home Builders Association
Barry Gold, Director of Government Relations, AARP Nevada
Wesley Harper, Executive Director, Nevada League of Cities and Municipalities
Warren Hardy, representing the Urban Consortium; and City of Mesquite
Jamie Rodriguez, Government Affairs Manager, Office of the County Manager,
Washoe County
Joanna Jacob, Manager, Government Affairs, Clark County
Dagny Stapleton, Executive Director, Nevada Association of Counties
Annemarie Grant, Private Citizen, Quincy, Massachusetts

Chair Flores:

[Roll was called. Committee rules and video protocol were explained.] Members, good morning. We will be taking the agenda out of order. We will be doing Senate Bill 254 (1st Reprint) first, followed by Senate Bill 150 (1st Reprint). With that, we will go ahead and open up the hearing on Senate Bill 254 (1st Reprint). Senator Neal, whenever you are ready.

**Senate Bill 254 (1st Reprint): Revises provisions relating to discrimination in housing.
(BDR 18-38)**

Senator Dina Neal, Senate District No. 4:

Good morning, Assembly Committee on Government Affairs and Chair Flores. Thank you for scheduling this bill for a hearing. Senate Bill 254 (1st Reprint) has been a journey, to say the least. There is a lot going on. I never imagined that housing, trying to protect housing, and trying to give equal rights and status to individuals would give me such cause for concern about all of the entities who care and who oppose. This is one of these bills that, as I picked up and adopted "source of income," caused an even wider strain on who was opposed and who is no longer in support. As you go through this bill and as you listen to who is in opposition, I need you to listen clearly to why they are in opposition because there were certain amendments that were made that made them go into opposition.

When we think about housing and housing vouchers and we think about what they mean, we think about Section 8. We think about how they have had implicit bias and all of these things associated with it—the "welfare mom." Yet it has been going on for 50 years or more. It is one of the key provisions that in my proposed conceptual amendment, I excluded—and the protected "source of income"—because it is already going on. But the folks who are in opposition believe that because I put in the exclusion, if anything happens at the federal level, that may make the feds see the state statute as something that is a barrier and prevent us from being in alignment with any additional changes. I agree with that. However, to get to the place where I am now, to have this hearing in front of this Committee and to discuss this bill, I had to get to a place where I at least was trying to insert and codify existing activity, excluding Section 8. I want to put that out there because, as you go through your conversations—I do not know how you do it in this Committee, where you are allowed to talk to opposition and ask questions—get into the meat, get into the opposition, and why. I did agree that in the interim I would work on Section 8 and try to come to a place that makes sense.

I am saying all of this because it is very important. Sometimes when we hear opposition, we think, Oh, my God, she really has not worked out all of the issues of this bill, but I have worked out 95 percent of the issues with this bill. That is a key provision that I think is subject to debate and has always been subject to debate. The majority of the bill that you have in front of you gets at the place of creating stability for ex-felons, people who have served time, people who have been burdened with an arrest, and trying to at least allow the conversation and the statutory protection for stability to find housing. It is the most important thing in the world to be able to have a roof over your head. It can be the most unimaginable experience to have to exit from a facility and then find out that you are in a reentry program—but in all of the grace and love that people have for you upon your release, you find out you cannot put in an application, and you cannot have an apartment. We are not even talking about a mortgage. We are just talking about an apartment. This bill does that. It has some exclusions. It excludes all sex crimes. When I talked to the women who were ex-felons whom I had meetings with, they agreed with that. It excludes all violent felonies. Everything else is in.

The reason why I had to make those changes and make those adjustments is because people have a natural fear around who is living next door to them. I understood that; I recognized that. When I talked to Professor Pindell, he talked about his senior parents. He is probably going to be mad at me for saying this, but one of the things they said was, What if such and such was living next door—the serial rapist or serial murderer? That is a problem. It is a problem for all of us because you do not know who it is. I also included arson, and here is the reason why: At first, I was totally like, Yeah, I do not know if that is a big deal—second, third, fourth degree. But then, either right before or right after my bill hearing in the Senate, some lady burnt down her apartment. I was like, Okay, this might be a real thing. I do not know why she did it, but apparently she put everybody else in harm's way because she set a match and burned up her place. So, that is a problem, right? You do not ever want to be anywhere, and the smoke alarm is going, and it is two apartments down the way. You are trying to figure it out—let me grab the cat, a bottle of water, and make it out.

This bill is a good bill. I will let Professor Pindell speak to the bill because he is my copresenter. This bill also aligns us with the U.S. Department of Housing and Urban Development (HUD). If you knew the journey in this Legislature—and you will know—for a lot of you, this is your first session, but as you go and spend your 12 years in this body of awesomeness, you will go through so much struggle on your legislation. But believe it or not, housing or trying to get a place of substantial equivalence with HUD has been part of the Nevada Legislature since 2009. There are portions of the bill that 35 other states have done. They have accepted HUD's willingness to partner, willingness to investigate and resolve housing discrimination at a state level. I will get into those provisions of the bill, but I wanted to say that because there is a history of this, and there is no state that has moved into the position for the Ban the Box provision that is in the bill. There have been cities that have passed ordinances related to Ban the Box, but they have not been at a state level, so this is a big deal.

I am carrying this because I ran into so many women who are part of the underground of ex-offenders. There is one woman who had been released for seven years, and she had not been able to get an apartment in her name. There is an apartment in her child's name, which you know is potentially illegal because it is a minor. There is an apartment in her mother's name. Then prior to that, she was couch surfing. She was on someone else's couch after release. This bill will allow people like her to be able to exit and then put in an application and be viewed equally, as you and I, to say that I have an equal right to put in an application and potentially be housed.

The bill does not exclude the fact that if you go into the apartment and start being rowdy, acting like a crazy, and you violate the rules of the apartment, you will be evicted. This bill does not touch that or get into any of that at all. I will leave the remarks right there because I woke up with opposition, and I went to sleep with opposition. Now, I will turn it over to Professor Pindell of William S. Boyd School of Law, University of Nevada, Las Vegas.

Chair Flores:

Thank you, Senator Neal. I appreciate your saying this is a good bill. So many times, we have presenters who come in here and present bad bills. But you, Senator Neal—not you. I appreciate you. Just some light-hearted humor. Professor Pindell, good morning, and whenever you are ready.

Ngai Pindell, Professor, William S. Boyd School of Law, University of Nevada, Las Vegas:

I have a PowerPoint to present [[Exhibit C](#)]. I wanted to make it clear that I am also a Nevada Equal Rights Commission (NERC) commissioner. My comments today are as a professor, not as a NERC commissioner. Last, I wanted to say hello to all of the William S. Boyd School of Law alumnae on this Assembly Committee on Government Affairs; it is good to see all of you. I wanted to talk mainly to Senator Neal's bill—the portions that point to fair chance housing and the opportunities for those formerly incarcerated.

Nevada has an extreme shortage of affordable housing, as many of you know [page 2, [Exhibit C](#)]. There are only 18 affordable and available homes per 100 renter households. The challenge is for all people, not just those formerly incarcerated, but many are extreme in Nevada.

But we are talking about those formerly incarcerated [page 3]. I want to emphasize the effects of mass incarceration on communities of color. There is a book that was just published this spring that emphasizes the timeliness of this issue [*Halfway Home: Race, Punishment, and the Afterlife of Mass Incarceration*]. Reuben Miller, who is a University of Chicago professor, talks about the effects of mass incarceration on families and communities of color. One of the two poignant examples he mentions is the number of people who live with a felony record and their racial composition. Second, he also mentions his inability as an accomplished person to help his brother, who has a criminal record, find housing. His brother could not live with him because he lived in faculty housing that did not allow people with criminal records to live there. He had trouble finding other places for his brother to live. Even somebody with means who is relatively sophisticated could not help his brother find shelter after being incarcerated.

The effects of the criminal justice system are disproportionately borne by communities and people of color [page 4]. Seattle, Washington—another city that has considered the Fair Chance Housing ordinance—rooted a lot of their discussion and the reason for passing it on the disparate impact on racial minorities that a ban on people with criminal records in housing would have—or not a ban, but landlords being able to consider that.

This disproportionate impact on communities of color has also been recognized by HUD [page 5]. The Office of the General Counsel—this is guidance to landlords about how they might take into account criminal records in their admissions process and acknowledge that criminal records-based barriers are going to have a disproportionate impact on minority home seekers.

Under the Fair Housing Act, we are concerned about the disproportionate effect on racial minorities [page 6, [Exhibit C](#)]. Does the application of a law or a practice have a disproportionate impact on racial minorities? If it does, it is perhaps a violation of the Fair Housing Act. Of course, intentional discrimination is a violation of the Fair Housing Act [page 7]. We are looking for a disproportionate effect or intentional discrimination.

Again, HUD recognizes that when individuals are released from prisons and jails, their ability to access safe, secure, and affordable housing is critical to their successful reentry into society [page 8]. Senator Neal gave you one or two examples of people whom she talked to who had served their time, paid their debt to society, and nonetheless were hampered in their ability to find housing after conviction.

This is my last slide [page 9]. Senator Neal mentioned my parents. Senator Neal and I have had many conversations about this bill. When I talk to others, we have justifiable concern about who is living next door to us. If you think about parents, it is about who is living next door to their children when they are in an apartment somewhere. After thinking about those kinds of concerns, Senator Neal said she excluded violent felonies, sex crimes, and arson from the bill.

This is good policy. It increases racial equity in housing, keeping families together and lowering the risk of reoffense for those who have paid their debt to society. We know from the last year that stable housing is the center of a strong and inclusive community and central to our public health response to COVID-19. Today, more than ever, we are aware of the importance of housing and shelter, not only to families, but to our communities as a public health issue. Again, I think fair chance housing is good policy, and I hope the Legislature passes this bill.

Chair Flores:

Thank you for joining us this morning, Professor Pindell. We will come back to Senator Neal.

Senator Neal:

Now I will go through the bill. I am sure you have questions. Sections 1 all the way up to probably 32 codify the HUD provisions. The Nevada Equal Rights Commission is currently statutorily unable to enter into certain agreements with U.S. HUD for the Commission to investigate and enforce laws relating to fair housing as a certified agency under federal law. The provisions that we are placing in here help to allow them to do that and to place them in a position to not only receive support from HUD, but it would allow them to receive additional investigators and an attorney who would help them handle cases at HUD. Those provisions—and we can go through those if you have questions—help us to get into a position as a state to, number one, align; number two, get support; and number three, update our laws so we are in compliance. If you notice in the provisions, this bill is adding familial state and religion. You think, Okay, I thought that was already in—apparently not in Nevada. We are able to adopt this language. I was willing to take that on to be able to assist

NERC in trying to get to the place of substantial equivalence so that HUD would come in and support the state of Nevada with some financial support and also to simply get us in alignment.

When we get to sections 31, 32, and 33, these are the provisions that get us into the felony provisions, or the Ban the Box provisions, which was the heart of my reason for bringing this bill. There is an amendment on section 33 [[Exhibit D](#)]. Section 31 defines "aggrieved person." Section 32 defines unlawful discrimination. When we get into section 33, this is where we have some amendments.

In section 33, everything is the same except for when you get to section 33, subsection 2 [page 1, [Exhibit D](#)]. The amendment of the provisions are set forth—I think you have this on the Nevada Electronic Legislative Information System (NELIS)—"to provide that a person who inquires into or conducts a background check in accordance with subsection 2 is authorized to refuse to rent or lease, refuse to negotiate the rental or lease of, or otherwise make unavailable a dwelling on the basis of an arrest record, conviction record, or record of criminal history . . . only to the extent authorized by federal law." There are already things in place in federal law. We are not messing with that, but we are creating some caveats within the state that do not get into preemption or do not get into other issues where we violate already established federal rules. Once you get into it, after section 33, subsection 2, you get into section 33, subsection 2, paragraphs (a), (b), (c), and (d), which lay out the first degree arson, the first, second, and then the violent offenses that I spoke to.

As you go further down, section 33, subsection 2, paragraph (d), deals with "If the rental or lease is being made available by a public housing authority and the public housing authority has adopted a policy to use such offenses" The only thing I believe I excluded was whatever is in place at the federal level that is involving HUD or the housing assistance. But I did do a carve-out for marijuana that is in the state of Nevada because we have legalized marijuana. Because we have legalized marijuana, I did not want anybody to be denied on a drug offense if it was marijuana and we had made it legal in the state of Nevada. Marijuana is in, but if there are other drug-related offenses—if you are familiar, you cannot get into public housing on certain drug-related offenses because that is federal—that is what the provision speaks to.

When you get into section 33, subsection 3, this is, "A person who makes a dwelling available for rent or lease and who is subject to the provisions of this section shall provide to each applicant information on" These are the provisions of *Nevada Revised Statutes* (NRS) 118.110 and 118.120. It basically talks about "How the applicant may appeal a denial for a rental or lease of a dwelling in public housing to a public housing authority" Then we go into how the applicant may file the complaint and what it does not apply to. The provisions—if you go to page 23, section 33, subsection 4, paragraphs (a) and (b), we talk about what it applies to. This applies to the dwellings that it does apply to.

Then you have section 33, subsection 4, paragraph (c); this is what it does not apply to. I want to make this clear. It does not apply to single-family residences. It does not apply to manufactured homes, and it does not apply to dwellings that are smaller than four units. We were trying to make sure we were going after the larger apartment complexes and trying to make sure the door was open. If you look at section 33, subsection 4, paragraph (c), subparagraph (1), it does not apply to "Any actions taken by a person pursuant to any federal or state law or regulation that requires the person to inquire into or conduct a background check to determine the arrest record, conviction record or criminal history of an applicant" This is where we get into the sex offenses, which are all sex offenses; we put that all the way in there. These are also the exclusions that I just mentioned about the manufactured homes, single-family housing, et cetera. When you get into the latter part, this is where it is talking about the arrest records and how those are going to be applied.

When you turn the page, subsection 5, paragraph (c), we get into "background checks," which ". . . means any report regarding the arrest record, conviction record or record of criminal history of a person intended to obtain the person's record of criminal history" and "conviction record." Section 33, subsection 5, paragraph (e), is the definition of "dwelling." Section 33, subsection 5, paragraph (e), subparagraph (1), defines "public housing."

Section 33.5 is another amendment [page 1, [Exhibit D](#)]. Section 33.5 gets us into the "source of income." Some folks are in neutral because of the amendment, which you have on NELIS [[Exhibit D](#)]. The amendment you have on NELIS amends section 33.5 and basically says that ". . . for the purposes of the prohibition on discrimination based on 'source of income' the term 'source of income' is not limited to income from a federal law passed for the purposes of providing relief for COVID-19. Instead, the definition of 'source of income' would include such federal funds as just one example of a source of income. Specifically, revise the definition to mean . . . housing assistance or benefits paid by any federal, state or local government entity, before June 30, 2022 including, without limitation, any rental assistance funds provided pursuant to a federal law passed for the purposes of providing relief for the COVID-19 pandemic."

Section 33.5 also amends subsection 3 of the bill ". . . to provide that if a landlord requires that a prospective or current tenant have a certain minimum level of income, the standard for assessing eligibility must be based only on the portion of the rent to be paid by the tenant, taking into account the value of any federal, state, or local rental assistance or housing subsidy" [page 1, [Exhibit D](#)]. Additionally, "the bill provides that a person who makes available a dwelling for sale or rent is not prohibited from taking into consideration the sufficiency or sustainability of the income or credit rating of the applicant or prospective buyer in a commercially reasonable manner. The amendment will maintain this provision so that a person who makes a dwelling available for sale or rent may take into consideration the sufficiency or sustainability of the income or credit rating of the applicant or prospective buyer so long as these factors are applied in a commercially reasonable manner." The amendment continues to say that it removes section 45, subsection 3, "so that the provisions of section 33.5 prohibiting discrimination based on the source of income do not expire on June 30, 2022 and will continue in operation beyond that date" [page 2].

What does all that mean? What I tried to do working with stakeholders was to find a very unhappy medium where we could get to the place of at least protecting existing activities that were already going on. For me, that sentence where it says, "Specifically, revise the definition to mean . . . housing assistance or benefits paid by any federal, state or local government entity, before June 30, 2022 . . . " [page 1], we already have people going to seek assistance from HELP of Southern Nevada. If you have gone and tried to get a voucher from HELP for deposit and then the first month's rent, I wanted to protect what was already going on in the space. The stakeholders asked for a specific exclusion to Section 8. That specific exclusion to Section 8 then caused my support to move and switch to an opposition position because of the statement I made earlier. They felt if I do the exclusion, the federal government will see that exclusion in state law and then view it negatively where then we are maybe in conflict and now the statutory provision is telling the feds what we are doing in the state. Then there is some kind of, Okay, well, we are not going to necessarily apply this. Or we go into a conundrum where we are being asked the question, Do you support Section 8 or not? I think that is a valid point being made.

My intent in excluding Section 8 was that it is already going on. I did not go into the statutory provisions to eliminate it. It is already a practice. It is already happening. It will be up to this Committee to determine if that is true. That was my intent. Let us try to get there, not to codify Section 8 in the state statute but to leave it as is, how it is currently functioning. Section 38 to the rest of the bill are pretty much the HUD conforming pieces.

I will open myself up for questions. This bill is a lot, and there is a lot of backup I have associated with it. Mr. Chair, let us rock and roll.

Chair Flores:

I do not know if rock and roll are the right words, but we will see. We will get the party started with Assemblyman Matthews.

Assemblyman Matthews:

You noted in your introductory remarks that initially, arson was not among the exclusions or the exemptions in this bill. Then there was this incident, and that is what sparked its inclusion. Would that not underscore the fact that government, in general but especially here at the state level, is simply not omniscient and cannot anticipate every circumstance? After all, if this incident had not occurred, you may be sitting here today with that exclusion not in the bill. It would seem to me that this would highlight the folly of, especially at the state level, the government trying to impose a top-down, one-size-fits-all approach and substitute its judgment for that of, perhaps, local governments, or better yet, property owners, who have more practical experience with these things and the challenges that arise—who are closer to the situation, locally, and ultimately do bear the risk for the problems and challenges that may occur. I was wondering if you could speak to that in light of that incident and the history of this bill.

Senator Neal:

You make an interesting point. Yes, to a degree, recognizing that arson was an inherent danger is why I included it. But I also feel that I am not impeding on an apartment or a private apartment complex to deal with or have the discretion that they would like to keep because I feel like it is in the best interest of the state to engage in this public policy and to take state action in regards to fairness and fundamental access to the ability to have a roof over your head. When we talk about fair housing and the right to housing, I wanted to assert that there is a right to housing. Because of that, I chose to put in a bill that would then set parameters and lanes around how that discretion is applied. I felt as though the state had a legitimate interest in getting involved in this issue because of the level of people who are found without a home, who are homeless, who find themselves on the street still having to take advantage of government services to take care of them. I felt that in the circular argument, we actually win, and we are better able to take care of our citizens by providing a pathway for individuals to get housing.

One thing I know for sure: For federal programs right now, we are currently putting millions and millions of dollars into reentry programs in order to allow those persons to get back into society and get a second chance. Supposedly, we believe in a second chance, and we have put that out as a public policy purpose of the state. We have also put millions of dollars behind that purpose. But at the end of it, we have said, Oh yeah, but you do not get a second chance at a house; you actually do not get a roof. That is disingenuous to me. I felt that the state needed to get in a position where we were going to speak on that because it is also a good investment to put our dollars in the right place. We are saying that we will give you job training, we will spend hundreds of dollars on you to get a job, but you have to live on the street. It does not logically connect to say that that is what the purpose of government is, to say that it is all right to release you, it is all right to arrest you—then if you do not even have a conviction, use that arrest against you and say, But not this apartment, not that apartment. You go live with your mama; you go live with your cousins. That is not what I felt should be going on because what I have found out in this space was that is what is going on. I thought, What are we spending this money to do if, ultimately, they are not going to find a house? These concerns that I am eliciting right now were my overriding concerns where I felt, I will step in on the discretion because of the greater service and public policy purpose that I felt needed to be established around housing.

Assemblyman Ellison:

I am happy to see you again, Senator Neal. I have been trying to get down there to say hello. It was a great honor to see them show respect to your father on the floor.

Senator Neal:

Thank you, Assemblyman Ellison. I meant to say hi to you, too, when you presented in the Senate Committee on Government Affairs.

Assemblyman Ellison:

We both know there is a shortage of public housing out there right now, and actually, it is critical in some areas. When I read some of these reports right here, I understand the requirements that some of these people or apartment complexes have. My biggest thing is that the single mothers should be a priority in every public housing. I do not care what it is. That should be first come, first served, I think. It is rough on some of those who might have three or four little kids, trying to get them to school, trying to work, and trying to find a place to live. I think that should be number one. Then when it gets down to—you said just now—once everybody pays their debt to society, that should be done. I agree with that, but I think they still need to go through a small process and get there.

I did have an apartment complex burned down by a woman who was getting Section 8 money because she got mad at her boyfriend and took it out on my building—been there, done that. I think she did a month in jail for total destruction of the building. It almost killed ten people. But that is not the issue; the issue is I think we need to prioritize some of the people who get to go in there. Maybe I am wrong for saying this, but I still think they should prioritize the mothers first, and then come down from there and look and see if they can help those individuals. You are right; there is a shortage of housing. I do not know what they are going to do to eventually get there. I do believe that people do pay their debt to society. But I still think it has to go through a process. I looked at some of these that were in here that restricted them: child molesters—you took that out. Some of them, eventually, their debt is paid to society and they have to be watched. Maybe you can hit on what I am trying to get at and see where my problems are.

Senator Neal:

I respect your opinion on this. You said a couple of things, and I understand the thought. When you said "prioritize"—I am going to work backward and get into a lot of it. You said, Prioritize single mothers and give them a priority. Here is the reason why we cannot do that and why the bill will not do that. We only have certain classes of people that we give priority to. We do not ever want to get into an equal protection issue where we are giving a class of people higher priority over others. We have already established in law around ex-offenders, we have dedicated funding and resources to ex-offenders.

I will give you one example on how we have focused on rehabilitation, even when they are in the Department of Corrections (NDOC). In 2015, I passed a bill that literally focused on the last 18 months that they are in NDOC and what is supposed to be happening with them in regard to training and the ability to get them ready to exit. Right now, there are millions of dollars being spent in NDOC in order to do reentry work before release. Typically, I would say the most strenuous activity happens within that six months. Within the system, you could have a re-offense that rolls your release date back, but within that six months when you know that you are getting ready to get released, there are monies that are being spent, federal and state, in order to get you ready to exit.

In the south, we have Casa Grande Transitional Housing, which is housing where they are in a halfway house. They are allowed to be in that halfway house and then try to get on their feet. At the same time, we are using WIOA [Workforce Innovation and Opportunity Act] dollars and workforce dollars to help these individuals get trained and then reestablish themselves. We are doing soft skills and hard skills, and we are trying to do some level of mental health preparation, but we are putting millions of dollars into this category of individuals in order to help them get their second chance on life and then be able to live. With that said, those individuals have already gone through a process, and we have paid for it as the government.

Now the question is, what should the state's position be in regard to those individuals then being able to get a house and really be independent and work? If the idea of the state is that we should spend all of these monies and wraparound services around ex-offenders and reentry persons, and then when they get out of these programs where we are helping and assisting, we tell them, Go get your sleeping bag, pull up a couch, or go sleep over at a friend's house, but never allow them to use the money, which we said they have the right to earn and we paid money in order to get them ready for the work that they are doing, and then we tell them, No you cannot put in an application, put in a deposit, get an apartment, and live on your own—I think that it is the best policy of the state of Nevada to help those individuals to be able to live that life they deserve.

Nobody wants to continue to pay for their prior mistakes. If they run into another crime, Assemblyman Ellison, they will go back to jail. This bill does not debate that or argue that. Say that you are rehabilitated, and you are rehabilitated enough where you are getting a release from NDOC. If you are arrested and you are not able to—the district attorney is not able to—sustain a charge on you that keeps you off the street, and you are free because the conviction was not found, that arrest should not limit you from going in and having the ability to put in an application, pay your 250 bucks or whatever it is for your deposit, and then have a roof over your head. I think housing is a great stabilizer. I want to make sure that everyone is stable.

Assemblyman Ellison:

What I am trying to get at is that right now, one of our most critical deals is senior citizens. There are more senior citizens out there looking for housing than anything. The second is families that are trying to get in there. If they do not have a place to stay and we open it up for anything and anybody, we are going to run out of housing right off, are we not? That is my biggest fear. I can understand the restrictions on some of these because they just come out and they are trying to get back in, but maybe they need to look at building housing. They need to start in smaller units, and more of them, for these reasons. I still think, in my heart, that it should be seniors first, mothers with children second, and then down the line. If not, where do our seniors go? That is my fear. It should be our elderly; then the families should be next, and then from there down.

Senator Neal:

Thank you for that comment, Assemblyman Ellison. Listen, we served on the Assembly Committee on Government Affairs for a really long time together, and I respect your opinion, but this is just where we differ. Yes, senior citizens are a priority, but ex-felons are not less than. They are not "less than" people. They are not less than any other group. Once they become released, it should not be the state's position to say that an individual is less than because you have a record. If we are saying that, then we are in a whole other category of issues.

We did pass Ban the Box for jobs in 2015 under Assemblyman Tyrone Thompson. The reason we did that was because the state made a public policy decision that reentry persons were not less than. They actually have an equal right to apply for a job, just the same as someone else who does not have a criminal record. That was a very significant policy. This is the same thing in terms of, I can apply, but do not use my criminal background against me and then tell me I am not allowed to live in a place, and therefore, I am unequal. If we are saying that, we have some really moral questions I think we need to ask ourselves about who is equal and whom we have designated as less than in the state of Nevada.

Assemblywoman Brown-May:

I applaud your efforts. I have a couple of clarifying questions. I think it is important. On the very last slide, you have, "Access to stable shelter is a public health issue and critical to an effective response and recovery to COVID" [page 9, [Exhibit C](#)]. I agree with that.

Senator Neal:

Which slide? Is this my slide or Professor Pindell's?

Assemblywoman Brown-May:

It is probably Professor Pindell's. But fabulous—I think access to fair housing is very important. I heard a couple of comments, so I want to clarify. My colleague stated public housing—this is not relative to public housing, is my understanding. This is all housing, all apartment complexes and all renters—is that correct?

Senator Neal:

This is—minus the exclusions in the bill—yes. I mean, it is all of the privately, commercially owned apartments or housing. I will just say that.

Assemblywoman Brown-May:

I am curious to know, do you have a number? What is the scope of the number of people whom this would affect in Nevada? Do you have any idea?

Senator Neal:

Professor Pindell, do you have data on that? Personally, I had a group whom I met with, but I do not have the direct statistics. I had a group of women, 20 ex-offenders whom I met with over the summer. That is when I understood the global part of this in terms of who was affected in this underground group. But as for the direct statistics, Professor Pindell may

have it, or we may be able to get that back to you in terms of who were the ex-offenders. I did have that number ready at the Senate Committee on Government Affairs hearing, but I could not find my bag of notes. I do have that number and could probably get that to you in about an hour. There is a set number of reentry persons who are in the state of Nevada whom this could affect.

Assemblywoman Brown-May:

In your comments, I heard you say arrest and then conviction. It has been awhile since I have filled out an application for an apartment, although not very long, and you have said "Ban the Box" a couple of times, and I appreciate that. I just want to be really clear—what does the box on that rental application that we are talking about say? Does it say, Arrested? Does it say, Convicted of a crime? Could you clarify that?

Senator Neal:

I recently did fill out an application to move up here, and I believe it had "conviction" whether or not you have been convicted of any crimes, and you check the box, "no."

Assemblywoman Considine:

I love the intention of this bill; I really do. I am confused in some parts. I know I have a lot to still get through reading the amendment, so I have just a couple of questions. What I do not see in here is if a landlord does a background check, do they do a partial background check on just those things that are required in here? Or is the background check a background check and then, as a landlord, I can get a background check and say, Well, I can use none of these issues as a basis to cross this person off for this apartment, but there are other things now that I see, such as an arrest or something, that should not be allowed under this bill. How do you enforce that? Is there a specific way that you can background only for the things? If not, how do you enforce it?

Senator Neal:

The way that I have envisioned it is that you just run a background check and then the exclusions that are out there. There are already federal rules in play as to what you cannot use against someone. The way I envision this happening is that you run the background check—which they say is all electronic—you get this sheet, and then you see these exclusions. Okay, maybe there was a sex offender. That person is then triggered to say that this is probably going to be a denial. You see a violent burglary with a weapon; that would then trigger a denial. But then everything else is not going to be a part of that. Whatever those violent felonies, exclusions, there is going to be some level of education around apartment managers in order to say, Here are the new rules that we are playing by. Here is what the feds have said, and then here are our practices that we now have to bring in. That is the way I see it going; it will be a whole check. These things that we have carved out are then the exclusions. Then the person is at least able to put their application in and not be denied on what is currently going on as best practices, I guess, by the National Apartment Association. The way I understood it is that they have a series of practices that each apartment complex may or may not have had on the list. One apartment could have

had X and one could have had Y, but they followed best practices from the National Apartment Association. This circumvents all of that and then says, Here is everything that is out, and here is everything that is in.

The way I assume this is going to happen is that they are going to educate, sit down with their apartment managers, and have a discussion on how things were implemented. Here is why I think this is going to happen this way. When I had another bill in 2017 that pretty much went after workforce agencies and changed the way that they function, we all got in a room and we talked about the implementation of the law. We talked about how it was supposed to work and what then are the requirements now, after the bill—it was Assembly Bill 354 of the 79th Session—what they were now responsible to do. They got all of their questions out, and then they started to do the practice of implementation of that bill. I think the National Apartment Association would be better to answer that question, but that is the way I interpreted it would be.

I do not know if NERC could add any review there in terms of, for example, if there is an appeal and how that would then be dealt with because it does speak to it in the bill. If there is a complaint, you are supposed to do conciliation first—then that backside of it, if that is also something you want to try to examine and get on the record. I think that NERC would be able to explain, at least the back part and then the National Apartment Association would explain the front part. That is how I envisioned it. When the bill passes, you then put in those little regulations. You have notices in your apartments, and you put these exclusions out there.

Assemblywoman Considine:

Thank you, and I appreciate that, if NERC wants to answer. What I am envisioning is, let us say you have two people who are applying for an apartment. You do background checks on both. Neither one of them has any crimes listed in there, but one of them has a conviction for a nonviolent crime, and you are looking at those. If I am that person, and I am not picked, how do I then contact HUD, NERC, or whoever, and say, I was discriminated against because of this. How do you prove that?

Senator Neal:

I will let Ms. Jenkins direct that. There are provisions in the bill. I will let her talk about it, and I will point to them.

Kara Jenkins, Administrator, Nevada Equal Rights Commission, Department of Employment, Training and Rehabilitation:

It was a great question, and I am sitting here taking notes. As Senator Neal had mentioned, because we already had Ban the Box passed through a prior session, NERC provides training to employers on how to equitably reject an applicant for a job—I will get to housing in a minute; I am just going to run a parallel really quick—to how to, in equity, deny an application for employment even though we are making sure that we are not using a criminal background behind them. It only relates in Nevada to public employers. We train on how to send conditional offers of employment. Then once we conduct, or once an employer

conducts, a background check, and they find that there are certain elements or crimes that are not within the protections of equity and NRS, there is a way that you can let them down, similarly and parallel to a rental application for an apartment. As Senator Neal had mentioned, there are carve-outs—sex offenders, violent felonies. If someone had committed murder and then wanted to rent an apartment, I would imagine that apartment complex would have every support under the law to say, Sorry, you are not accepted.

It is similar to the first and last month's rent requirement. We just want everybody to think about, even with employment, when you apply for a job or if you apply for an apartment, everybody has to meet certain elements: first and last month's rent, you have to be able to prove that you can afford the rent, and then on top of it, you have to basically ensure that you will be a good tenant or a good employee. If someone feels like they have met all the requirements—they do not have a serious felony, a criminal background, they are not a sex offender—but they otherwise got rejected anyway, they would file with the Nevada Equal Rights Commission. They could also file with HUD. In fact, most people do file with HUD because we do not have the substantial equivalency. Most Nevadans do go to HUD, or they go to our nonprofit partners—Silver State Fair Housing Council. Hopefully, that will change. They can file a complaint with us, and then we will conduct an investigation. I hope that makes sense. The investigation would probably just look at the statute or law just to ensure that okay, in doing the background checks, was the law followed?

I do not want to get too deep with this; there is just a lot. If the law was not followed, if, say, someone had a misdemeanor or an arrest—noting that an arrest is not a conviction—then we would pursue conciliatory efforts to settle. It would be a quick turnaround because the longer someone is without a home, the more detrimental to that person, to that Nevadan. I hope that answers your question—maybe some more follow-up or if you have any more in-depth questions. Essentially, should this bill become law, if the person felt like the laws were not followed—they had a nonviolent felony or an arrest, but they could still meet all other requirements of the apartment complex's rental application yet they still could not get in—and they felt it was because of their criminal background that they were denied, they could file a complaint with NERC or HUD—San Francisco. We would do an investigation and try to settle the matter.

Senator Neal:

Thank you, Ms. Jenkins. Section 14 lays out that entire process. If you go to section 14, it talks about the conciliation, what happens with the complaint, what happens at the hearing, and it continues on. Section 15 talks about "probable cause to believe" that you are unlawfully discriminated against in housing. It talks about the role of the attorney general in section 15, subsection 3. It talks about the "preponderance of the evidence" standard in section 15, subsection 5. Then section 15, subsection 5, paragraph (c), talks about the injunction. Then it continues with the court rules.

Section 16, subsection 2, talks about the power of the order and how, if you do the alleged complaint, the order is issued. It then talks about your ability to deal with the final decision and requested judicial review. Then it goes on to talk about the civil procedure that would

happen, the cross petition judicial review. Section 16, subsection 7, talks about what then the Commission is responsible for doing after that judicial review. In section 16, there is a full layout about what happens with a petitioner or cross petitioner who is seeking judicial review, how they serve and file a memorandum of points, and so on and so forth.

I would say this bill is very prescriptive, and these provisions will get us into the substantial compliance, which Ms. Jenkins was talking about, that gets us to the place where instead of going to HUD–San Francisco, NERC–Las Vegas; if we adopt these provisions, which is very important for NERC to get in alignment with HUD, then that allows the person who was affected to have the statewide ability within Nevada—just Las Vegas and then whichever NERC offices are in the north as well—to be able to bring this complaint. These provisions are very important to the bill because it opens this up to deal with what is going on in our own state.

Assemblywoman Considine:

My other question is on the additional language on the amendment: "Nothing in this section requires a landlord to qualify the subject property to accept federal . . .," et cetera. That last line says, "use a particular form of rental agreement" [page 1, [Exhibit D](#)]. Could you explain what that means or why that was put in here? I am just a little confused on that. That is my last question.

Senator Neal:

Which paragraph?

Assemblywoman Considine:

I am looking at the amendment; the language is in blue. It is under section 2. It says, "Nothing in this section requires a landlord to qualify the subject property to accept federal, state, or local funding . . ."—that Section 8 language—" . . . or to create a duty on the landlord to perform any kind of reporting . . ." The last sentence is " . . . or to use a particular form of rental agreement." That is my question. I do not understand where that came from or what that means.

Senator Neal:

I can tell you that that was agreed-upon language. Let me pull up the ones that you have on NELIS [[Exhibit D](#)].

Assemblywoman Considine:

It is the conceptual amendment that was just put on NELIS [[Exhibit D](#)].

Senator Neal:

That came from the National Association of REALTORS. They asked for this change. "Nothing in this section requires a landlord to qualify . . . accept . . ."—they wanted that. They literally wanted that carve-out because they felt that they needed a little bit more security to make sure that if they were going to qualify said property to accept federal, state, or local funding or to create a duty on the landlord to perform any kind of reporting or

particular form on the rental agreement, they are trying to make sure that they do not have to do any kind of reporting related to those particular sources of income or particular form of the rental agreement. I think that the Realtors should be able to explain that better, but they gave that to me last night because they wanted to make sure that they were not going to have some additional responsibilities. That is the way I interpreted it. I went ahead and accepted that amendment so I could get them to neutral.

Assemblywoman Considine:

Thank you. I just did not know which particular form of rental agreement.

Senator Neal:

But I think that the Realtors need to explain that provision because that was thrown in by them last night.

Assemblywoman Considine:

Thank you. I guess I can follow up.

Senator Neal:

My understanding is that the reporting that will be required—any kind of additional reporting that would be associated with it—it is trying to eliminate any additional burden if they accept this source of income language, not putting any other additional burden on them or creating a duty to perform any kind of reporting or use a particular form of a rental agreement to say, X. I think what they are trying to do is use the same kind of rental agreement and then not have to do any reporting associated with these kinds of sources of income. That is the way I interpreted it, but they can better explain. That is how I understood it.

Assemblywoman Considine:

Thank you, I appreciate that. I can follow up after the hearing.

Senator Neal:

They will probably be testifying in neutral, but you can ask.

Chair Flores:

We will have an opportunity to continue that dialogue when they come up. Could we go to Assemblywoman Thomas, please?

Assemblywoman Thomas:

Thank you for the opportunity to address Senator Neal and her presentation of Senate Bill 254 (1st Reprint). I think it is a good bill, but I do have a clarifying question. I just want to know the foundation. Earlier, you mentioned that over the summer you had about 20 female ex-felons, and you apparently had a focus group concerning this bill. I was wondering if you also included any of the male ex-felons.

Senator Neal:

I did not exclude. It is that when it got put out in the space, there was a majority of women who joined. There was only one male, and he was literally recounting the story of another female. That was what was interesting about it. It was with the Nevada State Apartment Association. We all were on Zoom; it is recorded if you want to watch it. Literally, we had a conversation about what was really going on in the space and the issues they were encountering. They were able to put in that conversation which apartment complex they had been denied access to and how this impacted their trying to reenter the space and live their lives. They were able to put in the information on how they had not been able to find or live anywhere, or they had to have triple and double deposits. They also mentioned that if they had tried to find an apartment, they went through years of denials. There was more than one story associated with the women. I did not exclude anyone. It just so happened that women were the ones who were predominantly at the top.

Assemblywoman Thomas:

Did you take a survey? If you did, can you share that survey?

Senator Neal:

I did not take a survey. I had a Zoom and then I worked with Mass Liberation Project Nevada and some other groups in my district that brought the issue to me. Make It Work Nevada, Mass Liberation Project Nevada—there are some other groups, but I am forgetting their names—came to me, and they had their individual stories about why this bill mattered and why it was important. That is how I got there.

The other person who came to me was a pastor's wife, Pastor Smith's wife, who worked at Casa Grande Transition Housing Facility. She came to me about the bill, asking me directly to deal with the issue because she was seeing firsthand what was going on at Casa Grande. The only reason she did not participate in the Zoom meeting that I had was because she ended up getting COVID-19. She literally came to me and was saying, We are housing them in Casa Grande, and they are not able to find housing. It is almost like this hamster wheel that they are on. That is how I got the bill. That is how I decided to do it—because of the folks who came to me in my district who literally said, This is a problem; we need to deal with it. After I had a series of conversations, then I understood. Then I went to Professor Pindell and his expertise is in fair housing. He offered a couple of books, and now we are here.

Assemblywoman Thomas:

Would Professor Pindell have the data?

Senator Neal:

I know that there is data out there. There is a lot of data out there around fair housing. Is he not on the Zoom anymore? Professor Pindell?

Chair Flores:

I think we may have lost him. I see Ms. Jenkins is ready to go.

Senator Neal:

Ms. Jenkins, do you have anything?

Kara Jenkins:

The Nevada Equal Rights Commission does keep track of Nevada state-specific data. We do keep data; however, we have not done a great job with it because of funding. I will say that we will work to collect more data when we can have staff to do so. Right now, when we do employment data and capture national pictures of housing issues, again, we go to the Equal Employment Opportunity Commission (EEOC), or we go to HUD. The U.S. Department of Housing and Urban Development does break down data. I spoke with HUD early this season about housing statistics, particularly during COVID-19. I will share this with the Committee: Of concern to HUD was a rise in sexual harassment cases for females in housing, particularly in this state, because when you lose a job, you lose the ability to pay rent. In lieu of rent, certain landlords were exploiting women tenants. To the extent that I can provide and get some information from HUD, I am happy to do it. Senator Neal, give me a day or two, and I can try to get a screenshot of what HUD can give us. Essentially, I would really like the Commission to be able to provide that for you all, hopefully, next session.

Assemblywoman Thomas:

Thank you. That sounds like a possible bill.

Senator Neal:

What? Sexual harassment of tenants?

Assemblywoman Thomas:

No, data.

Senator Neal:

There is data out there, not specifically from NERC, but there is anecdotal information out there. It is not even anecdotal; there is research on this topic, and so I will turn that around to the Committee after the hearing. But I just do not have it with me. I apologize for that because I did have it at the Senate hearing, but the Senate did not ask me. I had it ready. I had a slew of things ready just for the data piece because that is always a huge thing for me too.

Assemblywoman Anderson:

I really appreciated the metaphor you just used of the hamster wheel because it is so true. There are many elements of this bill that I really agree with, and I think there is something for us to do. I am going to get into the weeds a little bit on some of them, if I may. I will hopefully be able to refer to specific areas. My first question has to do with section 14. I believe this is from the HUD guidelines already. I do not know enough about this process, but is there any whistleblower protection for the witnesses and/or the individuals who bring forward this complaint? Or is that based upon the process itself? Because you want to make sure that for the people making those complaints, there is whistleblower protection in some fashion.

Senator Neal:

Ms. Jenkins, go ahead.

Kara Jenkins:

Yes, whistleblower protections are embedded in anyone filing a complaint under Title VII of the Civil Rights Act of 1964 or housing. The Nevada Equal Rights Commission investigations also have a state-specific statute to protect folks who serve as witnesses to the Commission in the course of our investigation. However, once you file the complaint, and this is really important, the Commission has to give due process to the entity. It is either the employer, or maybe it is the apartment. We have to tell them that there is a charge that has been filed; please respond to these questions. That is part of their due process. It does get to a point where, at some juncture of our investigation, we have to notify the respondent, also known as the other party. All the investigations are kept confidential as they relate to NERC. We are not the privilege holders of that information. The respondent and the complainant have to come to an agreement to share it, but usually these matters are settled confidentially and privately. That is why you do not hear a lot about these cases that we are successful in settling, and that is a good thing because we want to protect entities. We want people to be able to move forward. But yes, there are protections—however, to a point. If you are the charging party—and in HUD they call them complainants, someone filing—it is confidential until we are at the point where we have decided that we want to proceed with an investigation. It has met the prima facie element of HUD discrimination or housing discrimination where we need to now go to the entity that you are complaining about and ask them. That is part of their due process. I hope that answers your question.

Assemblywoman Anderson:

It does, thank you. My next question has to do with section 16, with the number of different days. It is not the dates themselves that my question has to deal with. It is a cross question. Also, in moving this away from HUD, which I respect—it should be our own state—over to NERC, I am concerned about the number of employees and whether or not this timeline can actually be utilized. You have, for example, within the 20 days after this—those sort of time frames. Has there been any discussion about increasing the number of employees at NERC with this very strict timeline? You do not want to lose or not be able to bring forward a complaint because of something not being done within the time frame that is set in law. I am just concerned about the employee numbers and bringing it over to NERC because of that timeline.

Senator Neal:

Part of the importance of the sections in this bill is the support that NERC will get. The Nevada Equal Rights Commission will get additional investigators if we get into substantial equivalence with HUD. It does not remove the opportunity. It is my understanding, Ms. Jenkins, that yes, we will get beefed up, but it does not remove their ability to still file with HUD. It just allows them to be sourced locally in terms of the complaint. But if we adopt this language, we are going to get an additional attorney at NERC, additional investigators, and potentially some other financial support. This is super important.

We have not been on the same page with HUD, which is a problem. When we talk about trying to deal with fair housing, we have to bring this language forward in order to get to the place where we can actually handle the complaints fairly, equitably, and with enough support.

Kara Jenkins:

I just wanted to follow up with Senator Neal in saying that in order for us to partner with HUD, we have to certify. It is a three-year process. We have had discussions about that for a very long time. As Senator Neal mentioned, this has been ongoing since 2009. We are the Executive Branch, so we cannot speak to any efforts to try to get on board, but we are certainly encouraged by this. It would take three years to certify with HUD. Upon certification, they would give us four cases, since we are not the substantial equivalent, not partners with HUD, unlike the EEOC; we partner with the EEOC. In fact, NERC is known for our complaints in employment. With HUD, because we are not a state government partner with them yet, and folks will go to San Francisco, California, to file, HUD maintains all of those cases. They are ready to give them to us.

When I had a discussion with the director over at HUD, my counterpart—he is great; they are encouraged, too—he said that they would slowly give us maybe four cases a month. We can do four cases a month. I even spoke to our data on that. We have conversations with the Office of the Attorney General about the ability to handle that caseload. As you all know, right now, we are at 14 full-time employees. COVID-19 hit us hard, but we are the mighty NERC. We are getting cases done to the best of our ability, but we can definitely handle four cases a month. If we are successful, it is a process like a ladder. We go through the next year certified, then go to the third year.

Also, with the HUD dollars, we get funding so that we can train and provide outreach. All of the private industries can get the resources, like we do with employers, to basically prevent harassment and prevent charges because proactiveness is our thing. Education on preventing discrimination really helps everybody. We get money to train, and we would be trained. Instead of our having to attend continuing legal education courses or get secured outside training, HUD would be giving us up-to-date training on laws and protections so that we can stay current as an agency.

I try to boil it down, but I get really excited about this, and I end up talking. Long story short, we would have four cases to start to close a month as our obligation to certify on the road to being a full partner. We think we can handle that.

Assemblywoman Anderson:

I want to make sure I am understanding correctly, though, that NERC is under the Department of Employment, Training and Rehabilitation, which has been understaffed and incredibly overworked at the same time, but that is a different topic. With NERC, is that a governor appointee board? Could the executive director be completely changed if there is a change in governor? That is a little bit of a concern for me. Is this something that is political in nature, or is it policy in nature? Does what I am asking make sense?

Senator Neal:
Policy in nature.

Assemblywoman Anderson:

Thank you, Senator Neal, for clarifying that. My next question has to do with something that you actually brought up. It is not really a question; it is a concern. It is from page 23. It is something that you brought up about the fact that for the rental properties, or basically, the apartments, there are not houses that are being mentioned. My concern is that I do believe that there are some houses that should also be part of this. We do have some people for whom it is okay to rent a house; it does not always have to be an apartment. It feels like it is only apartments or multifamily areas that can be rented. I was just asking for a little more clarification as to why it is basically taking out the houses in the suburban areas.

Senator Neal:

First of all, I never intended to include single-family housing. When the Realtors brought it up to do the exclusion, I understood that. Here is my thought process and my reasoning behind that. This may open a door for the folks in opposition, but at this point, you cannot make everyone happy. I am past that and will not. At the end of the day, I feel like private property has a totally different piece for single-family residences. When you extend your home to someone, I think you have the right to determine who will live within the same four walls as you, or who will live in conjunction—or grandmother suite or whatever it is that you have. I think that there are inherent property rights associated with that single-family residence.

It is the same thought process that I have had for a really long time around homeowners' associations. I am not trying to drag them in, but I do feel that there is distinct control and inherent rights of that property owner who has that 30-year mortgage on a single-family residence because of the proximity. I know that people can say, Oh, well, there is proximity in apartments. No, I feel like a single-family residence is very different than an apartment. It is something that someone has decided that they own, and they have taken their hard-earned money; it is not a commercial lending experience. I have no idea what Airbnb does in this space, and I could not care less because that has nothing to do with this bill. I really felt strongly about that because I do not want to give that opportunity for my home—that is a very safe place for me and it is not a place where I wanted to infringe upon someone's property rights there. I wanted to hold that out.

Assemblywoman Black:

Wow, that is a lot. I was planning to go to Professor Pindell and clarify some of the statement he made yesterday, but since we are on the topic of property rights, I guess we can start there. I was tracking with you as far as keeping people out of prison and the amount of money we invest in doing that and decreasing recidivism. You know, we work on education. I know we have seen a couple of bills this session for giving people birth certificates, state-issued identification cards, and signing them up for Medicaid when they get out of prison. I would agree with you; we certainly do exhaust a lot of resources for that. I agree

that those people, when they get out, have paid their debt to society. But what gives us the right to say to a private property owner, You have to rent to this person because the state has invested a lot of money in keeping them out of prison? I am having a hard time tracking with that.

I am also having a hard time tracking with this: You have different property rights that we do not want to infringe on in someone's house, but a property owner who owns an apartment complex has the same exact property rights as a homeowner. Whether they came by that property complex through commercial lending, private lending, cash, or whatever, property rights are property rights. What gives us the right to tell them whom they can rent to? That is not discriminating against someone; that is a risk assessment. These people have a business, and they have to make an assessment on who is a good risk and who is a bad risk. What gives us the right to tell them that they cannot do that?

Senator Neal:

There are a couple of things in there. Number one: as a government and as a state, we actually can take state action and we can set apart a public policy purpose in order to get into this space. We are not prevented. We are not constitutionally prevented from establishing housing as a position that we would like to make reasonable accommodations for. There is a long history of property rights and the state engaging in the issue of what are reasonable accommodations and access. In terms of a public policy purpose, I feel like we are within our rights as a legislature and a state government to then go in and make this public policy purpose. We are not limited at all from doing this.

Your second point about distinguishing between who should have a safe place: What I am establishing and what I am saying is that there are a group of individuals who happen to be denied housing who should be treated equally. I am making the equal argument that there is an equal application of the law to those individuals, that they have a right to housing. That is what I am resting in, and that is the legal concept that I am resting in. When we talk about the hierarchy and legal terms, the hierarchy of what is an equal protection argument that I am potentially making right here that ex-felons should have an equal right to housing—I am making that. I am saying that in regard to private individuals, we have seen more than once, when you think about takings by the government, that is an infringement upon property rights. But does it have a constitutional place? Yes, it does. Is it constitutionally protected? Yes, it is. Does the state have an ability and other frameworks around property? Can they go in and infringe? Eminent domain is another place where we do that.

When you talk about property rights, there are caveats and there are places. There is a lineage there. What I am saying here, for sure, is that I want to use this bill to establish that these individuals have an equal right to housing. That is why I think that I can make the distinction between single-family housing and a commercial property.

Assemblywoman Black:

I think there is a clear difference between guaranteeing equal rights to housing for somebody on the basis of their ethnicity, their religion, their gender, or whatever—those things that are out of your control—versus somebody who chooses to go to prison because they choose to break the law. I would agree with you that yes, there are cases where we should protect people's right to housing. But these people made a choice to break the law, and I believe that we do not have a place to tell a private property owner whom they can and cannot rent to. Whether we have done that historically or we have not, that does not make it right. It just means that is what has been done. But I still think that violates these people's property rights.

Senator Neal:

Thank you, Assemblywoman Black. I respectfully disagree with you. I understand the difference of opinion; however, we are in a place where you are saying, They made a choice to commit a crime. If this is the line of reasoning that we are going to go with, then why are we investing any money, a single dollar, in them for reentry? That has been a bipartisan effort for about 15 years, so why are we investing a single dollar in the actual reentry of those individuals into society? Why have we taken on, as you stated, vouchers, birth certificates, health care—why are we even allowing them to even be on Medicaid or engaged in welfare if we are saying that they are completely lost? Because you made a choice to commit a crime, you are now in the dungeon of society. You are now no longer allowed to participate at any level in this society. If that is the viewpoint that we have, that because of your prior offenses you are designated to a caste system, then we need to reexamine how we spend our government dollars, absolutely. Because that means we have put our dollars in a purpose that does not serve our ultimate goal.

But that is not the case. We are spending millions of dollars to rehabilitate and reenter those persons into society and give them a second chance. Even one of the most, and I would say, conservative states—Texas—has focused on the reentry and bipartisan way to help those individuals come back into society. The main reason why is because of the damage that is done by leaving them out of society. The damage that occurs is that leaving them homeless has an even greater problem and drain on the society than housing them. When we balance this out, it is very important to balance out what the needs and the goals of the state are. If we have already established that they are worthy of being serviced, being placed in Casa Grande, being placed in a halfway house, going to Hope for Prisoners, and going and participating in all other aspects, then why is housing one of the places that they will not be allowed to participate in? If you believe something opposite of me, we can respectfully disagree. But my position is that we do not live in a caste system. We are trying to break every effort of anything that looks like a caste system or creating classes of individuals who are unequal.

Chair Flores:

Members, we do have, and I will entertain, another follow-up. I just want to remind members that we have another hearing. The other hearing will have an equal amount of questions and folk who have opposition and support, and we have floor at 11:30 a.m. This is what we are going to do. We are going to go back to Assemblywoman Black; then we will

go to the Vice Chair. Then Assemblyman Ellison will ask a few questions to our legal counsel so that it can be clarified on the record, but not to Senator Neal. Lastly, we will go to Assemblyman Matthews, and we will close it out with that. Assemblywoman Black, please.

Assemblywoman Black:

I 100 percent agree with you that housing is an issue. I do not want people to be relegated to living in a dark hole somewhere. That is not what I am saying. What I am saying is that I do not want it to be at the expense of people's property rights. I think we disagree on the mechanism; the point, we do not disagree on. I want to clarify that first. I am going to shift gears here and just say that we have been in a pandemic for over a year now. Our property owners have been on rent moratoriums not able to collect rent. We have a huge influx of people coming from all over the country. The real estate market is insane. Another one of my concerns is putting this onto property owners right now, at a time when we do not even know what is going to happen with our real estate market or our rental market, let alone imposing a bunch of new rules on these people who have not been able to collect rent for almost a year and a half.

Senator Neal:

I respectfully understand your position, and I appreciate the differences in opinion. However, the pandemic has hit everyone. These apartment owners also did receive government assistance to offset. There were millions of dollars of subsidies that came into the state. Whether or not people feel that it was unequal application, my main issue and argument is, would you rather they be homeless, and then deal with the millions of dollars that we are spending there, where you find them in an empty lot, when you find them hovering behind some space using the bathroom behind a restaurant? What would you prefer? I prefer for them to at least be able to put in an application and at least be afforded the opportunity to be equally viewed just the same as any of us to determine that they can have a roof over their head. This is about a roof over someone's head. Punishment is not in perpetuity.

We can debate whether or not apartment complexes managed to survive and whether or not the subsidies met the need because there were several arguments out there that you basically allowed a bad tenant to stay in my apartment forever or for six months when I was literally on the verge of evicting them. There is a larger public policy purpose that was also being established by the government that, yes, were we all attempting to be good citizens in the pandemic? Yes, we were, and here is the reason why: Because it was far more dangerous to place those families on the street, and so we had to make a decision about whether or not we wanted to place an additional burden, temporarily, on private owners in order to serve a greater good. The greater good was a single mother and families who were potentially going to be on the street, who then no longer have milk for their kids. They do not have a bed to sleep in. It would be a far greater issue to have had that rush of individuals living out there as homeless people because the government had no ability to sustain them. Where were they going to go? Where were they going to go? We were going to build a bunch of little, tiny houses in a matter of a couple of months and place them somewhere? No. We were not

going to do encampments. So yes, the government did make a decision to burden apartment owners in order to save families from a greater loss and expense, which would have been a greater loss on our state and a greater burden upon watching those families be out there.

Sometimes we make social justice decisions. We do, and we do it because we are placed in a situation where there is a conundrum or an issue that we need to deal with. I do not want to turn this hearing into what happened during the pandemic because my ultimate argument is that they have served their time. Punishment is not forever, and we are not living in a caste system. When you decide that someone is free, they are free. They need a right to a house, and all I am saying is, Can I get an application and be approved? That is it. It is not deep. But for some reason, because of our ideological spaces, we have already decided that certain individuals cannot make it through. But that was the case in the '60s. Blacks were not allowed to live in houses. There was a whole set of case law where we were literally denied for the color of our skin. We could not change that. Now you are telling me as we move into 2021, the ex-felons who have served their time, whom we are putting government dollars into, they are the class of individuals we have no right to touch. They have no rights in this society, and if that is the case, then keep them in prison. Because I do not understand why we are letting them out if we really feel that they have no value and they are not worthy of a roof over their heads. That is the craziest thing to me.

Assemblywoman Black:

I want to know who said that, because it was not me.

Senator Neal:

I am not saying that you are saying that, Assemblywoman Black. What I am saying to you is that in this discussion, I have liberally expanded my thought beyond your statements and made my own statements, which may or may not apply to what you said.

Chair Flores:

For the sake of time, I am going to allow Assemblyman Ellison to please ask his questions to our legal counsel, and we are going to skip over Vice Chair at this time.

Assemblyman Ellison:

My question is, based on this bill, if somebody comes in and applies, and not because of being in prison but because of damage to properties, to other properties, and a history of nonpayment of rent, are we setting up the private housing market to be sued or be enforced on by this bill? My problem is that the private industry is in the drink. It is in major damage. My biggest fear is that we are taking away their right to manage. If they came in and said, Look, I have been in prison. That is not the issue; if they come in and they have bad history of nonpayment of rent or damage to other properties prior, can they deny these people without being sued?

Senator Neal:

Ms. Jenkins, would you like to speak to that? Could you also put on the record what is currently going on within the federal housing space? And what are the designated existing rights around crimes?

Assemblyman Ellison:

I am not talking about federal housing. I am talking about private housing. That is what I am talking about.

Senator Neal:

Thank you, Assemblyman Ellison. Ms. Jenkins, can you please clarify what are currently the federal rules around private housing and what is currently in place? Because there are existing policies.

Kara Jenkins:

Long story short, outside of any protections, and say you do not want to rent to that person because they have a lack of a stable payment history, that is legitimate and not tied to protected category status. It is not tied to fair housing. It is a legitimate question that you would want to ask anyone on an application. That has no bearing here. They would not be affected. Similarly, I will just parallel to employment. If you have someone who is applying to a job but they have a criminal background, and it is a public employer—because that is where Ban the Box applies here in the state of Nevada—you would just see if the person could meet the essential functions of what the job is. Can this person meet our essential work functions? Outside of their criminal conviction—say they have a background in banking but the job is to be an artist—it is up to the person to decide to hire them or not. If that person did not get the job, they could not come to NERC asking for us to basically enforce any discrimination practices because it has nothing to do with protected status. Senator Neal, did I make that clear?

Senator Neal:

I am not sure. Assemblyman Ellison, did Ms. Jenkins properly answer your question or do we need to further clarify?

Assemblyman Ellison:

Yes ma'am. My biggest fear is, these property owners have not received payment for a year and a half; they are almost in bankruptcy. Some have already lost all of their homes or businesses. My biggest fear is if you have somebody who has a bad record for nonpayment or damage to people's property, then I should have the right to deny renting them a home. It is not about their criminal history, but it is about the history of prior—say they had five evictions or whatever, destruction. I will give you an example. I have a Spanish family in Elko who probably have one of the most beautiful houses you ever saw. The people moved in, and they never got a dime's rent for a year and a half, and when they finally got them out of there for destruction—\$15,000 in damage to the house and \$15,000 in back rent that they will never see a dime of. They should be able to have the right to deny someone renting from them based on that.

Senator Neal:

Assemblyman Ellison, a prior eviction is not precluded from this bill. I am not dealing with if you have had a series of evictions, you go and apply, and due to the eviction history, the apartment feels that you are a risk. You are probably a risk because they feel financially, you cannot pay the rent, right? Because more than likely, this is the same way you lose your mortgage; you lose your mortgage and go into foreclosure because you cannot pay it. The amendment specifically says that they are allowed to look at your credit history. They are allowed to look at your income. The issue is, I am talking about the criminal history. I am not talking about all of the other factors that may come into play. I understand that this bill is now becoming convoluted with all of the housing issues. But S.B. 254 (R1) is trying to get at bringing forward substantial equivalence by having provisions in the bill that allow us to get on the same page as HUD—adopting fair housing policy that brings in familial status, religion, and also brings in support, investigative support, and financial support to NERC after they certify and get into compliance.

It is also opening a brand-new door, which is the one we have been debating, to this extent of the hearing, around the criminal history. Everybody has differing opinions, but this is a first step into this issue, and I think it is a good first step. The "source of income" piece has caused much concern, but there is a broader question of all fights that happen: whether or not an income of a person should be protected, and to what extent it should be protected. If I do not have money, but someone gives me a voucher, which is the equivalent of that money, should that be protected and looked at as equal value so that I can find a house? I say yes. Did I make caveats and try to work with multiple parties? Yes, I did, but the context and the gist of this bill are still intact. If you do not support it, okay then, but I am telling you that this is good policy for the state of Nevada.

Some of the tangential issues that were brought up around the pandemic do not come into play here because these individuals—my issue is they should have a right to apply and have a roof over their head. I am just going to keep it that simple. I will open myself up for additional questions. You guys are giving me the hearing I probably should have had in the Senate Committee on Government Affairs, so I thank you.

Chair Flores:

Thank you, Senator. Assemblyman Matthews, I know that we had you for a second follow-up. For the sake of allowing the meeting to move, would it be okay that we take that question offline, since we allowed for you to go first?

Assemblyman Matthews:

That would be fine, Chair. Thank you.

Chair Flores:

Thank you, Assemblyman, and only because you already had a question. We just have to get going. I want to be mindful of the other hearing that we still have to take care of. With that, we are going to invite those wishing to testify in support of Senate Bill 254 (1st Reprint). I do not believe we have anybody in the room for that.

Arielle Edwards, Government Affairs Specialist, City of North Las Vegas:

We would like to thank Senator Neal for bringing this bill before the Legislature, and we appreciate the opportunity to testify in support of Senate Bill 254 (1st Reprint). Fair housing is essential to fostering a healthy community that thrives. We know that fair housing can significantly reduce the rate of recidivism and promote healthy, thriving communities. The intent of this bill is on track with the priority of the North Las Vegas jail to promote equity and opportunity through rehabilitation and reintroduction to society. People who have already paid their debts to society should have the opportunity to have a dwelling of their own for them and their families. We know that these discriminatory practices disproportionately affect Black and Brown communities the most. It has been long overdue, but it is time that we move on from these discriminatory practices and ensure that housing, dignity, and respect are paid to all. We strongly urge the Committee to support and pass Senate Bill 254 (1st Reprint).

William Pregman, Communications Director, Battle Born Progress:

We are in strong support of S.B. 254 (R1). Every person deserves to have housing, regardless of their past mistakes. We still can help formerly incarcerated Nevadans reenter society with the ability to rebuild their lives. If somebody cannot find stable housing units that are within the distance of job opportunities and community structure, that makes it much harder for that person to find those new opportunities. A lack of stable housing all but guarantees recidivism. We thank Senator Neal for bringing this bill forward today and urge your support. Thank you.

Doralee Uchel-Martinez, Private Citizen, Reno, Nevada:

I am representing the Nevada Disability Peer Action Coalition. Thank you for introducing the bill. I urge the Committee to pass it. Thank you.

Tess Opferman, representing Nevada Women's Lobby:

We are in full support of this bill, which will work to remove the myriad barriers that prevent prior felons from securing housing. Stable housing is the foundation for safe and secure communities. Ensuring prior felons can access housing means keeping families together and creating an opportunity for economic and educational growth. We thank the Committee for your time this morning and ask you for your support on this bill.

Chair Flores:

Could we have the next caller in support of Senate Bill 254 (1st Reprint)? [There was no one.] At this time, we will invite those wishing to testify in opposition to Senate Bill 254 (1st Reprint).

Nicholas Shepack, Program and Policy Associate, American Civil Liberties Union of Nevada:

I want to start by thanking Senator Neal. This legislation intends to address real problems. We have not had time to address the amendment with Senator Neal, and we did not plan to testify today. However, I want to be clear that we have been asked to put our concerns on the record for clarity. That is why I am testifying now. Again, we appreciate Senator Neal's

intent and desire to make progress in the very real housing crisis our state is facing that disproportionately harms communities of color, low-income Nevadans, and the formerly incarcerated. However, with the carve-out that has been provided for Realtors in the amendment, we believe this bill will do harm to the criminal justice reform this body is committed to pursuing. By exempting single-family homes from their Fair Chance Act provisions, the Nevada Legislature would be declaring that Nevadans with criminal records who have served their time are too dangerous to be considered for the suburbs. This distinction is dangerous. Senator Neal said during this hearing that we do not want to have an equal protections issue or create classes of persons in regard to housing. In that same vein, all tenants should have the same protections and rights regardless of where they would like to live so we do not create modern-day housing segregation.

The most rewarding part of my job is working with currently and formerly incarcerated individuals. Many of them have violent felonies. Most violent felonies are not murder. Many have served decades in prisons and years in solitary confinement. Punishment for violent crimes is severe in this state, and often includes intense community supervision upon release. The American Civil Liberties Union of Nevada will continue to fight to ensure that those men and women have equal opportunities in Nevada. This includes housing, and equal opportunity means access to all housing, including but not limited to apartments and single-family housing. When we release people from prison, they need housing. Over 90 percent of the people who enter NDOC will reenter society. Each and every one of them needs housing. We thank you for the opportunity to put our concerns on the record and urge this body to take bold steps to ensure that people have equal access to housing.

Chair Flores:

I do recognize that we have somebody on Zoom. We will finish off with those on the phone line, and then we will come back to Zoom.

Gregory Peek, President, ERGS Properties, Reno, Nevada:

We are based out of Reno, Nevada, and operate apartment communities in northern Nevada. I want to first thank Senator Neal for starting this discussion, but I do want to say that I am opposed to the bill. Landlords have a duty to take reasonable steps to keep their communities safe. This includes asking reasonable questions and doing reasonable inquiries into an applicant's background. This is reaffirmed over and over again. In 2007, the City of Reno established the Crime Free Multi-Housing program. The mission of the Reno police Crime Free program is to establish a partnership with property owners and managers to improve the quality of life for citizens who reside in any form of commercial property, such as hotels, motels, and apartment properties, through the use of local and other resource agencies using civil and criminal law to facilitate effective and lasting solutions. Reno's Crime Free community requires—requires—background checks, and the program provides model lease language and model background checks. The City of Reno's website states the Crime Free program lists benefits. Proactive property management deters 50 percent of crime, and careful screening at the front desk is required to deter a potential problem before it starts. This leads to saving time and money, more stable residents, a great resident base, and increased personal safety for residents.

This is worth repeating: Careful screening deters 50 percent of crime. Do not take it from me; take it from the City of Reno. And I agree. Also, the U.S. Department of Housing and Urban Development has issued guidance about the use of criminal background information to determine rental eligibility. This guidance balances the landlord's obligation to keep a community safe with an individual's efforts to rehabilitate themselves. I support the federal guidance. It is good, it is workable, it makes sense, and it is fair.

Finally, during the presentation, Senator Neal made an admission that the bill would infringe on the private property rights of single-family homeowners if it were applied to single-family residences. I would suggest that the bill also infringes upon private property rights of multifamily apartment owners such as me. It makes it impossible for landlords to fulfill our obligation to take reasonable steps to safeguard our communities. It infringes upon the current, good, law-abiding tenant's ability to have safe and quiet enjoyment of their apartment. Thank you very much.

Chair Flores:

We will take the next caller in opposition to Senate Bill 254 (1st Reprint). [There was no one.] Please let the record reflect that there were several folk who were going to call in opposition and also were present in opposition. In lieu of their all coming up and speaking for two minutes each, it was requested that we allow a couple of extra minutes to our individuals joining us via Zoom. Could we now go to those who are joining us via Zoom?

Susy Vasquez, Executive Director, Nevada State Apartment Association:

First, I would like to address the question from Assemblywoman Considine regarding screening. Our industry only accepts and evaluates one application per available unit and not multiple. We also use professional screening companies. This is to avoid any fair housing issues. Second, I want to clarify that federal rent assistance dollars approved in December of 2020 and again in January of 2021 have been distributed by some Coronavirus Aid, Relief, and Economic Security Act Housing Assistance Programs in minimal, sporadic payments to landlords this year. The Apartment Association opposes Senate Bill 254 (1st Reprint), despite our months and hours of work to try to reach consensus language with the sponsor. We started working with Senator Neal last year, in fact. We participated in a roundtable and heard firsthand accounts from mostly formerly incarcerated women who struggle to find housing because of their criminal past. I have personally been impacted by people whom I love who face the same issue. Unfortunately, criminal convictions carry consequences, and as an association, we owe a duty to our residents to ensure their safety.

While we appreciate the sponsor's willingness to exempt some crimes, Senate Bill 254 (1st Reprint) still goes too far. An outright ban on criminal background screening means Nevada would join a very small handful of localities—Oakland, California, and Seattle, Washington, to name a few—that have taken this extreme approach. As Senator Neal stated, neither the California nor the Washington legislatures decided to Ban the Box. Some startling statistics of the consequences in Seattle include: Seattle Housing Authority staff

saw a 75 percent turnover since its law went into effect, and our industry's on-site teams will only work in pairs now to protect their safety. Evictions tripled in two years for residents being evicted for committing crimes.

Senate Bill 254 (1st Reprint) allows landlords to evict tenants if they commit a crime on the premises. As we saw in Seattle, this policy sets some tenants up for failure. Yes, some of those who have paid their time and changed their habits will be okay, but many others will not. Yes, many in this building fear the supposed avalanche of evictions that are expected to occur once the eviction moratorium is lifted at the end of this month and its effects on access to housing—yet S.B. 254 (R1) will contribute to housing barriers. Senate Bill 254 (1st Reprint) will lead to more evictions and further housing instability for the very people it is intended to protect.

We submitted a letter on NELIS [[Exhibit E](#)] that represents the National Apartment Association's best practices. This guidance is in line with HUD and the Southern Nevada Regional Housing Authority guidance, which we also included. We tried unsuccessfully to have our best practices codified. We represent the good landlords and support codifying best practices, which may not necessarily be followed by all, but nonetheless represent what is right. Most notably, our best practices do not look at arrests and include a lookback period of seven years or three years, depending on the crime and also required by HUD. Senate Bill 254 (1st Reprint) has no lookback provisions. Under our guidance, if enough years have passed from the crime, a person would not be denied tenancy based on that fact.

Senate Bill 254 (1st Reprint) also includes a source of income provision. We appreciate Senator Neal's amendment to exclude Section 8 vouchers. The U.S. Department of Housing and Urban Development is in the process of introducing Section 8 housing reform in Washington, D.C. The National Apartment Association and other trade associations have worked diligently with HUD to address the issues many programs experience across the country. I would like to take this time to ask legislators to assist us in the interim with reducing barriers landlords experience with Section 8 programs. We are committed to partnering with our housing authorities to expand the program and would appreciate any assistance you can provide. Nevada families deserve to feel safe at home. Landlords have the right to choose to whom they rent, as long as the practice is nondiscriminatory, which, under our best practices, it is not. Senate Bill 254 (1st Reprint) goes too far. It is a dangerous policy, and we urge you to oppose this measure.

[[Exhibit F](#) was submitted but not discussed and is included as part of the record.]

Chair Flores:

With that, we will go to those wishing to testify in the neutral position on Senate Bill 254 (1st Reprint). Ms. Jenkins, please.

Kara Jenkins:

Members, thank you. We are neutral on this bill but encouraged by it. Again, we are here to answer any questions as they relate to the substantial equivalency component.

Chair Flores:

At this time, we will go to the phone lines for anyone wishing to testify in the neutral position on Senate Bill 254 (1st Reprint).

Teresa McKee, CEO, Nevada REALTORS:

We want to thank Senator Dina Neal for working very hard with us on this bill. You have seen how difficult it really is. The Nevada REALTORS stand neutral on this bill with the amendment that you can find on NELIS [[Exhibit D](#)]. Specifically, we appreciate the amendment to the definition of "source of income" to be "paid by any federal, state or local governmental entity, before June 30, 2022 including, without limitation, any rental assistance funds provided pursuant to a federal law passed for the purposes of providing relief for the COVID-19 pandemic" [page 1, [Exhibit D](#)]. Secondly, we do appreciate that the amendment also specifically excludes Section 8 housing. In response to Assemblywoman Tolles' question, we are also pleased to see acknowledgement that nothing in this section in this bill would require landlords to qualify a subject's property to pass the requirements for that specific funding or create a duty on the landlord to use any kind of reporting or form. We did not want any of these programs, if the landlord is required to accept those funds, to have any additional type of recording, any additional burden on them, in receiving those funds. We thank you very much; I will cut it short.

Chair Flores:

I know you referenced a question by Assemblywoman Tolles, but she is not a member of this Committee. I just wanted to clarify that. We will go to the next caller wishing to testify in the neutral position on Senate Bill 254 (1st Reprint).

Emily Paulsen, Executive Director, Nevada Homeless Alliance:

We are testifying in neutral today because we are in support of the advancement of NERC to become a HUD-qualified fair housing assistance program, but we are very concerned about the amendment Senator Neal has introduced today that weakens fair housing opportunities to the very people she originally intended to help with this bill. Senator Neal, we agree fundamentally with your original intent of this bill and your passionate remarks about the need for equitable housing policy to address homelessness. But the amendment you have introduced today has taken us off-track to do that. We would like to invite Senator Neal to come back to hear from the Nevadans who are impacted by housing discrimination because of their income source and conviction history and who are facing homelessness and housing insecurity, as well as the organizations who are fighting to house them, to get their feedback about the amendments made to this bill today. Housing choice vouchers, also known as Section 8, are an incredibly important tool to help Nevada families afford housing and avoid housing instability and homelessness.

In Nevada, a majority of voucher holders are working families and single mothers who are women of color who do not earn a housing wage. Housing choice vouchers are intended to allow families to live in the neighborhoods of their choice—the neighborhoods where good schools are located and where good-paying work opportunities exist. Nineteen states have made it unlawful for landlords to discriminate against voucher holders to ensure that the

valuable and effective affordable housing tool can be fully utilized and that these households truly have a choice as to what neighborhood they can live in and have a pathway out of poverty. Currently in Nevada, housing choice voucher holders do not have a choice as to what neighborhood they can live in and face enormous challenges finding landlords willing to accept these vouchers. The exclusions in this bill reinforce and codify that landlords can freely discriminate against Nevadans with housing choice vouchers.

Our state, and Clark County in particular, is about to receive thousands—millions—of dollars in funding of additional housing choice vouchers through the American Rescue Plan. This is a historic and monumental opportunity for our state. It is a shame these vouchers may not get fully utilized because the recipients will continue to face the enormous challenge of finding landlords willing to accept them, due to this bill reinforcing that they can freely discriminate against them. Voucher holders have a time limit on finding a landlord willing to accept the voucher before the voucher must be returned. When these vouchers cannot get used, the value is returned back to HUD and is lost to our state. Including housing choice vouchers as protected in this bill will help our state maximize its precious federal funding. Landlords benefit from vouchers because they guarantee rent. There is no data to support that voucher holders are riskier tenants. In fact, in contrast, according to a recent study by the Urban Institute, landlords receiving rental income from vouchers have fared the best in protecting their rental income investments over the last year.

The additional concern is that Second Chance Act provisions exclude single-family homes, duplexes, and fourplexes. This bill language codifies that people who are receiving rental assistance or who have a prior conviction can live here, not there—more specifically, in apartments only. This is modern-day housing segregation. We can do better. We agree with Senator Neal that people with conviction histories and people who are receiving rental assistance are not less than. They should be able to have housing choice and not be limited to living in apartments only. An equitable housing policy would ensure that Second Chance and source of income protections apply to all landlords who have made a business out of housing people. We look forward to continuing to work with Senator Neal, and we hope we can come together to ensure this bill actually does what it is intended to do—to improve equitable housing access. Thank you.

Chair Flores:

We will go to the next caller in the neutral position on Senate Bill 254 (1st Reprint). [There was no one.] Senator Neal, do you have any closing remarks?

Senator Neal:

It is late. I want to thank the Assembly Committee on Government Affairs for hearing this bill. All hard policy is never easy. Trying to get folks on the same side is never easy. When you bring different groups together, one side hates another group; another group likes someone else. At the end of the day, I am going to listen to the proponents of the bill. And my conversation with them was that if I took out the source of income and just had a conversation in the interim, it would be better served than to have bad policy walk out of the door. I am in agreement with that. That would be the only section that I take out of the bill.

Everything else would remain. Then, I would continue the conversation on the source of income during the interim. It is a big-ticket item; it is a hard item. There are so many different viewpoints about what is considered, I guess, proper or improper. I understand the concerns, but I want to make the first step into it. As we all know, sometimes legislation takes two sessions. But you have to get the first part out, and then you can come back and deal with the rest. But at least establishing the foothold for S.B. 254 (R1) in terms of fair housing, I think, moves a good step. It is not a perfect step, but it is a good step. I appreciate all the opposition. I also appreciate the support and neutral. Thank you, Chair Flores, for hearing this bill.

Chair Flores:

Members, I appreciate the thoughtful dialogue this morning and the ideological divide that obviously exists in this conversation. I look forward to Senator Neal continuing to work with everybody, and I am sure the conversation will continue. With that we will go ahead and close out the hearing on Senate Bill 254 (1st Reprint). I wanted to say thank you to Senator Harris, who has been very patiently waiting to do Senate Bill 150 (1st Reprint). Senator Harris, whenever you are ready.

Senate Bill 150 (1st Reprint): Makes changes to provisions relating to housing. (BDR 22-221)

Senator Dallas Harris, Senate District No. 11:

Good morning, Chair Flores and esteemed members of the Assembly Government Affairs Committee. It is my pleasure to present Senate Bill 150 (1st Reprint) to you all today. I know it has been a long morning for you all, so I will make my best effort to keep it brief.

Senate Bill 150 (1st Reprint) is what I like to call my "find a place to put them" bill. This bill essentially directs localities to create some zoning to allow for tiny homes. If you are well set up and you are a larger locality, I am going to ask you to find a place where we can allow these to be accessory dwelling units—possibly tiny home mobile parks—as well as the ability for folks to set up, possibly, single-family residences. If you are one of those smaller localities that maybe does their zoning a little less often and has a little less of a population, I am asking you to do one of the three.

The genesis for this bill, frankly, for those of you who are interested, was my own experience. I recently moved. I bought a new house, and for a moment, I was thinking, Maybe I wanted to buy a tiny house, right? They are kind of cool, and I am a big fan of financial independence and retiring early—the FIRE [Financial Independence, Retire Early] movement—and I thought, This will be a great way to save on some housing and maybe downgrade my lifestyle a little bit. But as I started to look around where I could possibly put a tiny home if I bought it, I ran into a brick wall. They are not currently listed as single-family housing; they are too small. It is obviously not commercial. If I want to put a foundation down, it is really not a mobile home; it does not fit in an RV park. I thought to myself, Maybe there are other folks, other Nevadans, who want this option. I brought this bill in the hopes of opening that up for people who want to live in these types of homes.

I imagine, once we open this up, that we will see a gamut of options. On one end, we have models like Hope Springs up here in the north, where you can provide wraparound services for homeless folks all in one area, all the way up to the kind of hipster, really cool, neat new thing with the chic-type tiny homes—and anything in between. I think the possibility is really endless here. What I have tried to do is take the lightest of approaches because—let us be real—at the state level, we do not do zoning. I do not know anything about zoning. That is something that our local governments are best at. I have simply asked them to find a place to put them. I have allowed them to put additional restrictions on if there are safety considerations. I am going to allow them to decide where they should go—if there should be overlapping zoning between single-family residences or not. That is going to be completely up to the localities who are experts. I just want to make sure there is a place where these can be put for the Nevadans who want to put them somewhere.

It will be a community-driven process, of course. We have zoning commissions all throughout the state. I imagine that the discussions will be had at those local levels about where the best place is, if they should overlap, how many zones they should be allowed to do. I am perfectly fine with that; I think that is the way that the process should work.

You may hear a bit of opposition from some of the localities because—let us be honest—nobody likes to be told what to do. I think they would much prefer I allow them to do their thing and not infringe on them at all. I have heard those concerns, and I really feel that the bill before you walks that very thin line of not infringing on the localities' expertise in zoning but also gives just a little direction and says, Hey, let us make sure Nevadans have an option. Chair Flores, if it is okay with you, I would like to invite Matt Walker, representing the Southern Nevada Home Builders Association, up to make a few comments. Then I will be ready to take questions.

Chair Flores:

Mr. Walker, good morning and welcome.

Matthew Walker, representing Southern Nevada Home Builders Association:

Thank you so much for accommodating the hearing of Senate Bill 150 (1st Reprint) today. I am going to speed-read some very brief comments and stand ready for questions.

Community development standards must be revisited regularly to ensure that requirements for developers and property owners meet the needs of the community. One area where we are clearly falling short is access to affordable homeownership. Senate Bill 150 (1st Reprint) urges local governments to follow the leads of states and municipalities across the country that have adopted policies to open existing residential communities to the development of new accessory dwelling units and tiny home communities. This bill addresses key obstacles to affordability: minimum lot size, minimum home size, and density restrictions.

Tiny homes and accessory dwelling units hold great promise in allowing the market to provide new units available to more Nevadans while also meeting our goals for greenhouse gas emissions and housing affordability. The Association strongly supports the bill, also

referencing the International Residential Code as the best practice for determining how houses are built. We think it makes sense for local governments to allow for accessory dwelling units in residential districts, and it makes sense to adopt these international best practices. We appreciate Senator Harris's bringing this important conversation forward. Thank you.

Chair Flores:

I think you were giving our amazing Susan Furlong a run for her money there. I appreciate the speed-reading. With that, members, we will open it up for questions. Members, I ask that if somebody has already asked a very similar question to yours, we do not repeat them and you try to stick to a question so that we give everybody an opportunity to at least get one on the record. We will start first with Assemblyman Ellison.

Assemblyman Ellison:

They just built some of these in Reno, did they not, in the little community? They had the little walkways; they had the downstairs and the upstairs above it. It was a really small house, but they were based on about a half-size of what a regular apartment would be. But God, they were gorgeous, and there was more parking than there were houses. It was amazing how they looked, and the prices were affordable for young couples. I thought it was the greatest thing in the world, but not all communities are allowed to do it, based on the size of the lots and such things. I thought it was a great idea, and just to watch them go up—they looked like miniature towns. They even had miniature shops in there. Thank you.

Senator Harris:

Thank you for the comment, Assemblyman Ellison. Yes. I will say that Reno is leading in this area, and I would love to see a bit more of that throughout the state. What you are speaking about is one of the potential benefits, I think, of allowing tiny homes, and that is creating this intermediate step for those folks who do not have 20 percent of \$350,000, or whatever the medium house price is—to get a step up into homeownership, something they can enjoy, love, build some equity in, and then possibly move into a more traditional home if they so choose.

Assemblywoman Torres:

I promise to keep my question teensy-weensy as we talk about the tiny homes throughout Nevada. I just wanted some clarifying information. My understanding right now is that a county whose population is over 100,000, when we are looking at that specific section—section 1, subsection 1—that would be applicable to only Washoe County, Clark County, Reno, Henderson, and Las Vegas, and requiring those jurisdictions to make those ordinances?

Senator Harris:

Yes.

Assemblywoman Torres:

Okay. And then, in section 1, subsection 2, it would require that the other jurisdictions would then choose one of the options that is enumerated there below in paragraphs (a), (b), or (c). They would have to choose one of those; they would not have to do all three of them. Is that correct?

Senator Harris:

Yes, that is correct. What you see is a compromise, a discussion I had with some of those smaller localities who were a bit worried about having to find a place for all three. I said, All right, the big guys need to figure out how to do all three. For the small folks, let us at least figure out a place to put one of three, and it will be completely up to them.

Assemblywoman Torres:

Perfect. One quick, itty-bitsy follow-up, if I may. I want to understand the intent. It seems that several of the jurisdictions have already maybe taken those steps to have these ordinances. My understanding is that in Clark County, we have one, I think—or maybe the jurisdictions within Clark County have some. I am just wondering what the reasoning is behind requiring it instead of just allowing for local jurisdictions to make that decision on their own.

Senator Harris:

It is my understanding that in Clark County, the only one we have was set up by Tony Hsieh of Zappos. I believe that is a function of his ability to have gobs of money and do something that is outside of the standard zoning. For your average person, you cannot go buy a plot of land anywhere in Clark County, not to my understanding, and set up a tiny home if you so choose. The idea, really, is to take that opportunity that is available to some folks in Reno and make sure it is available to everybody across the state.

Assemblywoman Thomas:

I just have a small question in reference to the teeny house. You put "single-family" dwelling in here. What does that entail? Is that a family of four?

Senator Harris:

That is really a zoning term. I believe that under this framework, localities would be able to restrict how many occupants can be in a tiny home. But really, it is about the ability for you to build a tiny home and live in it as your primary residence. That is the connection between that and the term "single-family" home here in this bill.

Assemblywoman Anderson:

Thank you, Senator, for bringing this forward. My question has to do with section 1, subsection 1. It is the details of the change of verb, when it starts off with "shall"—which means it has to be. Then in paragraphs (a) through (c) and even when we get to subsection 2, paragraphs (a) through (c), it becomes "may." There is that confusion—you have to do it versus you may do it. I am wondering if there is a reason why that is not consistent, or if there was some other reasoning behind that language choice.

Senator Harris:

The "shalls" are related to which zones you must actually find a place to designate. In section 1, subsection 1, we are talking about those larger folks who need to find a place for all three. In section 1, subsection 2, we address the smaller localities who need to find one of the three. Then when we move down to section 1, subsection 3, what I am doing here is authorizing localities to add on additional requirements if they so choose. I am not going to require them to include other requirements for tiny homes if they do not want to, but I am going to enable them to do so, as well as give them the ability to continue to have jurisdiction over the certificates of occupancy—again, getting back to Assemblywoman Thomas' question. That is a distinction there.

Assemblywoman Anderson:

Thank you for that clarification.

Assemblywoman Dickman:

I wanted to say that if we had more time, I would talk about how much I like this idea. But we do not, so thank you Chair, and thank you, Senator Harris.

Senator Harris:

We will let the record reflect: Assemblywoman Dickman is all on board for it. Thank you.

Chair Flores:

Not only that, but she will work on whipping all the votes for you.

Senator Harris:

Amen. Counting on it.

Chair Flores:

We will close it off with Assemblyman Ellison.

Assemblyman Ellison:

Is there any reason you restricted it from 100,000 and above versus the smaller ones? You look at some of these smaller communities, where there is mining or something such as that, that are building several different units. They could still buy a two-person house for mining. It might have been a good idea for some of these areas to do that.

Senator Harris:

I agree. The bill in its original form would have required all three across the state. But after discussions with some of the folks who represent those smaller jurisdictions, they were worried about the kind of heavy lift it might be to zone all three types in those smaller towns. It would be my hope that they would do all three, and I think this bill would enable them to. But they would not be in violation of the law as long as they find one.

Chair Flores:

At this time, we will go to those wishing to testify in support of Senate Bill 150 (1st Reprint).

Barry Gold, Director, Government Relations, AARP Nevada:

[He read from [Exhibit G](#).] People of all ages need safe, decent, and affordable housing that will enable them to continue to live safely in their homes and communities as they get older. Nevada has a problem with the availability and access to affordable housing. We must create opportunities to increase affordable housing and this bill offers a unique way to do that.

Nevada families of all ages have suffered during the pandemic, and we need to provide housing costs that allow individuals and families to live in a neighborhood without sacrificing other basic necessities, such as food and health care. That is often the choice people make when their housing costs are not affordable.

The concept of tiny houses is sweeping the country, and more people are finding this to be a great way to modernize their lifestyle. Creating opportunities for tiny house developments will offer more people the chance to take advantage of this new idea—and to save money on housing costs. This will expand the opportunity to provide affordable housing in Nevada. Older adults, who are often on fixed incomes, can become homeless if they are priced out of their housing. We must make sure our parents and grandparents can stay in their communities and live comfortably. Tiny houses are the newest and most unique and creative way to do that.

AARP, on behalf of the 345,000 members across the state, supports [S.B. 150 \(R1\)](#) and urges the Committee to pass it to help ensure more of this unique type of affordable housing is available in Nevada.

Chair Flores:

I want to remind folk that if you really support tiny houses, tiny statements will be the best way to honor that spirit. We will take the next caller in support of [Senate Bill 150 \(1st Reprint\)](#). [There was no one.] Now we will go to those wishing to speak in opposition to [Senate Bill 150 \(1st Reprint\)](#). We will start here in the committee room.

Wesley Harper, Executive Director, Nevada League of Cities and Municipalities:

Thank you for allowing my statement of opposition. The League is respectfully but strongly in opposition to [S.B. 150 \(R1\)](#) as amended. We do appreciate the discussion, work, and collaboration by Senator Harris to bring this bill forward, and the distinguished members of the Assembly Committee on Government Affairs for hearing it. The mandates contained in this bill, while seeking a progressive outcome, are an affront to the ability of member municipalities to develop zoning ordinances that are proper and appropriate for our jurisdictions. I submit that decisions concerning zoning are at the very heart of matters of local concern, and that zoning primarily affects and impacts areas located within each municipality. On this basis alone, this bill is an overreach, and moreover, proposed legislation such as this creates damaging precedent for future proposed legislation that may attempt to further erode the ability of municipalities to be responsive to the residents whom we serve. We hope that the Committee assesses this bill with a keen scrutiny and respects

the purview of local governments to properly govern according to the direct and unique needs of our residents. Again, thank you very much, Mr. Chair, for your attention and for allowing my statement of opposition.

Chair Flores:

I know you had the opportunity to reach out with a lot of folks, so thank you for the work you put in ahead of the hearing. We do not have anybody else wishing to testify in opposition here, so at this time, we will go to the phone lines.

Warren Hardy, representing the Urban Consortium; and City of Mesquite:

The Urban Consortium is made up of the Cities of Las Vegas, Reno, Henderson, and Sparks. This is one of those tough ones, Mr. Chair, because I really cannot think of any way Senator Harris could have been more accommodating in listening to our concerns and taking the concerns we had to heart. Just like the Legislature, our local governments and the elected officials at the local level grapple with affordable housing every day. It is a top, top priority for our folks at the local level. This is a difficult piece of legislation to oppose, particularly because what Senator Harris is requesting is reasonable, and as I said, she has been extraordinarily accommodating. This is an issue that is important at every level, so it is not the idea or the concept that we oppose; it is the process that we have some concerns with.

At the end of the day, we just reached a philosophical divide in terms of where this responsibility should appropriately lie. At a local level, with Senator Harris' support and an emphasis on this, we will continue to work on this. At the end of the day, we did think that the requirement in statute is problematic from a precedent perspective. As well, we do believe that requiring all three types of housing is problematic in allowing us to respond and react to the needs of our constituents at home. With that, Mr. Chair, I appreciate the time, and I want to thank Senator Harris again—as I said, I do not know how she could have been more accommodating. We just reached a philosophical divide in the end.

Chair Flores:

May I say, when we heard "666," we thought it would be the devil himself. It turns out it was much, much worse. Thank you for joining us this morning; we appreciate your allowing us to joke a bit. We will continue with those wishing to testify in opposition to Senate Bill 150 (1st Reprint). [There was no one.] At this time, we will go to those wishing to testify in the neutral position on Senate Bill 150 (1st Reprint). We have no one present, so we will go back to the phone lines.

Jamie Rodriguez, Government Affairs Manager, Office of the County Manager, Washoe County:

I want to start by thanking the bill's sponsor for working with us on the other side to address our concerns for the bill as is now drafted. We are here in neutral today because as the bill is drafted, Washoe County would already be in compliance, as we do allow tiny homes in different portions under the zoning definitions in Washoe County. We just want to be on the record thanking her for working with us, with our concerns with the bill as originally drafted. Again, Washoe County would already be in compliance with the bill as drafted.

Joanna Jacob, Manager, Government Affairs, Clark County:

We are neutral today, Chair. I will keep it very brief. We worked with Senator Harris on this bill in the Senate side. While it does mandate that we find a place for tiny homes in Clark County, it is a mandate in the loosest sense of the word because she gives us options to designated local zoning, something that was very important to Clark County, as we have launched an effort called Transform Clark County. We are engaged in a complete rewrite of our master plan and our development code, so the timeliness of this is appropriate. We [believe] that we will be able to find a place for these types of structures in Clark County, and we committed to Senator Harris that we will do so. We worked with her to get us to neutral. Thank you, Senator Harris, for your work on this. We are neutral today, Chair Flores.

Dagny Stapleton, Executive Director, Nevada Association of Counties:

I just want to echo the comments of Clark County and Washoe County. We very much appreciate the Senator's working with counties on this bill on the other side. We did work with her on language that is now in the reprint. We understand her intent and the important addition that tiny homes can make to Nevada's housing stock. We want to thank her for the language in the reprint that gives us a little more local flexibility, especially for smaller counties. As you have heard, land use planning and zoning are local responsibilities—very important ones for local government. That flexibility is important to allow us to tailor ordinances based on differences in geography, community need, and other factors. Again, thanks to Senator Harris, as well as the Committee, for the opportunity to provide comments.

Arielle Edwards, Government Affairs Specialist, City of North Las Vegas:

The City of North Las Vegas is neutral on Senate Bill 150 (1st Reprint) and would like to thank Senator Harris for working with us on this piece of legislation. Thank you so much for your time and consideration today.

Chair Flores:

We will take the next caller in the neutral position on Senate Bill 150 (1st Reprint). [There was no one.] Senator, do you have any closing remarks?

Senator Harris:

Thank you so much, Chair Flores, for squeezing me in. No one likes to follow Senator Neal, so I hope I did okay. In closing, I will remind you all that this is a very light touch. It is still a touch, though, and some people do not like to be told what to do. I understand that, and I took that into consideration. I really tried my best to walk that line of giving some direction, but, of course, allowing the localities to do what they do best. I hope the Committee will take some time to consider work-sessioning this bill.

Chair Flores:

Thank you, Senator, for that presentation. With that, we will go ahead and close out the hearing on Senate Bill 150 (1st Reprint). Before we close it out, I know Madam Vice Chair has some quick remarks. But first, we will go to public comment.

Annemarie Grant, Private Citizen, Quincy, Massachusetts:

I am the sister of Thomas Purdy, who was murdered by Reno police in the Washoe County Sheriff's Office during a mental health crisis. Today I would like to talk about Stanley Gibson, who was killed December 12, 2011, by the Las Vegas Metropolitan Police Department (LVMPD). Stanley Gibson was born in Las Vegas and was a lifelong resident. He served in the U.S. Army during the First Gulf War. He was a decorated soldier, receiving medals, including the Army Good Conduct Medal, the Army Service Ribbon, Saudi Arabia Kuwait Liberation Medal, Southwest Asia Medal, and the National Defense Service Medal. He had an honorable discharge.

His mother had to bury her son; his wife had to bury her partner of eleven years. Not only do police murder community members and weaken the public's trust in law enforcement, but it is the community and the taxpayers who ultimately pay for these bad actors. Stanley was 43 years old when he was shot and killed by LVMPD officer Jesus Arevalo in the early morning hours of December 12, 2011. An inferior police plan to force Stanley Gibson out of his car led to the shooting. The officer erroneously thought he was being shot at and returned fire. He fired seven times. His wife, Wanda, said he suffered from post-traumatic stress disorder from his time proudly and bravely serving our country during the Gulf War. Stanley Gibson was unarmed. His jacket would later be returned to his wife riddled with bullet holes and his service medals still attached. I do not think the general public is aware of how often veterans are killed in crisis by police. Stanley Gibson was killed less than two years after 21-year-old, unarmed Trevon Cole was shot by LVMPD in his apartment bathroom.

Stanley Gibson's murder is a perfect example of how the mental health care system failed. Stanley Gibson had been arrested two days prior and was ordered to have his psych eval done at the jail. That never took place, and he was released. These unnecessary murders by police have been occurring far too long in Nevada. I would just like to mention Ronal Zendejas was killed April 4, 2020, by the Reno Police Department and Sparks Police Department. Washoe District Attorney Chris Hicks has yet to release his Officer Involved Shooting Report over a year later. His family and the community wait for the report and the body cam footage. Please support bills that promote transparency and accountability from law enforcement. Thank you.

Chair Flores:

As always, thank you for joining us, and thank you for sharing your story. With that, we will go to the next caller wishing to join us for public comment. [There was no one.] Next, we will go to some closing remarks by Madam Vice Chair.

Assemblywoman Torres:

I wanted to make sure that the Government Affairs Committee took the opportunity to celebrate our Nevada Teacher of the Year, Ms. Juliana Urtubey, for winning the National Teacher of the Year. It is very exciting. She is the first Nevada teacher to win this honor. She was celebrated today with Dr. Jill Biden. We are so excited and so proud to have her as an educator in west Las Vegas, Nevada.

Chair Flores:

And then, members, I do not know that you all knew this, but a little birdie whispered into my ear that our very own colleague, Assemblywoman Brown-May, is celebrating her birthday today. I just wanted to say that it is an honor to serve alongside you. Thank you for stepping up to your role. It has been a pleasure to have you in this Committee. We wish you the very best of birthdays and thank you for being here. Happy birthday.

Members, as you all know, we will not be meeting tomorrow. Assemblyman Ellison will be meeting here by himself if anybody wants to join him off the record. I ask that you pay close attention tomorrow; we will be uploading an agenda. Next week will be very heavy on work session documents, so get ready; give yourself an opportunity to go back and review your notes. With that, this meeting is adjourned [at 11:55 a.m.].

RESPECTFULLY SUBMITTED:

RESPECTFULLY SUBMITTED:

Kyla Beecher
Recording Secretary

Lindsey Howell
Transcribing Secretary

APPROVED BY:

Assemblyman Edgar Flores, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a copy of a PowerPoint presentation titled "Fair Chance Housing in Nevada," dated May 6, 2021, presented by Ngai Pindell, Professor, William S. Boyd School of Law, University of Nevada, Las Vegas.

[Exhibit D](#) is a conceptual amendment to Senate Bill 254 (1st Reprint), presented by Senator Dina Neal, Senate District No. 4.

[Exhibit E](#) is a letter dated May 5, 2021, submitted by Susy Vasquez, Executive Director, Nevada State Apartment Association, in opposition to Senate Bill 254 (1st Reprint).

[Exhibit F](#) is a copy of two emails dated May 3, 2021, submitted by Bruce Schoenberger and Bob Savera, in opposition to Senate Bill 254 (1st Reprint).

[Exhibit G](#) is written testimony presented by Barry Gold, Director of Government Relations, AARP Nevada, regarding Senate Bill 150 (1st Reprint).