

ASSEMBLY BILL NO. 420—ASSEMBLYMAN YUREK

MARCH 27, 2023

JOINT SPONSOR: SENATOR STONE

Referred to Committee on Education

SUMMARY—Revises provisions governing education.
(BDR 34-689)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Contains Appropriation not included
in Executive Budget.

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

AN ACT relating to education; requiring the Superintendent of Public Instruction to create the Rural Northeastern Clark County Regional School District; requiring the Department of Education to conduct a feasibility study of that District and submit a report to the Legislature; authorizing the establishment of regional school districts; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill: (1) requires the Superintendent of Public Instruction to create the Rural Northeastern Clark County Regional School District and hire a superintendent and administrative staff for that District; (2) provides that the State Board of Education shall be deemed the board of trustees of the District; and (3) requires the Department of Education to conduct a feasibility study and submit a report to the 84th Session of the Legislature on the performance, effectiveness and viability of the District. **Section 128** of this bill appropriates \$6,000,000 to the Department of Education to establish the Rural Northeastern Clark County Regional School District and conduct the feasibility study. **Section 130** of this bill expires all of the provisions of this bill on June 30, 2027.

Existing law creates county school districts, the boundaries of which are coterminous with the boundaries of the counties of this State. (NRS 386.010) **Section 10** of this bill authorizes the board of county commissioners in a county whose population is 700,000 or more (currently only Clark County) to establish by ordinance a regional school district that is independent from the county school district of the county.



Sections 5-9 of this bill establish the procedures by which the members of the board of trustees of a regional school district are elected.

Sections 2, 3, 10-22, 24-110 and 113-127 of this bill make conforming changes throughout the Nevada Revised Statutes to refer to school districts generally, eliminating references to county school districts or including references to regional school districts, as necessary or appropriate.

Existing law requires the Legislature, after making a direct legislative appropriation to the State Education Fund, to: (1) determine the statewide base per pupil funding amount for each fiscal year of the biennium; and (2) appropriate money from the Fund for, among other purposes, the operation of school districts, charter schools and university schools for profoundly gifted pupils, and additional needs of certain other pupils. Existing law also governs the appropriation and transfer to county school districts of certain taxes on the operations of the industry of extracting and processing minerals and the use of that money to mitigate the adverse effects of the cyclical nature of the industry on the ability of a county school district to offer its pupils a reasonably equal educational opportunity. (NRS 362.170, 362.171, 387.1214) **Sections 23, 111 and 112** of this bill revise these provisions to include appropriations and transfers to all school districts in the applicable counties.

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

Section 1. Chapter 385 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Superintendent of Public Instruction shall:

(a) Create the Rural Northeastern Clark County Regional School District as a regional school district, to include, without limitation, the Moapa Valley, Virgin Valley and such other contiguous areas as are reasonable.

(b) Hire a superintendent and administrative staff for the District.

2. The State Board is deemed the board of trustees of the Rural Northeastern Clark County Regional School District.

3. The Department shall:

(a) Conduct a feasibility study to:

(1) Establish criteria to evaluate the performance, effectiveness and viability of the Rural Northeastern Clark County Regional School District.

(2) Pursuant to the criteria established pursuant to subparagraph (1):

(I) Evaluate the performance and effectiveness of the District; and

(II) Assess the long-term viability of the District.

(b) On or before February 1, 2027, submit to the Director of the Legislative Counsel Bureau for transmittal to the 84th Session of the Legislature a report with its findings, evaluations and recommendations relating to:



(1) The performance and effectiveness of the Rural
Northeastern Clark County Regional School District; and

(2) The long-term viability of the District.

4. The provisions of sections 5 to 9, inclusive, of this act do
not apply to the Rural Northeastern Clark County Regional
School District.

Sec. 2. NRS 385.180 is hereby amended to read as follows:

385.180 The Superintendent of Public Instruction or a staff
member of the Department designated by the Superintendent shall:

1. Visit each county **school district and regional school
district** in the State at least once each school year, and shall conduct
institutes, visit schools, consult with school officers, or address
public assemblies on subjects pertaining to the schools.

2. Consult and study with school officers and educators of this
and other states on topics of school administration, school methods
and school law.

Sec. 3. NRS 385B.050 is hereby amended to read as follows:

385B.050 1. The ~~county~~ school district trustees may form a
nonprofit association, to be known as the Nevada Interscholastic
Activities Association, composed of all of the school districts of the
State for the purposes of controlling, supervising and regulating all
interscholastic athletic events and other interscholastic events in the
public schools. This section does not prohibit a public school, which
is authorized by the Association to do so, from joining an
association formed for similar purposes in another state.

2. Any board formed to govern the Nevada Interscholastic
Activities Association must include at least three members who are
parents or guardians of pupils who participate in a sanctioned sport.
Of the members who are parents or guardians of pupils who
participate in a sanctioned sport:

(a) At least one member must be a resident of a county whose
population is 700,000 or more;

(b) At least one member must be a resident of a county whose
population is 100,000 or more but less than 700,000;

(c) At least one member must be a resident of a county whose
population is less than 100,000; and

(d) Each member must not be an employee of or an immediate
family member of an employee of a school district, charter school or
private school.

3. Any advisory board formed to advise a governing board of
the Nevada Interscholastic Activities Association must include at
least three members who are pupils currently participating in a
sanctioned sport. Of the members who are pupils currently
participating in a sanctioned sport:



(a) At least one member must be a resident of a county whose population is 700,000 or more;

(b) At least one member must be a resident of a county whose population is 100,000 or more but less than 700,000;

(c) At least one member must be a resident of a county whose population is less than 100,000; and

(d) Each member must not be an employee of or an immediate family member of an employee of a school district.

4. The terms of each member of a board formed to govern the Nevada Interscholastic Activities Association who is a parent or guardian of a pupil who participates in a sanctioned sport and each pupil who is a member of an advisory board to such a governing board must be consistent in duration with the terms of other members of the applicable board and be served in full-year increments during any year that a pupil who is a member or a pupil whose parent or guardian is a member participates in one or more sanctioned sports.

Sec. 4. Chapter 386 of NRS is hereby amended by adding thereto the provisions set forth as sections 5 to 9, inclusive, of this act.

Sec. 5. 1. *The board of trustees of a regional school district consists of five or seven members as follows:*

(a) If 1,000 or more pupils were enrolled during the school year next preceding any general election, the board of trustees consists of seven members. Except in school districts in which more than 25,000 pupils are enrolled, the members of the board must be elected at large until such time as an alternate manner of election is adopted pursuant to NRS 386.205, 386.215 and 386.225 or section 9 of this act.

(b) If fewer than 1,000 pupils were enrolled during the school year next preceding any general election, the board of trustees consists of five members. The members of the board must be elected at large until such time as an alternate manner of election is adopted pursuant to NRS 386.205, 386.215 and 386.225 or section 9 of this act.

(c) If 1,000 or more, but fewer than 1,500 pupils were enrolled during the school year next preceding any general election, the board of trustees consists of seven members unless the board, on or before December 1 in any year before a general election will be held, adopts a resolution specifying that the board will consist of five members. If the board consists of seven members, the election of members is governed by paragraph (a). If the board consists of five members, the election of members is governed by paragraph (b).



2. Before the adoption of a resolution pursuant to paragraph (c) of subsection 1, the board of trustees shall post conspicuously, in three different places in the regional school district, a notice containing in full the text of the resolution with the date upon which the board of trustees of the regional school district is to meet to act upon the resolution. Posting of the notice must be made not less than 10 days before the date fixed in the resolution for action thereon.

3. If a board of trustees adopts a resolution pursuant to paragraph (c) of subsection 1, it must transmit a copy of the resolution to the Superintendent of Public Instruction on or before December 15 of the year before the general election will be held.

Sec. 6. 1. At the first general election after a regional school district is established and every 4 years thereafter, in a regional school district where fewer than 1,000 pupils were enrolled during the preceding school year, five trustees shall be elected at large within the district.

2. Except as otherwise provided in this subsection, the term of each person elected to the office of school trustee is 4 years. The initial members elected to the board of trustees of a regional school district shall, by lot, select three of the initial members of the board to serve a term of 2 years.

Sec. 7. 1. In each regional school district in which more than 75,000 pupils are enrolled, the board of trustees shall establish seven election districts for school trustees. The districts must be:

(a) As nearly equal in population as practicable; and

(b) Composed of contiguous territory.

2. In each regional school district in which more than 25,000 pupils but not more than 75,000 pupils are enrolled, the board of trustees shall establish seven election districts for school trustees, as follows:

(a) Five districts which are as nearly equal in population as practicable, each of which includes approximately one-fifth of the population of the regional school district; and

(b) Two districts which are as nearly equal in population as practicable, each of which includes approximately one-half of the population of the regional school district.

↳ The districts must be composed of contiguous territory.

3. Each trustee of a school district to which this section applies must reside in the election district which the trustee represents and be elected by the voters of that election district.

4. Except as otherwise provided in this subsection, in each regional school district in which more than 25,000 pupils are enrolled, the term of a school trustee is 4 years. The seven trustees



1 *elected at the first general election after a regional school district*
2 *is established shall, by lot, select four trustees to serve a term of 2*
3 *years.*

4 **Sec. 8. 1. Except as otherwise provided in subsection 2:**

5 *(a) If the certificate of the Superintendent of Public*
6 *Instruction filed with the county clerk states that the pupil*
7 *enrollment during the preceding school year in a regional school*
8 *district was 1,000 or more, and the board of trustees of the district*
9 *is composed of five members elected pursuant to section 6 of this*
10 *act, then at the next succeeding general election one additional*
11 *trustee who resides in the district must be elected for a term of 4*
12 *years, and one additional trustee who resides in the district must*
13 *be elected for a term of 2 years.*

14 *(b) Thereafter, while continued pupil enrollment in the*
15 *regional school district is 1,000 or more, the offices of school*
16 *trustees must be filled as provided by law for school districts*
17 *having pupil enrollments of that size.*

18 *2. The provisions of subsection 1 do not apply in a regional*
19 *school district in which the pupil enrollment during the preceding*
20 *school year was 1,000 or more but less than 1,500, and in which*
21 *the board of trustees of the school district has adopted a resolution*
22 *specifying that the board will consist of five members.*

23 **Sec. 9. 1. In addition to the manner of election provided in**
24 **NRS 386.205, 386.215 and 386.225, the trustees of a regional**
25 **school district may be elected from school trustee election areas in**
26 **the alternate manner provided in this section.**

27 *2. Within 30 days before May 1 of any year in which a*
28 *general election is to be held in the State, 10 percent or more of*
29 *the registered voters of a regional school district in which 25,000*
30 *or fewer pupils are enrolled may file a written petition with the*
31 *board of county commissioners of the county in which the*
32 *regional school district is located praying for the creation of*
33 *school trustee election areas within the regional school district in*
34 *the manner provided in this section. The petition must specify with*
35 *particularity the school trustee election areas proposed to be*
36 *created, the number of trustees to be elected from each area and*
37 *the manner of their nomination and election. The number of*
38 *school trustee election areas proposed must not exceed the number*
39 *of trustees authorized by law for the particular regional school*
40 *district. The description of the proposed school trustee election*
41 *areas need not be given by metes and bounds or by legal*
42 *subdivisions, but must be sufficient to enable a person to ascertain*
43 *what territory is proposed to be included within a particular school*
44 *trustee election area. The signatures to the petition need not all be*
45 *appended to one paper, but each signer must add to his or her*



1 name his or her place of residence, giving the street and number
2 whenever practicable. One of the signers of each paper shall
3 swear or affirm, before a person competent to administer oaths,
4 that each signature to the paper appended is the genuine signature
5 of the person whose name it purports to be.

6 3. Immediately after the receipt of the petition, the board of
7 county commissioners shall fix a date for a public hearing to be
8 held during the month of May, and shall give notice thereof by
9 publication at least once in a newspaper published in the county,
10 or if no such newspaper is published therein, in a newspaper
11 published in the State of Nevada and having a general circulation
12 in the county. The cost of publication of the notice is a proper
13 charge against the regional school district fund.

14 4. If, as a result of the public hearing, the board of county
15 commissioners of the county finds that the creation of school
16 trustee election areas within the regional school district is
17 desirable, the board shall, by resolution regularly adopted before
18 June 1, divide the regional school district into the number of
19 school trustee election areas specified in the petition, designate
20 them by number and define their boundaries. The territory
21 comprising each school trustee election area must be contiguous.
22 The resolution must further set forth the number of trustees to be
23 elected from each school trustee election area and the manner of
24 their nomination and election.

25 5. Before June 1 and immediately following the adoption of
26 the resolution creating school trustee election areas within a
27 regional school district, the clerk of the board of county
28 commissioners of the county shall transmit a certified copy of the
29 resolution to the Superintendent of Public Instruction.

30 6. Upon the creation of school trustee election areas within a
31 regional school district, the terms of office of all trustees then in
32 office expire on the 1st Monday of January thereafter next
33 following a general election. At the general election held following
34 the creation of school trustee election areas within a regional
35 school district, school trustees to represent the odd-numbered
36 school trustee election areas must be elected for terms of 4 years
37 and school trustees to represent the even-numbered school trustee
38 election areas must be elected for terms of 2 years. Thereafter, at
39 each general election, the offices of school trustees must be filled
40 for terms of 4 years in the order in which the terms of office
41 expire.

42 7. A candidate for the office of trustee of a regional school
43 district in which school trustee election areas have been created
44 must be a qualified elector and a resident of the school trustee
45 election area which he or she seeks to represent.



1 8. The board of county commissioners of the county may by
2 resolution change the boundaries of school trustee election areas
3 or the manner of nomination or election of school trustees after:

4 (a) Holding a public hearing of which notice must be given as
5 provided in subsection 3; and

6 (b) Receiving, at the hearing or by resolution, the consent of
7 the board of trustees of the regional school district.

8 9. If the Superintendent of Public Instruction certifies to the
9 county clerk that the enrollment of pupils during the preceding
10 school year in a regional school district was less than 1,000, or
11 was 1,000 or more but less than 1,500 in a district in which the
12 board of trustees has adopted a resolution in accordance with
13 section 5 of this act specifying that the board will consist of five
14 members, and the board of trustees of the regional school district
15 is composed of seven elected members based upon a previous
16 enrollment of 1,000 or more, the board of county commissioners
17 of the county shall alter the school trustee election areas or
18 change the number of trustees to be elected from the areas, or the
19 manner of their nomination and election, as may be necessary to
20 provide for reduction of the membership of the board of trustees of
21 the regional school district from seven to five members, and only
22 five school trustees may thereafter be nominated and elected at the
23 forthcoming elections.

24 10. Except as otherwise provided in subsection 11, if the
25 Superintendent of Public Instruction certifies to the county clerk
26 that the enrollment of pupils during the preceding school year in a
27 regional school district was 1,000 or more, and the board of
28 trustees of the regional school district is composed of five elected
29 members, the board of county commissioners of the county shall
30 alter the school trustee election areas or change the number of
31 trustees to be elected from the areas, or the manner of their
32 nomination and election, as may be necessary to provide for
33 increasing the membership of the board of trustees of the regional
34 school district from five to seven members, and two additional
35 school trustees must thereafter be nominated and elected at the
36 forthcoming elections.

37 11. The provisions of subsection 10 do not apply in a regional
38 school district in which the pupil enrollment during the preceding
39 school year was 1,000 or more but less than 1,500, and in which
40 the board of trustees of the school district has adopted a resolution
41 specifying that the board will consist of five members.

42 **Sec. 10.** NRS 386.010 is hereby amended to read as follows:

43 386.010 1. County school districts, the boundaries of which
44 are coterminous with the boundaries of the counties of the State 
45 except for that portion of a county that is included in a regional



school district established by the county pursuant to subsection 2,
are hereby created. The Carson City School District shall be
considered as a county school district.

*2. The board of county commissioners of a county whose
population is 700,000 or more may, by ordinance, establish a
regional school district that is independent from the county school
district created pursuant to subsection 1 and establish the name of
the regional school district.*

*3. Each [county] school district [created by this chapter] is
hereby declared to be a political subdivision of the State of Nevada
whose purpose is to administer the state system of public education.*

~~[3.]~~ *4. Each school district shall have the power to sue and
may be sued.*

Sec. 11. NRS 386.030 is hereby amended to read as follows:

386.030 *1. Every county school district shall be designated
by the name and style of "..... School District" (using the
name of the county or city the boundaries of which are
conterminous with the boundaries of the county school district ~~D-I~~
or the county in which the county school district is located, as
applicable).*

*2. Every regional school district shall be designated by the
name and style of "..... Regional School District" (using the
name established by the county for the regional school district
pursuant to subsection 2 of NRS 386.010).*

Sec. 12. NRS 386.110 is hereby amended to read as follows:

386.110 *1. The trustees of a school district shall constitute a
board, which is hereby created a body corporate.*

*2. The board of trustees of a county school district shall be
designated by the name and style of "The Board of Trustees of
the School District" (using the name of the county or city
the boundaries of which are conterminous with the boundaries of the
county school district ~~D-I~~ or the county in which the county school
district is located, as applicable).*

*3. The board of trustees of a regional school district shall be
designated by the name and style of "The Board of Trustees of
the..... Regional School District" (using the name
established by the county for the regional school district pursuant
to subsection 2 of NRS 386.010).*

Sec. 13. NRS 386.150 is hereby amended to read as follows:

386.150 *1. On or before June 1 in any year in which a
general election is held, the Superintendent of Public Instruction
shall file with each clerk of a county [whose]:*

*(a) Whose boundaries are conterminous with a county school
district ; or*

(b) In which a regional school district is located,



1 ➔ a certificate stating the total number of pupils enrolled during that
2 school year in ~~{the county}~~ *each such* school district.

3 2. On or before January 1 in any year in which a general
4 election is held, the Superintendent of Public Instruction shall file
5 with each clerk of a county ~~{whose}~~ :

6 (a) *Whose* boundaries are conterminous with a county school
7 district ; *or*

8 (b) *In which a regional school district is located,*

9 ➔ a certificate stating the number and offices of trustees of ~~{the~~
10 ~~county}~~ *each such* school district to be filled at the next general
11 election.

12 **Sec. 14.** NRS 386.180 is hereby amended to read as follows:

13 386.180 1. If the certificate of the Superintendent of Public
14 Instruction filed with the county clerk states that the pupil
15 enrollment during the preceding school year in a county school
16 district other than Clark or Washoe *or in a regional school district*
17 was less than 1,000, or was 1,000 or more but less than 1,500 in a
18 district in which the board of trustees has adopted a resolution in
19 accordance with NRS 386.120 *or section 4 of this act* specifying
20 that the board will consist of five members, and the board of trustees
21 of the district is composed of seven members elected at large based
22 upon a previous pupil enrollment of 1,000 or more, then two of the
23 offices of trustee may not be filled at the next succeeding general
24 election.

25 2. Thereafter, while continued pupil enrollment in the ~~{county}~~
26 school district is less than 1,000, or is 1,000 or more but less than
27 1,500 in a district in which the board of trustees has adopted a
28 resolution in accordance with NRS 386.120 *or section 4 of this act*
29 specifying that the board will consist of five members, the offices of
30 school trustees must be filled as provided by *applicable* law for
31 *county school districts or regional* school districts having pupil
32 enrollments of less than 1,000.

33 **Sec. 15.** NRS 386.205 is hereby amended to read as follows:

34 386.205 1. In any ~~{county}~~ school district in which not more
35 than 25,000 pupils are enrolled, the board of trustees may adopt a
36 resolution dividing the geographical area of the school district into a
37 number of election districts identical to the number of trustees.

38 2. The election districts must:

39 (a) Be single-member districts.

40 (b) Be formed with reference to assembly districts as far as is
41 practicable.

42 (c) Have nearly equal populations as far as is practicable.

43 3. This section does not authorize any change in the number of
44 members of the board of trustees.



4. If a board of trustees adopts a resolution pursuant to this section, the members of the board continue to hold office until the next following general election.

5. As used in this section, unless the context otherwise requires, "assembly district" means any district created pursuant to the provisions of chapter 218B of NRS for the election of members of the Assembly.

Sec. 16. NRS 386.215 is hereby amended to read as follows:

386.215 Copies of maps or other documents evidencing the division of the {county} school district into election districts pursuant to NRS 386.205 must be filed with the appropriate county clerk.

Sec. 17. NRS 386.225 is hereby amended to read as follows:

386.225 1. Election districts created pursuant to NRS 386.205 may be constructed so that the:

(a) Voters in each election district elect a trustee to represent them; or

(b) Trustees are elected by all of the voters in the {county} school district.

➡ In either case, each trustee must be a resident of the election district which he or she represents throughout his or her term of office.

2. The board of trustees shall adopt a resolution, after a public hearing on the matter, determining whether each trustee will be elected solely by the voters in the election district of the trustee or all of the voters in the {county} school district.

Sec. 18. NRS 386.240 is hereby amended to read as follows:

386.240 A candidate for the office of trustee of a school district shall:

1. Be a qualified elector.

2. Have the qualifications of residence within the {county} school district required for the office for which he or she seeks election.

Sec. 19. NRS 386.250 is hereby amended to read as follows:

386.250 A candidate for the office of trustee of a {county} school district must:

1. Be nominated in the manner provided by the primary election laws of this State; and

2. File a declaration of candidacy, as defined in NRS 293.0455, with the county clerk of the county ~~{whose boundaries are conterminous with the boundaries of the county}~~ **in which the school district is located.**

Sec. 20. NRS 386.310 is hereby amended to read as follows:

386.310 1. The board of trustees shall meet and organize by:

(a) Electing one of its members as president.



(b) Electing one of its members as clerk, or by selecting some other qualified person as clerk.

(c) Electing additional officers as may be deemed necessary.

(d) Fixing the term of office for each of its officers.

2. A record of the organization of the board of trustees must be entered in the minutes, together with the amount of salary to be paid to the clerk.

3. Immediately after the organization of the board of trustees, the clerk shall file the names of the president, the clerk and the members of the board of trustees with the Department and the county auditor of the county ~~{whose boundaries are coterminous with the boundaries of the county}~~ **in which the** school district ~~{}~~ **is located.**

Sec. 21. NRS 386.330 is hereby amended to read as follows:

386.330 1. The board of trustees shall hold a regular meeting at least once each month, at such time and place as the board shall determine.

2. Special meetings of the board of trustees shall be held at the call of the president whenever there is sufficient business to come before the board, or upon the written request of three members of the board.

3. The clerk of the board of trustees shall give written notice of each special meeting to each member of the board of trustees by personal delivery of the notice of the special meeting to each trustee at least 1 day before the meeting, or by mailing the notice to each trustee's residence of record, by deposit in the United States mails, postage prepaid, at least 4 days before the meeting. The notice shall specify the time, place and purpose of the meeting. If all of the members of the board of trustees are present at a special meeting, the lack of notice shall not invalidate the proceedings of the board of trustees.

4. A majority of the members of the board of trustees shall constitute a quorum for the transaction of business, and no action of the board of trustees shall be valid unless such action shall receive, at a regularly called meeting, the approval of a majority of all the members of the board of trustees.

5. In any county whose population is 55,000 or more, the board of trustees may cause each meeting of the board to be broadcast on a television station created to provide community access to cable television by using the facilities of the school district ~~{}~~ **or** county or :

(a) In the case of a county school district, any city located in the county ~~{}~~ **;** or

(b) In the case of a regional school district, any city or town located in the regional school district.



1 **6.** The board of trustees and the county or city **or town** shall
2 cooperate fully with each other to determine:

3 (a) The feasibility of televising the meetings of the board of
4 trustees;

5 (b) The costs to televise the meetings of the board of trustees for
6 each proposed method of televising; and

7 (c) The number of potential viewers of the meetings of the board
8 of trustees for each proposed method of televising.

9 **Sec. 22.** NRS 387.1213 is hereby amended to read as follows:

10 387.1213 1. The Education Stabilization Account is hereby
11 created in the State Education Fund. Except as otherwise provided
12 in subsections 3 and 4, each year after the close of the previous
13 fiscal year and before the issuance of the State Controller's annual
14 report, each ~~county~~ school district shall transfer from the ~~county~~
15 school district fund to the Education Stabilization Account any
16 amount by which the budgeted ending fund balance of the ~~county~~
17 school district fund exceeds 16.6 percent of the total budgeted
18 expenditures for the fund. The interest and income earned on the
19 money in the Account, after deducting any applicable charges, must
20 be credited to the Account.

21 2. Money transferred pursuant to subsection 1 to the Education
22 Stabilization Account is a continuing appropriation solely for the
23 purpose of authorizing the expenditure of the transferred money for
24 the purposes set forth in this section.

25 3. The balance in the Education Stabilization Account must not
26 exceed 15 percent of the total of all appropriations and
27 authorizations from the State Education Fund, excluding the
28 Education Stabilization Account, for the immediately preceding
29 fiscal year. Any money transferred to the Education Stabilization
30 Account which exceeds this amount must instead be transferred to
31 the State Education Fund.

32 4. If the Interim Finance Committee finds that:

33 (a) Upon submission of a request from the Department, the
34 actual enrollment growth for a fiscal year exceeds the projected
35 enrollment growth by an amount that the Interim Finance
36 Committee determines would make a transfer of money to the State
37 Education Fund necessary to fund the excess enrollment; or

38 (b) The collection of revenue in any fiscal year will result in the
39 State Education Fund receiving 97 percent or less of the money
40 authorized for expenditure from the State Education Fund,

41 ➔ the Committee shall by resolution establish an amount of money
42 to transfer from the Education Stabilization Account to the State
43 Education Fund and direct the State Controller to transfer that
44 amount to the State Education Fund. The State Controller shall
45 thereupon make the transfer.



5. The balance remaining in the State Education Fund, excluding the balance remaining in the Education Stabilization Account, that has not been committed for expenditure on or before June 30 of an odd-numbered fiscal year must be transferred to the Education Stabilization Account to the extent that such a transfer would not cause the balance in the Education Stabilization Account to exceed the limit established in subsection 3.

Sec. 23. NRS 387.1214 is hereby amended to read as follows:

387.1214 1. After a direct legislative appropriation is made to the State Education Fund from the State General Fund pursuant to NRS 387.1212, the Legislature shall determine the statewide base per pupil funding amount for each fiscal year of the biennium, which is the amount of money expressed on a per pupil basis for the projected enrollment of the public schools in this State, determined to be sufficient by the Legislature to fund the costs of all public schools in this State to operate and provide general education to all pupils for any purpose for which specific funding is not appropriated pursuant to paragraph (a), (b) or (e) of subsection 2 or NRS 387.122. It is the intent of the Legislature that the statewide base per pupil funding amount for any fiscal year, to the extent practicable, be not less than the statewide base per pupil funding amount for the immediately preceding fiscal year, adjusted by inflation, unless the amount of money contained in the State Education Fund, excluding the Education Stabilization Account, decreases from the preceding fiscal year. If the amount of money contained in the State Education Fund, excluding the Education Stabilization Account, decreases from the preceding fiscal year, it is the intent of the Legislature that a proportional reduction be made in both the statewide base per pupil funding amount and the weighted funding appropriated pursuant to paragraph (e) of subsection 2.

2. After a direct legislative appropriation is made to the State Education Fund from the State General Fund pursuant to NRS 387.1212, the money in the State Education Fund, excluding any amount of money in the Education Stabilization Account, must be appropriated as established by law for each fiscal year of the biennium for the following purposes:

(a) To each school district, an amount of money determined to be sufficient by the Legislature, when combined with any other resources available for this purpose, to provide food services and transportation for pupils and any other similar service that the Legislature deems appropriate.

(b) To each school district, charter school or university school for profoundly gifted pupils, an amount of money determined to be sufficient by the Legislature, when combined with any other



1 resources available for this purpose, to provide local funding to
2 support pupils with disabilities.

3 (c) To each school district, an amount of money determined to
4 be sufficient by the Legislature, when combined with any other
5 resources available for this purpose, to provide adjusted base per
6 pupil funding for each pupil estimated to be enrolled in the school
7 district.

8 (d) To each charter school or university school for profoundly
9 gifted pupils, an amount of money determined to be sufficient by the
10 Legislature, when combined with any other resources available for
11 this purpose, to provide:

12 (1) The statewide base per pupil funding amount for each
13 pupil estimated to be enrolled full-time in a program of distance
14 education provided by the charter school or university school for
15 profoundly gifted pupils; and

16 (2) Adjusted base per pupil funding for each pupil estimated
17 to be enrolled in the charter school or university school for
18 profoundly gifted pupils other than a pupil identified in
19 subparagraph (1).

20 (e) To each school district, charter school or university school
21 for profoundly gifted pupils, an amount of money determined to be
22 sufficient by the Legislature, when combined with any other
23 resources available for this purpose, to provide additional weighted
24 funding for each pupil estimated to be enrolled in the school district,
25 charter school or university school for profoundly gifted pupils who
26 is:

- 27 (1) An English learner;
28 (2) An at-risk pupil; or
29 (3) A gifted and talented pupil.

30 3. The adjusted base per pupil funding appropriated pursuant to
31 paragraph (c) of subsection 2 for each school district must be
32 determined by applying the cost adjustment factor established
33 pursuant to NRS 387.1215 which applies to the school district and
34 the attendance area adjustment established pursuant to NRS
35 387.1218 which applies to each applicable area of the school district
36 to the statewide base per pupil funding amount.

37 4. The adjusted base per pupil funding appropriated pursuant to
38 subparagraph (2) of paragraph (d) of subsection 2 for each charter
39 school or university school for profoundly gifted pupils must be
40 determined by applying the cost adjustment factor established
41 pursuant to NRS 387.1215 which applies to the charter school or
42 university school and, if applicable, the attendance area adjustment
43 established pursuant to NRS 387.1218 to the statewide base per
44 pupil funding amount.



5. The weighted funding appropriated pursuant to paragraph (e) of subsection 2 must be established separately for each category of pupils identified in that paragraph and expressed as a multiplier to be applied to the statewide base per pupil funding amount determined pursuant to subsection 1. A pupil who belongs to more than one category of pupils or for whom a school district, charter school or university school for profoundly gifted pupils is eligible to receive the statewide multiplier pursuant to NRS 387.122 must receive only the weighted funding for the single category to which the pupil belongs which has the largest multiplier or the statewide multiplier, whichever is larger. It is the intent of the Legislature that, to the extent practicable:

(a) The multiplier for each category of pupils for any fiscal year be not less than the multiplier for the immediately preceding fiscal year unless:

(1) The amount of money contained in the State Education Fund, excluding the Education Stabilization Account, decreases from the preceding fiscal year, in which event it is the intent of the Legislature that a proportional reduction be made in both the statewide base per pupil funding amount and the weighted funding appropriated pursuant to paragraph (e) of subsection 2; or

(2) The amount of money contained in the State Education Fund, excluding the Education Stabilization Account, increases from the preceding fiscal year but in an amount which, after funding the appropriations required by paragraphs (a) to (d), inclusive, of subsection 2, is insufficient to fund the multiplier for each category of pupils, in which event it is the intent of the Legislature that the remaining money in the State Education Fund be used to provide a multiplier for each category of pupils which is as close as practicable to the multiplier for the preceding fiscal year;

(b) The recommendations of the Commission for the multiplier for each category of pupils be considered and the multiplier for one category of pupils may be changed by an amount that is not proportional to the change in the multiplier for one or more other categories of pupils if the Legislature determines that a disproportionate need to serve the pupils in the affected category exists; and

(c) If the multipliers for all categories of pupils in a fiscal year are increased from the multipliers in the immediately preceding fiscal year, a proportional increase is considered for the statewide base per pupil funding amount.

6. For any money identified in subsection 4 of NRS 362.170 which is deposited to the credit of the State Education Fund:

(a) The amount of such money for the county from which the money was collected that does not exceed the total amount of



1 money appropriated pursuant to subsection 2 to ~~the county~~ a
2 school district *in that county* is deemed to be the first money
3 appropriated pursuant to subsection 2 for that ~~county~~ school
4 district.

5 (b) The amount of such money for *a school district in* the
6 county from which the money was collected which exceeds the total
7 amount of money appropriated pursuant to subsection 2 to the
8 ~~county~~ school district must be transferred to the ~~county~~ school
9 district and is hereby authorized for expenditure as a continuing
10 appropriation for the purpose of mitigating the adverse effects of the
11 cyclical nature of the industry of extracting and processing minerals
12 on the ability of the ~~county~~ school district to offer its pupils a
13 reasonably equal educational opportunity.

14 7. The weighted funding appropriated pursuant to paragraph (e)
15 of subsection 2:

16 (a) May not be used to settle or arbitrate disputes between a
17 recognized organization representing employees of a school district
18 or the governing body of a charter school and the school district or
19 governing body or to settle any negotiations; and

20 (b) May not be used to adjust the district-wide schedules of
21 salaries and benefits of the employees of a school district.

22 **Sec. 24.** NRS 387.1215 is hereby amended to read as follows:

23 387.1215 1. To account for variation between the counties of
24 this State in the cost of living and the cost of labor, the Department
25 shall establish by regulation cost adjustment factors for ~~the~~ *each*
26 school district located in, and each charter school that provides
27 classroom-based instruction in, each county of this State.

28 2. Not later than May 1 of each even-numbered year, the
29 Department shall review and determine whether revisions are
30 necessary to the cost adjustment factors for ~~the~~ *each* school district
31 located in each county of this State. The Department shall present
32 the review and any revisions at a meeting of the Joint Interim
33 Standing Committee on Education for consideration and
34 recommendations by the Committee. After the meeting, the
35 Department shall consider any recommendations of the Joint Interim
36 Standing Committee on Education, determine whether to include
37 those recommendations and adopt by regulation any revision to the
38 cost adjustment factors. The Department shall submit any revision
39 to the cost adjustment factors to each school district, the Governor
40 and the Director of the Legislative Counsel Bureau.

41 **Sec. 25.** NRS 387.124 is hereby amended to read as follows:

42 387.124 Except as otherwise provided in this section and NRS
43 387.1241, 387.1242 and 387.528:

44 1. On or before the first day of each month, the Superintendent
45 of Public Instruction shall apportion the State Education Fund



1 among the several ~~county~~ school districts, charter schools and
2 university schools for profoundly gifted pupils in amounts
3 approximating one-twelfth of their respective yearly apportionments
4 less any amount set aside as a reserve or contained in the Education
5 Stabilization Account. Except as otherwise provided in NRS
6 387.1244, the apportionment to a school district, computed on a
7 yearly basis, equals the amounts established by law for each school
8 year pursuant to paragraphs (a), (b), (c) and (e) of subsection 2 of
9 NRS 387.1214 for all pupils who attend a public school operated by
10 the school district . ~~located in the county.~~

11 2. Except as otherwise provided in NRS 387.1244, in addition
12 to the apportionments made pursuant to this section, if a pupil is
13 enrolled part-time in a program of distance education and part-time
14 in a:

15 (a) Public school other than a charter school, an apportionment
16 must be made to the school district in which the pupil resides. The
17 school district in which the pupil resides shall allocate a percentage
18 of the apportionment to the school district or charter school that
19 provides the program of distance education in the amount set forth
20 in the agreement entered into pursuant to NRS 388.854.

21 (b) Charter school, an apportionment must be made to the
22 charter school in which the pupil is enrolled. The charter school in
23 which the pupil is enrolled shall allocate a percentage of the
24 apportionment to the school district or charter school that provides
25 the program of distance education in the amount set forth in the
26 agreement entered into pursuant to NRS 388.858.

27 3. The Director of the State Department of Agriculture shall
28 apportion, on or before August 1 of each year, the money designated
29 as the "Nutrition State Match" pursuant to NRS 387.105 to those
30 school districts that participate in the National School Lunch
31 Program, 42 U.S.C. §§ 1751 et seq. The apportionment to a school
32 district must be directly related to the district's reimbursements for
33 the Program as compared with the total amount of reimbursements
34 for all school districts in this State that participate in the Program.

35 **Sec. 26.** NRS 387.170 is hereby amended to read as follows:

36 387.170 1. There is hereby created in each county treasury a
37 fund ~~for each school district in the county~~ to be designated as the
38 county school district fund ~~H~~ ~~or the regional school district fund,~~
39 ~~as applicable,~~ except as otherwise provided in subsection 2.

40 2. All money received by the county treasurer ~~for a school~~
41 ~~district~~ under the provisions of NRS 387.175 may be transferred to a
42 separate account established and administered by the board of
43 trustees of the ~~county~~ ~~applicable~~ school district under the
44 provisions of NRS 354.603.



Sec. 27. NRS 387.175 is hereby amended to read as follows:

387.175 ~~{The county}~~ A school district fund is composed of:

1. All money received from the Federal Government for the maintenance and operation of public schools.

2. Apportionments by this State as provided in NRS 387.124.

3. Any other receipts, including gifts, for the operation and maintenance of the public schools in the ~~{county}~~ school district.

Sec. 28. NRS 387.177 is hereby amended to read as follows:

387.177 1. There is hereby created in each county treasury or in a separate account, if established under NRS 354.603, a fund *for each school district in the county* to be designated as the county school district buildings and sites fund ~~{H}~~ *or the regional school district buildings and sites fund, as applicable.*

2. ~~{The county}~~ A school district buildings and sites fund shall be composed of:

(a) Receipts from the rentals and sales of school property.

(b) Gifts to the school district for any or all of the purposes enumerated in NRS 387.335.

(c) All moneys received from the Federal Government for the construction of school facilities.

3. Moneys in ~~{the county}~~ a school district buildings and sites fund may be expended by the board of trustees, notwithstanding such expenditures have not been budgeted in accordance with law, only for the purposes enumerated in NRS 387.335, and no others.

Sec. 29. NRS 387.180 is hereby amended to read as follows:

387.180 The board of trustees of each ~~{county}~~ school district shall pay all moneys received by it for school purposes into the county treasury at the end of each month to be placed to the credit of the ~~{county}~~ *applicable* school district fund or the ~~{county}~~ *applicable* school district buildings and sites fund as provided for in this chapter, except when the board of trustees of a ~~{county}~~ school district has elected to establish and administer a separate account under the provisions of NRS 354.603.

Sec. 30. NRS 387.185 is hereby amended to read as follows:

387.185 1. Except as otherwise provided in subsection 2 and NRS 387.528, unless the Superintendent of Public Instruction authorizes a withholding pursuant to NRS 387.1244, all school money due each ~~{county}~~ school district must be paid over by the State Treasurer to the county treasurer on or before the first day of each month or as soon thereafter as the county treasurer may apply for it, upon the warrant of the State Controller drawn in conformity with the apportionment of the Superintendent of Public Instruction or Director of the State Department of Agriculture as provided in NRS 387.124.



2. Except as otherwise provided in NRS 387.528, unless the Superintendent of Public Instruction authorizes a withholding pursuant to NRS 387.1244, if the board of trustees of a school district establishes and administers a separate account pursuant to the provisions of NRS 354.603, all school money due that school district must be paid over by the State Treasurer to the school district on or before the first day of each month or as soon thereafter as the school district may apply for it, upon the warrant of the State Controller drawn in conformity with the apportionment of the Superintendent of Public Instruction or Director of the State Department of Agriculture as provided in NRS 387.124.

3. No ~~county~~ school district may receive any portion of the public school money unless that school district has complied with the provisions of this title and regulations adopted pursuant thereto.

4. Except as otherwise provided in this subsection, unless the Superintendent of Public Instruction authorizes a withholding pursuant to NRS 387.1244, all school money due each charter school must be paid over by the State Treasurer to the governing body of the charter school on or before the first day of each month or as soon thereafter as the governing body may apply for it, upon the warrant of the State Controller drawn in conformity with the apportionment of the Superintendent of Public Instruction or Director of the State Department of Agriculture as provided in NRS 387.124. If the Superintendent of Public Instruction has approved, pursuant to subsection 2 of NRS 387.1241, a request for payment of an apportionment 30 days before the apportionment is otherwise required to be made, the money due to the charter school must be paid by the State Treasurer to the governing body of the charter school on such date.

5. Except as otherwise provided in this subsection, unless the Superintendent of Public Instruction authorizes a withholding pursuant to NRS 387.1244, all school money due each university school for profoundly gifted pupils must be paid over by the State Treasurer to the governing body of the university school on or before the first day of each month or as soon thereafter as the governing body may apply for it, upon the warrant of the State Controller drawn in conformity with the apportionment of the Superintendent of Public Instruction or Director of the State Department of Agriculture as provided in NRS 387.124. If the Superintendent of Public Instruction has approved, pursuant to NRS 387.1242, a request for payment of an apportionment 30 days before the apportionment is otherwise required to be made, the money due to the university school must be paid by the State Treasurer to the governing body of the university school on such date.



Sec. 31. NRS 387.195 is hereby amended to read as follows:

387.195 1. Each board of county commissioners shall levy a tax of 75 cents on each \$100 of assessed valuation of taxable property within the county for the support of the public schools.

2. The tax collected pursuant to subsection 1 on any assessed valuation attributable to the net proceeds of minerals must not be considered as available to pay liabilities of the fiscal year in which the tax is collected but must be deferred for use in the subsequent fiscal year.

3. In addition to any tax levied in accordance with subsection 1, each board of county commissioners shall levy a tax for the payment of interest and redemption of outstanding bonds of the ~~{county}~~ school ~~{district}~~ *districts in the county.*

4. The tax collected pursuant to subsection 1 and any interest earned from the investment of the proceeds of that tax must be remitted by the county treasurer to the State Treasurer for credit to the State Education Fund.

5. The tax collected pursuant to subsection 3 and any interest earned from the investment of the proceeds of that tax must be credited to the ~~{county school district's}~~ debt service fund ~~{ }~~ *of each school district in the county based on the proportion of the tax received for the property located in each school district.*

Sec. 32. NRS 387.205 is hereby amended to read as follows:

387.205 1. Subject to the provisions of subsection 3, money on deposit in ~~{the county}~~ a school district fund or in a separate account, if the board of trustees of a school district has elected to establish such an account pursuant to the provisions of NRS 354.603, must be used for:

(a) Maintenance and operation of the public schools controlled by the ~~{county}~~ school district.

(b) Payment of premiums for Nevada industrial insurance.

(c) Rent of schoolhouses.

(d) Construction, furnishing or rental of teacherages, when approved by the Superintendent of Public Instruction.

(e) Transportation of pupils, including the purchase of new buses.

(f) Programs of nutrition, if such expenditures do not curtail the established school program or make it necessary to shorten the school term, and each pupil furnished lunch whose parent or guardian is financially able so to do pays at least the actual cost of the lunch.

(g) Membership fees, dues and contributions to an interscholastic activities association.

(h) Repayment of a loan made from the State Permanent School Fund pursuant to NRS 387.526.



(i) Programs of education and projects relating to air quality pursuant to NRS 445B.500.

2. Money on deposit in ~~{the county}~~ a school district fund, or in a separate account, if the board of trustees of a school district has elected to establish such an account pursuant to the provisions of NRS 354.603, when available, may be used for:

(a) Purchase of sites for school facilities.

(b) Purchase of buildings for school use.

(c) Repair and construction of buildings for school use.

3. The board of trustees of a school district, in allocating the use of money pursuant to this section, shall prioritize expenditures in a manner which ensures that the budgetary priorities determined pursuant to NRS 387.301 are carried out.

Sec. 33. NRS 387.210 is hereby amended to read as follows:

387.210 Except when the board of trustees of a ~~{county}~~ school district elects to establish a separate account under the provisions of NRS 354.603, each county treasurer shall:

1. Receive and hold as a special deposit all public school moneys, whether received by the county treasurer from the State Treasurer or from any other source, and keep separate accounts thereof and of their disbursements.

2. Pay over all public school moneys received by the county treasurer only on warrants of the county auditor, issued upon orders of the board of trustees of the ~~{county}~~ school district. All orders issued in accordance with law by the board of trustees shall be valid vouchers in the hands of the county auditors for warrants drawn upon such orders.

Sec. 34. NRS 387.220 is hereby amended to read as follows:

387.220 1. If any county treasurer or county auditor fails or neglects to perform the duties required of him or her by NRS 354.603 and 387.210, the county treasurer or county auditor shall forfeit for the benefit of ~~{the county}~~ each school district fund *in the county* the sum of \$100 from his or her official compensation.

2. Upon notification by the Superintendent of Public Instruction of such a failure or neglect on the part of the county treasurer or county auditor, the board of county commissioners shall deduct \$100 from his or her official compensation and shall place the money to the credit of ~~{the county}~~ each school district fund *in the county*.

Sec. 35. NRS 387.300 is hereby amended to read as follows:

387.300 Boards of trustees of ~~{county}~~ school districts shall prepare budgets of the amounts of money estimated to be necessary to pay the expenses of conducting the public business of the school districts as provided in chapter 354 of NRS.



Sec. 36. NRS 387.320 is hereby amended to read as follows:

387.320 1. During each quarter of each school year, the clerk of the board of trustees of a ~~{county}~~ school district shall cause to be published a list of expenditures of the ~~{county}~~ school district made during the previous quarter school year. The published list of expenditures shall be in the form prescribed by the Superintendent of Public Instruction.

2. The publication required by subsection 1 shall be printed in some newspaper published and of general circulation in the county ~~{the boundaries of which are coterminous with the boundaries of the county}~~ *in which the* school district ~~{}~~ *is located*.

3. The newspaper described in subsection 2 must possess the qualifications prescribed in chapter 238 of NRS.

4. If no qualified newspaper is published within a county, then the required publication shall be printed in some qualified newspaper printed in the State of Nevada and having a general circulation within the county.

Sec. 37. NRS 387.328 is hereby amended to read as follows:

387.328 1. The board of trustees of each school district shall establish a fund for capital projects for the purposes set forth in subsection 1 of NRS 387.335. The money in the fund for capital projects may be transferred to the debt service fund to pay the cost of the school district's debt service.

2. The board of trustees may accumulate money in the fund for capital projects for a period not to exceed 20 years.

3. That portion of the governmental services tax whose allocation to ~~{the}~~ *a* school district pursuant to NRS 482.181 is based on the amount of the property tax levy attributable to its debt service must be deposited in the county treasury to the credit of the fund established under subsection 1 or the school district's debt service fund.

4. No money in ~~{the}~~ *a* fund for capital projects at the end of the fiscal year may revert to the ~~{county}~~ *related* school district fund, nor may the money be a surplus for any other purpose than those specified in subsection 1.

5. The proceeds of the taxes deposited in ~~{the}~~ *a* fund for capital projects pursuant to NRS 244.3354, 268.0962, 375.070, 377C.110 and 387.3288 and, in a county whose population is 100,000 or more but less than 700,000, the portion of the governmental services tax whose allocation to the school district pursuant to NRS 482.181 is based on the amount of the property tax levy attributable to its debt service may be pledged to the payment of the principal and interest on bonds or other obligations issued for one or more of the purposes set forth in NRS 387.335. The proceeds of such taxes so pledged may be treated as pledged revenues for the



purposes of subsection 3 of NRS 350.020, and the board of trustees of a school district may issue bonds for those purposes in accordance with the provisions of chapter 350 of NRS.

Sec. 38. NRS 387.3285 is hereby amended to read as follows:

387.3285 1. Upon the approval of a majority of the registered voters of a county voting upon the question at a general or special election, the board of county commissioners in each county with a school district whose enrollment is fewer than 25,000 pupils may levy a tax which, when combined with any tax imposed pursuant to NRS 387.3287, is not more than 75 cents on each \$100 of assessed valuation of taxable property within the county. The question submitted to the registered voters must contain the rate of the proposed additional property tax, stated in dollars and cents per \$100 assessed valuation, the purpose of the proposed additional property tax, the duration of the proposed additional property tax and an estimate established by the board of trustees of the increase in the amount of property taxes that an owner of a new home with a fair market value of \$100,000 will pay per year as a result of the passage of the question. The duration may not exceed 20 years.

2. Upon the approval of a majority of the registered voters of a county voting upon the question at a general or special election, the board of county commissioners in each county with a school district whose enrollment is 25,000 pupils or more may levy a tax which, when combined with any tax imposed pursuant to NRS 387.3287, is not more than 50 cents on each \$100 of assessed valuation of taxable property within the county. The question submitted to the registered voters must contain the rate of the proposed additional property tax, stated in dollars and cents per \$100 assessed valuation, the purpose of the proposed additional property tax, the duration of the proposed additional property tax and an estimate established by the board of trustees of the increase in the amount of property taxes that an owner of a new home with a fair market value of \$100,000 will pay per year as a result of the passage of the question. The duration may not exceed 20 years.

3. Any money collected pursuant to this section must be deposited in the county treasury to the credit of the ~~{fund}~~ **funds** for capital projects **of one or more school districts** to be held and, except as otherwise provided in NRS 387.3287, to be expended in the same manner as other money deposited in ~~{that fund.}~~ **such funds.**

4. A special election may be held:

(a) At any time, including, without limitation, on the date of a primary city election or a primary state election if the board of trustees of the school district determines, by a unanimous vote, that an emergency exists; or



(b) On the second Tuesday after the first Monday in June of an odd-numbered year, whether or not any local government also holds a general city election on that date.

5. The determination made by the board of trustees pursuant to subsection 4 that an emergency exists is conclusive unless it is shown that the board of trustees acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the board of trustees must be commenced within 15 days after the determination made by board of trustees is final. As used in this subsection, “emergency” means an unexpected occurrence or combination of occurrences that requires immediate action by the board of trustees of the school district to prevent or mitigate a substantial financial loss to the school district or to enable the board of trustees to provide an essential service.

Sec. 39. NRS 387.3287 is hereby amended to read as follows:

387.3287 1. Except as otherwise provided in subsections 4 and 5, upon the approval of a majority of the registered voters of a county voting upon the question, the board of county commissioners in each county may levy a separate tax pursuant to the provisions and subject to the limitations of NRS 387.3285.

2. Money raised pursuant to this section must be deposited in the county treasury to the credit of the ~~{fund}~~ **funds** for capital projects **of one or more school districts** and must be maintained in ~~{a}~~ separate budgetary ~~{account}~~ **accounts** for the replacement of capital assets. All interest and income earned on the money in ~~{the}~~ **an** account must be credited to ~~{the}~~ **that** account. Except as otherwise provided in subsection 3, money in ~~{the}~~ **an** account must only be expended for the renovation or replacement of depreciating capital assets of the ~~{county}~~ **applicable** school district.

3. Money raised pursuant to this section may be expended for the construction of new buildings for schools to accommodate community growth if the expenditure is approved by a majority of the registered voters of the county voting upon the question. An expenditure proposed pursuant to the provisions of this subsection must be submitted as a separate question to the voters on the ballot at a primary, general or special election.

4. The replacement value of the capital assets of a ~~{county}~~ school district must be determined by the board of trustees of the ~~{county}~~ school district before any property tax is levied pursuant to subsection 1. The replacement value may be redetermined before July 1 of each year to become effective for the purposes of this section on the first day of the next fiscal year.

5. The property tax authorized in subsection 1 may not be imposed or collected if the account for the replacement of capital assets contains revenue in an amount equal to or more than 30



percent of the replacement value of the capital assets of the ~~{county}~~ school ~~{district}~~ *districts in the county.*

Sec. 40. NRS 387.335 is hereby amended to read as follows:

387.335 1. The board of trustees of a ~~{county}~~ school district may issue its general obligations to raise money for the following purposes, and no others:

(a) Construction, design or purchase of new buildings for schools, including, but not limited to, teacherages, dormitories, dining halls, gymnasiums and stadiums.

(b) Enlarging, remodeling or repairing existing buildings or grounds for schools, including, but not limited to, teacherages, dormitories, dining halls, gymnasiums and stadiums.

(c) Acquiring sites for building schools, or additional real property for necessary purposes related to schools, including, but not limited to, playgrounds, athletic fields and sites for stadiums.

(d) Paying expenses relating to the acquisition of school facilities which have been leased by a school district pursuant to NRS 393.080.

(e) Purchasing necessary motor vehicles and other equipment to be used for the transportation of pupils or furniture and equipment for schools. If money from the issuance of general obligations is used to purchase vehicles and other equipment used for the transportation of pupils or furniture and equipment to replace existing vehicles and equipment or furniture and equipment, as applicable, and the existing vehicles and equipment or furniture and equipment subsequently are sold, the proceeds from the sale must be applied toward the retirement of those obligations.

2. Any one or more of the purposes enumerated in subsection 1 may, by order of the board of trustees entered in its minutes, be united and voted upon as one single proposition.

3. Any question submitted pursuant to this section and any question submitted pursuant to NRS 387.3285 may, by order of the board of trustees entered in its minutes, be united and voted upon as a single proposition.

Sec. 41. NRS 387.400 is hereby amended to read as follows:

387.400 The total bonded indebtedness of a ~~{county}~~ school district must at no time exceed an amount equal to 15 percent of the total of the last assessed valuation of taxable property, excluding motor vehicles, situated within the ~~{county}~~ school district.

Sec. 42. NRS 387.510 is hereby amended to read as follows:

387.510 1. Whenever a county is abolished as provided in Section 36 of Article IV of the Constitution of the State of Nevada and NRS 243.420 to 243.455, inclusive, the county school district whose boundaries are coterminous with the boundaries of the county abolished shall, by such action, also be abolished.



2. When all of the territory of an abolished county is included within the territory of an existing county, the territory of the abolished county school district shall be included within the county school district whose boundaries are conterminous with the boundaries of the existing county.

3. When all of the territory of an abolished county is included within the territory of two or more existing counties, the territory of the abolished county school district shall be included within the territory of the county school districts whose boundaries are conterminous with the boundaries of the existing counties.

4. When a portion of a county is detached and annexed to another county, that portion *of a county school district* so detached and annexed shall become a part of the county school district whose boundaries are conterminous with the boundaries of the county to which the portion *of the county school district* is annexed.

5. When territory is taken from one {county} school district and annexed to another, the territory becomes liable to taxation for the bonded indebtedness of the district to which it is annexed.

6. The State Board of Education shall, by order entered on its minutes, within 60 days after the changes, determine what proportion of the outstanding bonded indebtedness of the {county} school district, from which territory was taken, was incurred for the acquisition or improvement of school sites, buildings or fixtures situated in the territory transferred. The district to which the territory was annexed shall thereupon become liable for the proportion of the indebtedness so determined.

Sec. 43. NRS 387.531 is hereby amended to read as follows:

387.531 1. Notwithstanding the provisions of any other law, the boards of trustees of {county} school districts are encouraged, authorized and empowered to acquire any or all of the facilities or projects specified in subsection 1 of NRS 387.335 jointly, as money may be made available therefor, including, without limitation, proceeds of bonds issued pursuant to this chapter and gifts and grants from any source.

2. Subject to the provisions of NRS 387.541, each such {county} school district, acting by and through its board of trustees, is authorized and empowered, in its name and upon its behalf, to issue the school district's negotiable, coupon, general obligation bonds for defraying all or any part of the cost of the facility or project.

Sec. 44. NRS 387.541 is hereby amended to read as follows:

387.541 1. Bonds of any such {county} school district for the joint facility must not be issued unless:



(a) The bonds are approved by the debt management commission of the particular county pursuant to NRS 350.011 to 350.0165, inclusive; and

(b) The registered voters of each of the [county] school districts approve a proposal for the issuance of the bonds of the particular [county] school district pursuant to the provisions of this chapter.

2. If proposals for the issuance of each school district's general obligation bonds carry as provided in subsection 1, each school district, acting by and through its board of trustees, for the purpose of defraying all or any part of the cost of the joint facility or project, may borrow money and otherwise become obligated in the total authorized principal amount, and may issue within 6 years after the date of the election authorizing the issue, bonds and other securities of the [county] school district constituting its general obligations to evidence obligations, in accordance with the Local Government Securities Law.

3. This section does not prevent any [county] school district from funding, refunding or reissuing at any time any securities of the [county] school district pertaining to the facility or project as provided in the Local Government Securities Law, except as therein limited.

Sec. 45. NRS 387.551 is hereby amended to read as follows:

387.551 1. Subject to any contractual provisions between the [county] school districts, including, without limitation, a compact entered into pursuant to NRS 387.563, if applicable, such [county] school districts hereby are jointly and severally authorized and empowered to:

(a) Operate and maintain the facility or project upon its completion;

(b) Extend, better, alter, reconstruct, repair and otherwise improve the facility or project;

(c) Equip and reequip the facility or project;

(d) Sell, lease, exchange, transfer, assign or otherwise dispose of property pertaining to the facility or project which no longer is necessary or desirable for use in connection therewith;

(e) Insure or provide for public liability insurance, property damage insurance and other insurance for the facility or project, or any part thereof, or any activity in connection therewith, against such risks and hazards as either or both [county] school districts may deem advisable;

(f) Receive, control, invest and order the expenditure of any money pertaining to the facility or project;

(g) Arrange or contract for the furnishing by any person or agency, public or private, of services, privileges, works or facilities for, or in connection with, the facility, and to assign, reassign and



1 transfer any personnel of either ~~county~~ school district for the
2 performance of duties in connection with the facility or project;

3 (h) Make available for temporary use or otherwise dispose of
4 any machinery, equipment, facilities and other property for the
5 facility or project;

6 (i) Make and keep records in connection with the facility or
7 project;

8 (j) Arbitrate any differences arising in connection with the
9 facility or project;

10 (k) Commence, defend, conduct, terminate by settlement or
11 otherwise, and otherwise participate in any litigation or other court,
12 judicial or quasi-judicial action, by suit, action, mandamus or other
13 proceedings, concerning the facility or project;

14 (l) Use for or in connection with the facility or project money,
15 land and other real and personal property legally available therefor
16 of either ~~county~~ school district not originally acquired therefor;

17 (m) Levy and collect from year to year for use for or in
18 connection with the facility or project general (ad valorem) property
19 taxes in the manner provided by law, including, without limitation,
20 the payment of indebtedness incurred therefor;

21 (n) Budget and appropriate, and each ~~county~~ school district is
22 hereby required and directed to budget and appropriate, from time to
23 time, general (ad valorem) tax proceeds and other revenues legally
24 available therefor to pay all obligations arising from the exercise of
25 any powers herein granted as such obligations shall accrue and
26 become due;

27 (o) Make contracts and execute all instruments necessary or
28 convenient, including, without limitation, contracts with the Federal
29 Government and the State;

30 (p) Acquire any construction work, improvement or
31 improvements of any nature in connection with the facility or
32 project in the manner provided by law;

33 (q) Prescribe and enforce reasonable rules and regulations for
34 the use of the facility or project;

35 (r) Provide for an agency, by any agreement authorized in NRS
36 387.531 to 387.591, inclusive, to administer or execute that or any
37 collateral agreement, which agency may be one of the parties to the
38 agreement, or an advisory council, a commission or a board
39 constituted pursuant to the agreement;

40 (s) Provide that any such agency shall possess the common
41 power specified in the agreement, and may exercise it in the manner
42 or according to the method provided in the agreement, but such
43 power is subject to the restrictions upon the manner of exercising
44 the power of any one of the contracting parties as designated by the
45 agreement;



(t) Continue any agreement herein authorized for a definite term not exceeding 50 years, or until rescinded or terminated, which agreement may provide for the method by which it may be rescinded or terminated by any party;

(u) Exercise all or any part or combination of the powers herein granted; and

(v) Do and perform any and all other acts and things necessary, convenient, desirable or appropriate to carry out the provisions of NRS 387.531 to 387.591, inclusive, and to have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted in NRS 387.531 to 387.591, inclusive.

2. The specific powers in subsection 1 must not be considered as a limitation upon any power necessary, convenient, desirable or appropriate to carry out the purposes and intent of NRS 387.531 to 387.591, inclusive.

Sec. 46. NRS 387.561 is hereby amended to read as follows:

387.561 In addition to a compact entered into pursuant to NRS 387.563, if applicable, ~~county~~ school districts may from time to time enter into agreements, short-term and long-term, but not exceeding a term of 50 years, with each other concerning the facility or project, including, without limitation:

1. Agreements concerning any power granted to either or both by NRS 387.531 to 387.591, inclusive, the exercise of such powers, and conditions and limitations thereupon.

2. A contract allocating a portion of the facilities or project to the exclusive use and control of any party thereto.

3. A contract concerning the construction and equipment of the joint facility or project, the plans and specifications therefor, and the work and materials incidental thereto, including, without limitation, the acquisition or improvement of the site therefor, or both.

4. A contract for the ownership, care, custody, control, improvement, operation and maintenance of the facility or project after its acquisition and for defraying expenses incurred therefor.

5. A contract concerning the appointment of personnel for the facility or project.

6. A contract providing for rules, regulations and orders for the use by the public, and charges, if any, therefor.

7. A contract for the allocation between the ~~county~~ school districts of the total utilization of the facility or project, the method of effecting such allocation, and delineating the rights, if any, of leasing any space in the facility or project and any facilities pertaining thereto, and the manner in which any real property, equipment, and other personal property must be disposed of during or at the end of any contract term in the absence of subsequent agreement thereabout.



8. A contract concerning the maintenance of records of and for the facility or project, the termination of the joint operation and maintenance of the facility or project, and other legal, financial and administrative arrangements to effect the joint operation and maintenance of the facility or project and its disposal in an orderly and equitable manner.

Sec. 47. NRS 387.571 is hereby amended to read as follows:

387.571 All of the powers, privileges, immunities and rights, exemptions from laws and rules, all retirement, relief, disability, industrial insurance and other benefits which apply to the activity of officers, agents or employees of the ~~county~~ school district employing them when performing their respective functions within the territorial limits of such political subdivision apply to them to the same degree and extent while engaged in the performance of any of their functions and duties, extraterritorially or otherwise, pursuant to any contract made under the provisions of NRS 387.531 to 387.591, inclusive, and pursuant to a compact entered into pursuant to NRS 387.563, if applicable, or otherwise, in connection with the facility or project and any activity pertaining thereto.

Sec. 48. NRS 387.581 is hereby amended to read as follows:

387.581 The exercise of any power authorized in NRS 387.531 to 387.591, inclusive, upon behalf of any ~~county~~ school district by its board of trustees has been determined, and is hereby declared, to effect a public purpose, and the facility or project, as authorized, effects a public purpose.

Sec. 49. NRS 387.591 is hereby amended to read as follows:

387.591 1. The provisions of NRS 387.531 to 387.591, inclusive, being necessary to secure and preserve the public health, safety, convenience and welfare, shall be liberally construed to effect their purpose.

2. Nothing contained in the provisions of NRS 387.531 to 387.591, inclusive, shall be construed as preventing the exercise of any power granted to either such ~~county~~ school district or any officer, agent or employee thereof, by any other law.

Sec. 50. NRS 388.080 is hereby amended to read as follows:

388.080 1. Except as otherwise provided in subsection 2, the public school year commences on the 1st day of July and ends on the last day of June.

2. After notification to the Superintendent of Public Instruction that an extended school year program will be operative, any ~~county~~ school district may request extension of the school year beyond the last day of June for each year of such program.



Sec. 51. NRS 388.532 is hereby amended to read as follows:

388.532 1. The State Board in cooperation with the board of trustees of the various [county] school districts shall develop for pupils in the first through eighth grades:

(a) Programs designed to reduce the number of pupils who drop out of school; and

(b) Programs for the prevention of alcohol and other substance use disorders.

2. The State Board in cooperation with the board of trustees of the various [county] school districts may seek the cooperation of private industry in developing for pupils in all grades programs and activities designed to reduce the number of pupils who participate in the activities of criminal gangs, as defined in NRS 213.1263.

Sec. 52. NRS 389.160 is hereby amended to read as follows:

389.160 1. A pupil enrolled in high school, including, without limitation, a pupil enrolled in grade 9, 10, 11 or 12 in a charter school or a pupil enrolled in a program designed to meet the requirements of an adult standard diploma, who successfully completes a course of education offered by a community college, state college or university in this State which has been approved pursuant to subsection 2, must be allowed to apply the credit received for the course so completed to the total number of credits required for graduation from the high school or the charter school in which the pupil is enrolled or the credits required for receipt of an adult standard diploma, as applicable.

2. With the approval of the State Board, the board of trustees of each [county] school district and the governing body of each charter school shall prescribe the courses for which credits may be received pursuant to subsection 1, including occupational courses for academic credit, and the amount of credit allowed for the completion of those courses.

3. The State Board must not unreasonably limit the number of dual credit courses in which a pupil may enroll or for which a pupil may receive credit.

Sec. 53. NRS 391.033 is hereby amended to read as follows:

391.033 1. All licenses for teachers and other educational personnel are granted by the Superintendent of Public Instruction pursuant to regulations adopted by the Commission and as otherwise provided by law.

2. An application for the issuance of a license must include the social security number of the applicant.

3. Every applicant for a license must submit with his or her application:

(a) A complete set of his or her fingerprints and written permission authorizing the Superintendent to forward the



1 fingerprints to the Central Repository for Nevada Records of
2 Criminal History for its initial report on the criminal history of the
3 applicant and for reports thereafter upon renewal of the license
4 pursuant to subsection 8 of NRS 179A.075, and for submission to
5 the Federal Bureau of Investigation for its report on the criminal
6 history of the applicant; and

7 (b) Written authorization for the Superintendent to obtain any
8 information concerning the applicant that may be available from the
9 Statewide Central Registry and any equivalent registry maintained
10 by a governmental entity in a jurisdiction in which the applicant has
11 resided within the immediately preceding 5 years.

12 4. In conducting an investigation into the background of an
13 applicant for a license, the Superintendent may cooperate with any
14 appropriate law enforcement agency to obtain information relating
15 to the criminal history of the applicant, including, without
16 limitation, any record of warrants for the arrest of or applications for
17 protective orders against the applicant.

18 5. The Superintendent may issue a provisional license pending
19 receipt of the reports of the Federal Bureau of Investigation and the
20 Central Repository for Nevada Records of Criminal History if the
21 Superintendent determines that the applicant is otherwise qualified.

22 6. Except as otherwise provided in subsection 8, a license must
23 be issued to, or renewed for, as applicable, an applicant if:

24 (a) The Superintendent determines that the applicant is
25 qualified;

26 (b) The information obtained by the Superintendent pursuant to
27 subsections 3 and 4:

28 (1) Does not indicate that the applicant has been convicted of
29 a felony or any offense involving moral turpitude or indicates that
30 the applicant has been convicted of a felony or an offense involving
31 moral turpitude but the Superintendent determines that the
32 conviction is unrelated to the position within the ~~county~~ school
33 district or charter school for which the applicant applied or for
34 which he or she is currently employed, as applicable;

35 (2) Does not indicate that there has been a substantiated
36 report of abuse or neglect of a child, as defined in NRS 432B.020,
37 or a violation of NRS 201.540, 201.560, 392.4633 or 394.366 made
38 against the applicant in any state; and

39 (3) Does not indicate that the applicant has a warrant for his
40 or her arrest; and

41 (c) For initial licensure, the applicant submits the statement
42 required pursuant to NRS 391.034.

43 7. If, pursuant to subparagraph (2) of paragraph (b) of
44 subsection 6, the information indicates that a substantiated report



1 has been made against the applicant in any state, the Superintendent
2 shall:

- 3 (a) Suspend the application process;
- 4 (b) Notify the applicant of the substantiated report; and
- 5 (c) Provide the applicant an opportunity to rebut the
6 substantiated report.

7 8. The Superintendent may deny an application for a license
8 pursuant to this section if:

- 9 (a) A report on the criminal history of the applicant from the
10 Federal Bureau of Investigation or the Central Repository for
11 Nevada Records of Criminal History indicates that the applicant has
12 been arrested for or charged with a sexual offense involving a minor
13 or pupil, including, without limitation, any attempt, solicitation or
14 conspiracy to commit such an offense; and

- 15 (b) The Superintendent provides to the applicant:

- 16 (1) Written notice of his or her intent to deny the application;
17 and

- 18 (2) An opportunity for the applicant to have a hearing.

19 9. To request a hearing pursuant to subsection 8, an applicant
20 must submit a written request to the Superintendent within 15 days
21 after receipt of the notice by the applicant. Such a hearing must be
22 conducted in accordance with regulations adopted by the State
23 Board. If no request for a hearing is filed within that time, the
24 Superintendent may deny the license.

25 10. If the Superintendent denies an application for a license
26 pursuant to this section, the Superintendent must, within 15 days
27 after the date on which the application is denied, provide notice of
28 the denial to the school district or charter school that employs the
29 applicant if the applicant is employed by a school district or charter
30 school. Such a notice must not state the reasons for denial.

31 11. The Department shall:

- 32 (a) Maintain a list of the names of persons whose applications
33 for a license are denied due to conviction of a sexual offense
34 involving a minor;

- 35 (b) Update the list maintained pursuant to paragraph (a)
36 monthly; and

- 37 (c) Provide this list to the board of trustees of a school district or
38 the governing body of a charter school upon request.

39 12. The Superintendent shall forward all information obtained
40 from an investigation of an applicant pursuant to subsections 3 and 4
41 to the board of trustees of a school district, the governing body of a
42 charter school or university school for profoundly gifted pupils or
43 the administrator of a private school where the applicant is
44 employed or seeking employment. Except as otherwise provided in
45 this section, any information shared with the board of trustees of



1 a school district, the governing body of a charter school or
2 university school for profoundly gifted pupils or the administrator of
3 a private school is confidential and must not be disclosed to any
4 person other than the applicant. The board of trustees, governing
5 body or administrator, as applicable, may use a substantiated report
6 of the abuse or neglect of a child, as defined in NRS 392.281, or a
7 violation of NRS 201.540, 201.560, 392.4633 or 394.366 obtained
8 from the Statewide Central Registry or an equivalent registry
9 maintained by a governmental agency in another jurisdiction:

10 (a) In making determinations concerning assignments, requiring
11 retraining, imposing discipline, hiring or termination; and

12 (b) In any proceedings to which the report is relevant, including,
13 without limitation, an action for trespass or a restraining order.

14 13. The Superintendent, the board of trustees of a school
15 district, the governing body of a charter school or university school
16 for profoundly gifted pupils or the administrator of a private
17 school may not be held liable for damages resulting from any action
18 of the Superintendent, board of trustees, governing body or
19 administrator, as applicable, authorized by subsection 4 or 12.

20 14. The Superintendent may enter into reciprocal agreements
21 with appropriate officials of other countries concerning the licensing
22 of teachers.

23 15. As used in this section, "sexual offense" has the meaning
24 ascribed to it in NRS 179D.097.

25 **Sec. 54.** NRS 391.230 is hereby amended to read as follows:

26 391.230 1. Except as otherwise provided in subsection 3,
27 upon the opening of any public school in this state, every teacher
28 and other licensed employee employed for that school shall file with
29 the superintendent of the {county} school district a Nevada license
30 entitling the holder to teach or perform other educational functions
31 in the school in which he or she will be employed, and any other
32 report that the Superintendent of Public Instruction requires.

33 2. The superintendent of the {county} school district shall
34 acknowledge the receipt of each license and shall make a proper
35 record thereof in the superintendent's office. The license must
36 remain on file and be safely kept in the office of the superintendent
37 of the {county} school district.

38 3. This section does not apply to unlicensed teachers who are
39 employed by a charter school.

40 **Sec. 55.** NRS 391.330 is hereby amended to read as follows:

41 391.330 1. The State Board may suspend or revoke the
42 license of any teacher, administrator or other licensed employee, or
43 may issue a letter of reprimand to any teacher, administrator or other
44 licensed employee, after notice and an opportunity for hearing have
45 been provided pursuant to NRS 391.322 and 391.323, for:



- 1 (a) Unprofessional conduct.
- 2 (b) Immorality, as defined in NRS 391.650.
- 3 (c) Evident unfitness for service.
- 4 (d) Physical or mental incapacity which renders the teacher,
- 5 administrator or other licensed employee unfit for service.
- 6 (e) Conviction of a felony or crime involving moral turpitude.
- 7 (f) Conviction of a sex offense under NRS 200.366, 200.368,
- 8 201.190, 201.220, 201.230, 201.540 or 201.560 in which a pupil
- 9 enrolled in a school of a [county] school district was the victim.
- 10 (g) Knowingly advocating the overthrow of the Federal
- 11 Government or of the State of Nevada by force, violence or
- 12 unlawful means.
- 13 (h) Persistent defiance of or refusal to obey the regulations of
- 14 the State Board, the Commission or the Superintendent of Public
- 15 Instruction, defining and governing the duties of teachers,
- 16 administrators and other licensed employees.
- 17 (i) Breaches in the security or confidentiality of the questions
- 18 and answers of the examinations that are administered pursuant to
- 19 NRS 390.105 and the college and career readiness assessment
- 20 administered pursuant to NRS 390.610.
- 21 (j) Intentional failure to observe and carry out the requirements
- 22 of a plan to ensure the security of examinations and assessments
- 23 adopted pursuant to NRS 390.270 or 390.275.
- 24 (k) An intentional violation of NRS 388.497 or 388.499.
- 25 (l) Knowingly and willfully failing to comply with the
- 26 provisions of NRS 388.1351.
- 27 (m) A substantiated report of abuse or neglect of a child, as
- 28 defined in NRS 432B.020, or a violation of NRS 201.540, 201.560,
- 29 392.4633 or 394.366 made against the applicant in any state.
- 30 2. The State Board shall adopt regulations governing the
- 31 process by which a letter of reprimand may be issued to a teacher,
- 32 administrator or other licensed employee pursuant to this section,
- 33 including, without limitation, regulations concerning the time period
- 34 during which a letter of reprimand will remain on the record of the
- 35 teacher, administrator or other licensed employee.
- 36 3. A teacher, administrator or other licensed employee whose
- 37 license is suspended pursuant to this section:
- 38 (a) May apply to reinstate his or her license after the period of
- 39 suspension, as determined by the State Board, is completed; and
- 40 (b) If he or she applies to reinstate his or her license pursuant to
- 41 paragraph (a), shall:
- 42 (1) Submit a new application for licensure to the Department;
- 43 and
- 44 (2) Pay the appropriate fee for licensure.



4. A teacher, administrator or other licensed employee whose license is revoked may not apply to reinstate his or her license and the Department shall not grant a new license to such a person.

Sec. 56. NRS 392.035 is hereby amended to read as follows:

392.035 1. In determining the mobility of pupils in a school, for any purpose, the Department shall divide the sum of the following numbers by the cumulative enrollment in the school:

(a) The number of late entries or transfers into a school from another school, school district or state, after the beginning of the school year;

(b) The number of pupils reentering the school after having withdrawn from the same school; and

(c) The number of pupils who withdraw for any reason or who are dropped for nonattendance.

2. To determine the cumulative enrollment of the school pursuant to subsection 1, the Department shall add the total number of pupils enrolled in programs of instruction in the school who are included in the count for apportionment purposes pursuant to paragraphs (a) to (d), inclusive, (f) and (g) of subsection 1 of NRS 387.123 and the number of pupils included in paragraphs (a) and (b) of subsection 1.

3. The Department shall develop and distribute to the ~~county~~ school districts a form upon which the information necessary to the formula may be submitted by the individual schools.

Sec. 57. NRS 392.126 is hereby amended to read as follows:

392.126 1. There is hereby created in each county at least one advisory board to review school attendance. The membership of each such board may consist of:

(a) One probation officer in the county who works on cases relating to juveniles, appointed by the judge or judges of the juvenile court of the county;

(b) One representative of a law enforcement agency in the county who works on cases relating to juveniles, appointed by the judge or judges of the juvenile court of the county;

(c) One representative of the district attorney for the county, appointed by the district attorney;

(d) One parent or legal guardian of a pupil who is enrolled in a public school in the county, or his or her designee or alternate who is also a parent or legal guardian, appointed by the president of the board of trustees of the school district;

(e) One member of the board of trustees of the ~~county~~ school district, appointed by the president of the board of trustees;

(f) One school counselor or school teacher employed by the ~~county~~ school district, appointed by an organization or association that represents licensed educational personnel in the school district;



(g) One deputy sheriff in the county, appointed by the sheriff of the county; and

(h) One representative of the agency which provides child welfare services, as defined in NRS 432B.030.

2. The members of each such board shall elect a chair from among their membership.

3. Each member of such a board must be appointed for a term of 2 years. A vacancy in the membership of the board must be filled in the same manner as the original appointment for the remainder of the unexpired term.

4. Each member of such a board serves without compensation, except that, for each day or portion of a day during which a member of the board attends a meeting of the board or is otherwise engaged in the business of the board, the member is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally. The board of trustees of the *county* school district shall pay the per diem allowance and travel expenses from the general fund of the *county* school district.

Sec. 58. NRS 392.127 is hereby amended to read as follows:

392.127 The board of trustees of each *county* school district shall provide administrative support to each advisory board to review school attendance created in its county pursuant to NRS 392.126.

Sec. 59. NRS 392.128 is hereby amended to read as follows:

392.128 1. Each advisory board to review school attendance created pursuant to NRS 392.126 shall:

(a) Review the records of the attendance and truancy of pupils submitted to the advisory board to review school attendance by the board of trustees of ~~the~~ *each* school district *in the county* or the State Public Charter School Authority or a college or university within the Nevada System of Higher Education that sponsors a charter school pursuant to subsection 3 of NRS 385A.240;

(b) Identify factors that contribute to the truancy of pupils in the school ~~district~~ *districts in the county*;

(c) Establish programs to reduce the truancy of pupils in the school ~~district~~ *districts in the county*, including, without limitation, the coordination of services available in the community to assist with the intervention, diversion and discipline of pupils who are truant;

(d) At least annually, evaluate the effectiveness of those programs;

(e) Establish a procedure for schools and school districts for the reporting of the status of pupils as habitual truants; and

(f) Inform the parents and legal guardians of the pupils who are enrolled in the schools within the ~~district~~ *districts in the county* of



1 the policies and procedures adopted pursuant to the provisions of
2 this section.

3 2. The chair of an advisory board may divide the advisory
4 board into subcommittees. The advisory board may delegate one or
5 more of the duties of the advisory board to a subcommittee of the
6 advisory board, including, without limitation, holding hearings
7 pursuant to NRS 392.147. If the chair of an advisory board divides
8 the advisory board into subcommittees, the chair shall notify the
9 board of trustees of the **county** school district of this action. Upon
10 receipt of such a notice, the board of trustees shall establish rules
11 and procedures for each such subcommittee. A subcommittee shall
12 abide by the applicable rules and procedures when it takes action or
13 makes decisions.

14 3. An advisory board to review school attendance may work
15 with a family resource center or other provider of community
16 services to provide assistance to pupils who are truant. The advisory
17 board shall identify areas within the school ~~{district}~~ **districts in the**
18 **county** in which community services are not available to assist
19 pupils who are truant. As used in this subsection, “family resource
20 center” has the meaning ascribed to it in NRS 430A.040.

21 4. An advisory board to review school attendance created in a
22 county pursuant to NRS 392.126 may use money appropriated by
23 the Legislature and any other money made available to the advisory
24 board for the use of programs to reduce the truancy of pupils in the
25 school ~~{district}~~ **districts in the county**. The advisory board to
26 review school attendance shall, on a quarterly basis, provide to the
27 board of trustees of the **county** school district an accounting of the
28 money used by the advisory board to review school attendance to
29 reduce the truancy of pupils in the school ~~{district}~~ **districts in the**
30 **county**.

31 **Sec. 60.** NRS 392.147 is hereby amended to read as follows:

32 392.147 1. If an advisory board to review school attendance
33 receives a written referral of a pupil pursuant to NRS 392.146, the
34 advisory board shall set a date, time and place for a hearing. The
35 pupil and the pupil’s parents or legal guardian shall attend the
36 hearing held by the advisory board. The hearing must be closed to
37 the public. The chair of an advisory board to review school
38 attendance may request that subpoenas for a hearing conducted
39 pursuant to this section be issued to:

40 (a) The parent or legal guardian of a pupil who has been referred
41 to the advisory board or any other person that the advisory board
42 considers necessary to the hearing.

43 (b) A pupil who has been referred to the advisory board.

44 2. If a pupil and the pupil’s parents or legal guardian do not
45 attend the hearing, the chair of the advisory board shall:



(a) Report the pupil to an attendance officer, a school police officer or the appropriate local law enforcement agency for investigation and issuance of a citation, if warranted in accordance with NRS 392.149; or

(b) Refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148.

3. If an advisory board to review school attendance determines that the status of a pupil as a habitual truant can be adequately addressed through participation by the pupil in programs and services available in the community, the advisory board shall order the pupil to participate in such programs and services. If the pupil does not agree to participate in such programs and services, the chair of the advisory board shall report the pupil to an attendance officer, a school police officer or the appropriate local law enforcement agency for investigation and issuance of a citation, if warranted in accordance with NRS 392.149, or refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148. If the pupil agrees to participate in such programs and services, the advisory board, the pupil and the parents or legal guardian of the pupil shall enter into a written agreement that:

(a) Sets forth the findings of the advisory board;

(b) Sets forth the terms and conditions of the pupil's participation in the programs and services designated by the advisory board; and

(c) Adequately informs the pupil and the pupil's parents or legal guardian that if the pupil or his or her parents or legal guardian do not comply with the terms of the written agreement, the chair of the advisory board is legally obligated to report the pupil to an attendance officer, a school police officer or the appropriate local law enforcement agency for investigation and issuance of a citation, if warranted in accordance with NRS 392.149, or refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148.

➤ The parents or legal guardian of the pupil shall, upon the request of the advisory board, provide proof satisfactory to the advisory board that the pupil is participating in the programs and services set forth in the written agreement.

4. The chair of an advisory board to review school attendance shall report a pupil to an attendance officer, a school police officer or the appropriate local law enforcement agency or refer the pupil for the imposition of administrative sanctions in accordance with NRS 392.148 if:

(a) The pupil and the pupil's parents or legal guardian fail to attend a hearing set by the advisory board pursuant to subsection 1;



(b) The advisory board determines that the status of a pupil as a habitual truant cannot be adequately addressed by requiring the pupil to participate in programs and services available in the community;

(c) The pupil does not consent to participation in programs and services pursuant to subsection 3; or

(d) The pupil or the pupil's parents or legal guardian violates the terms of the written agreement entered into pursuant to subsection 3.

5. If the chair of an advisory board makes a report to an attendance officer, a school police officer or the local law enforcement agency pursuant to subsection 4, the chair shall:

(a) Submit to the attendance officer, school police officer or law enforcement agency, as applicable, written documentation of all efforts made by the advisory board to address the status of the pupil as a habitual truant; and

(b) Make recommendations to the attendance officer, school police officer or law enforcement agency, as applicable, regarding the appropriate disposition of the case.

6. If the chair of an advisory board refers a pupil for the imposition of administrative sanctions pursuant to subsection 4, the chair shall:

(a) Provide written documentation of all efforts made by the advisory board to address the status of the pupil as a habitual truant; and

(b) Make recommendations regarding the appropriate disposition of the case.

7. If the parents or legal guardian of a pupil enter into a written agreement pursuant to this section, the parents or legal guardian may appeal to the board of trustees of the school district *in which the pupil is enrolled* a determination made by the advisory board concerning the contents of the written agreement. Upon receipt of such a request, the board of trustees of the school district shall review the determination in accordance with the procedure established by the board of trustees for such matters.

8. The board of trustees of each school district shall adopt policies and rules to protect the confidentiality of the deliberations, findings and determinations made by an advisory board and information concerning a pupil and the family of a pupil. An advisory board shall not disclose information concerning the records of a pupil or services provided to a pupil or the pupil's family unless the disclosure is specifically authorized by statute or by the policies and rules of the board of trustees *of the school district in which the pupil is enrolled* and is necessary for the advisory board to carry out its duties.



Sec. 61. NRS 392.149 is hereby amended to read as follows:

392.149 1. Upon receipt of a report pursuant to NRS 392.144 or 392.147, if it appears after investigation that a pupil is a habitual truant, the attendance officer, school police officer or law enforcement agency to whom the report is made shall prepare manually or electronically a citation directing the pupil to appear in the proper juvenile court.

2. A copy of the citation must be delivered to the pupil and to the parent, guardian or any other person who has control or charge of the pupil by:

(a) The local law enforcement agency;

(b) A school police officer employed by the board of trustees of the school district ~~H~~ *in which the pupil is enrolled*; or

(c) An attendance officer appointed by the board of trustees of the school district ~~H~~ *in which the pupil is enrolled*.

3. The citation must be in the form prescribed for misdemeanor citations in NRS 171.1773.

4. The provisions of this section apply to all pupils who are required to attend school pursuant to NRS 392.040.

Sec. 62. NRS 392.850 is hereby amended to read as follows:

392.850 1. The board of trustees of a ~~county~~ school district, or its designee, shall inform each employee of the district, including teachers, other licensed employees, drivers of school buses, instructional aides and office managers, who may have consistent contact with a pupil if that pupil has, within the preceding 3 years, unlawfully caused or attempted to cause serious bodily injury to any person. The district shall provide this information based upon any written records that the district maintains or which it receives from a law enforcement agency or a court. The district need not initiate a request for such information from any source.

2. A school district and the members of its board of trustees are not liable for failure strictly to comply with this section if a good faith effort to comply is made.

3. Except as otherwise provided in NRS 239.0115, any information received by an employee pursuant to this section is confidential and must not be further disseminated by the employee.

Sec. 63. NRS 393.092 is hereby amended to read as follows:

393.092 1. The board of trustees of a *county* school district in a county whose population is 100,000 or more shall establish an oversight panel for school facilities, consisting of 11 members selected as follows:

(a) Six members who are elected representatives of local government, to be determined as follows:

(1) One member of the board of county commissioners appointed by a majority vote of the board of county commissioners;



(2) One member of the governing body of each incorporated city in the county, each of whom is appointed by a majority vote of the governing body of which he or she is a member; and

(3) If the membership determined pursuant to subparagraphs (1) and (2) is less than six, one additional member of the board of county commissioners appointed by a majority vote of the board of county commissioners and, if applicable, additional members of the governing bodies of incorporated cities in the county, each of whom must be appointed by a majority vote of the governing body of which he or she is a member, until six members have been appointed. If the membership determined pursuant to this paragraph would result in an unequal number of representatives among the incorporated cities, the membership of the incorporated cities on the oversight panel must be rotated and the board of county commissioners shall draw lots to determine which city or cities will be first represented, which next, and so on.

(b) Five members appointed by the board of trustees of the county school district to be determined as follows:

(1) One member who has experience in structural or civil engineering;

(2) One member who has experience in matters relating to the construction of public works projects;

(3) One member who has experience in the financing or estimation of the cost of construction projects;

(4) One member who is a representative of the gaming industry; and

(5) One member who is a representative of the general public who has an interest in education.

2. After the initial terms, the term of each member of the oversight panel is 2 years. Members of the oversight panel are eligible for reappointment.

3. The oversight panel for school facilities may meet at the call of the chair of the oversight panel, but is not required to hold meetings except for the purposes of carrying out its duties pursuant to subsection 4 of NRS 350.020 and NRS 393.097 and, if applicable, for the purposes of carrying out expanded duties pursuant to NRS 393.096, or unless directed by the board of trustees of the school district.

Sec. 64. NRS 393.096 is hereby amended to read as follows:

393.096 1. The board of trustees of a **county** school district in a county whose population is 700,000 or more may, by a vote of not less than two-thirds of the total membership of the board of trustees, expand the duties of the oversight panel for school facilities established for the school district pursuant to NRS 393.092.



2. If the board of trustees votes to expand the duties of the oversight panel, the board of trustees shall:

(a) Prepare a 3-year plan for the renovation of school facilities and a 5-year plan for the construction of school facilities within the school district for submission to the oversight panel for its review and recommendations;

(b) Appoint the assistant superintendent of school facilities or his or her designee, if the board of trustees has employed a person to serve in that capacity, or otherwise appoint an employee of the school district who has knowledge and experience in school construction, to act as a liaison between the school district and the oversight panel;

(c) Consider each recommendation made by the oversight panel and, if the board of trustees does not adopt a recommendation, state in writing the reason for its action and include the statement in the minutes of the board of trustees, if applicable; and

(d) In addition to the administrative support required pursuant to NRS 393.095, provide such administrative support to the oversight panel as is necessary for the oversight panel to carry out its expanded duties.

3. If the board of trustees votes to expand the duties of the oversight panel, the oversight panel shall:

(a) Work cooperatively with the board of trustees of the school district to ensure that the program of school construction and renovation is responsive to the educational needs of pupils within the school district;

(b) Review the 3-year plan for the renovation of school facilities and the 5-year plan for the construction of school facilities submitted by the board of trustees of the school district and make recommendations to the board of trustees for any necessary revisions to the plans;

(c) On a quarterly basis, or more frequently if the oversight panel determines necessary, evaluate the program of school construction and renovation that is designed to carry out the 3-year plan and the 5-year plan and make recommendations to the board of trustees concerning the program;

(d) Make recommendations for the management of construction and renovation of school facilities within the school district in a manner that ensures effective and efficient expenditure of public money; and

(e) Prepare an annual report that includes a summary of the progress of the construction and renovation of school facilities within the school district and the expenditure of money from the proceeds of bonds for the construction and renovation, if such information is available to the oversight panel.



Sec. 65. NRS 393.110 is hereby amended to read as follows:

393.110 1. Each school district shall, in the design, construction and alteration of school buildings and facilities, comply with the applicable requirements of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., and the regulations adopted pursuant thereto, including, without limitation, the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities set forth in Appendix A of Part 36 of Title 28 of the Code of Federal Regulations. The requirements of this subsection are not satisfied if a school district complies solely with the Uniform Federal Accessibility Standards set forth in Appendix A of Part 101-19.6 of Title 41 of the Code of Federal Regulations.

2. In a county whose population is 700,000 or more:

(a) The board of trustees of ~~the~~ **each** school district shall establish a building department for ~~the~~ **that** school district.

(b) Except as otherwise provided in NRS 477.030, the board of trustees of ~~the~~ **each** school district shall regulate all matters relating to the construction, maintenance and safety of buildings, facilities, structures and property of ~~the~~ **that** school district.

(c) Except as otherwise provided in NRS 477.030, the board of trustees of ~~the~~ **each** school district shall adopt any building, electrical or safety codes as necessary to carry out the provisions of this subsection.

(d) The board of trustees of ~~the~~ **each** school district shall ensure that the building department established by the board of trustees reviews the plans, designs and specifications for the erection of new school buildings and for the addition to or alteration of existing school buildings and facilities.

(e) The building department established by ~~the~~ **a** board of trustees shall, in accordance with subsection 4, conduct a review of plans, designs and specifications for the erection of new school buildings and for the addition to or alteration of existing school buildings and facilities.

(f) The provisions of NRS 278.585 do not apply to ~~the~~ **a** school district in its regulation of buildings, facilities, structures and property of the school district.

3. In a county whose population is less than 700,000:

(a) Except as otherwise provided in paragraph (b), unless standard plans, designs and specifications are to be used as provided in NRS 385.125, before letting any contract or contracts for the erection of any new school building or for any addition to or alteration of an existing school building, the board of trustees of the ~~county~~ school district shall submit the plans, designs and specifications to, and obtain written approval of the plans, designs and specifications by, the building department of the county or other



appropriate local building department in the county, and all other local agencies or departments whose approval is necessary for the issuance of the appropriate permit. The approval of the State Fire Marshal is not required for any plans, designs and specifications reviewed by a building department pursuant to this paragraph.

(b) If there is no county building department or other appropriate local building department in the county in which the school district is located, the board of trustees of the school district shall enter into an agreement with the State Public Works Division of the Department of Administration, a private certificate holder or a local building department in another county to obtain the required reviews of the plans, designs and specifications and to have the required inspections conducted. The approval of the State Fire Marshal is not required for any plans, designs and specifications reviewed by a private certificate holder or building department pursuant to this paragraph.

(c) A permit for construction must be issued before the school district commences construction.

(d) The county building department or other appropriate local building department, the State Public Works Division of the Department of Administration or the private certificate holder, as applicable, shall conduct inspections of all work to determine compliance with the approved plans, designs and specifications. An inspection of the work by the State Fire Marshal is not required if the work is inspected by the private certificate holder or building department.

(e) A department, agency, private certificate holder or the State Public Works Division of the Department of Administration is authorized to charge and collect, and the board of trustees of the ~~county~~ school district is authorized to pay, a reasonable fee for:

(1) Review of the plans, designs or specifications as required by this subsection; or

(2) The inspections conducted pursuant to this subsection.

4. In conducting reviews pursuant to this section, the State Public Works Division of the Department of Administration, building department or private certificate holder, as applicable, shall verify that the plans, designs and specifications comply with:

(a) The applicable requirements of the relevant codes adopted by this State, including, without limitation, the applicable requirements of any relevant codes and regulations adopted by the State Fire Marshal;

(b) The applicable requirements of the relevant codes adopted by the local authority having jurisdiction; and

(c) All applicable requirements of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., and the



regulations adopted pursuant thereto, including, without limitation, the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities set forth in Appendix A of Part 36 of Title 28 of the Code of Federal Regulations. The requirements of this subsection are not satisfied if the plans, designs and specifications comply solely with the Uniform Federal Accessibility Standards set forth in Appendix A of Part 101-19.6 of Title 41 of the Code of Federal Regulations.

5. No contract for any of the purposes specified in this section made by a board of trustees of a school district contrary to the provisions of this section is valid, nor shall any public money be paid for erecting, adding to or altering any school building in contravention of this section.

6. As used in this section, “private certificate holder” means a person who, as applicable, holds a valid certification issued by the International Code Council or its successor:

(a) To review plans, designs and specifications for the erection of, addition to or alteration of a school building;

(b) To inspect work to ensure that the erection of, addition to or alteration of a school building is carried out in conformance with the relevant plans, designs and specifications; or

(c) To perform the activities described in paragraphs (a) and (b).

Sec. 66. NRS 393.3293 is hereby amended to read as follows:

393.3293 All moneys received by a school district from exchanges of real property as provided in subsection 3 of NRS 393.328 shall be deposited forthwith with the county treasurer to be credited to the school district fund, unless the board of trustees of such ~~county~~ school district has elected to establish and administer a separate account under NRS 354.603 for the school district fund, in which case such moneys shall be placed in such separate account.

Sec. 67. NRS 393.370 is hereby amended to read as follows:

393.370 1. When a county is abolished as provided in Section 36 of Article 4 of the Constitution of the State of Nevada, and NRS 243.420 to 243.455, inclusive, and all the territory thereof is included within an existing county, the property of the abolished ~~county~~ school district shall become the property of the county school district to which the territory is annexed.

2. When a county is abolished as provided in Section 36 of Article 4 of the Constitution of the State of Nevada, and NRS 243.420 to 243.455, inclusive, and all the territory thereof is included within the territory of two or more existing counties, the personal property of the abolished ~~county~~ school district shall be divided among the county school districts to which the territory is attached in the same proportion as the ratio of the assessed valuation of the territory added to each county bears to the total assessed



valuation of the abolished county. All real property of the **county** school district situated in the territory added to a county shall become the property of the **county** school district of which it becomes a part.

Sec. 68. NRS 393.380 is hereby amended to read as follows:

393.380 When a portion of a county is detached and annexed to another county, the personal property of the **county** school district whose boundaries are conterminous with the boundaries of the county from which territory is annexed shall be divided between the **county** school districts in the same proportion as the ratio of the assessed valuation of the territory detached to the total assessed valuation of the territory of the county before the portion was detached and annexed. All real property of the **county** school district situated in the portion of the county detached and annexed shall become the property of the **county** school district of which it becomes a part.

Sec. 69. NRS 19.035 is hereby amended to read as follows:

19.035 Notwithstanding any other provision of this chapter, the clerk of the court shall neither charge nor collect any fee for any service rendered by the clerk of the court to:

1. The State of Nevada;
2. The county in which he or she is clerk of the court;
3. Any city or town within that county;
4. ~~The~~ A school district of that county;
5. Any general improvement district which is located within that county; or
6. Any officer of the State, that county or any such city, town, school district or general improvement district in the officer's official capacity.

Sec. 70. NRS 41.0308 is hereby amended to read as follows:

41.0308 For the purposes of NRS 41.0305 to 41.039, inclusive, a person who volunteers to a ~~{county}~~ school district or to a local law enforcement agency to serve as a crossing guard for a ~~{county}~~ school district shall be deemed an employee of a political subdivision of the State if the person has successfully completed a training course in traffic safety that has been approved by a local law enforcement agency.

Sec. 71. NRS 41.0335 is hereby amended to read as follows:

- 41.0335
1. No action may be brought against:
 - (a) A sheriff or county assessor which is based solely upon any act or omission of a deputy;
 - (b) A chief of a police department which is based solely upon any act or omission of an officer of the department;



(c) A chief of a fire department which is based solely upon any act or omission of a firefighter or other person called to assist the department;

(d) A member of the board of trustees of a ~~county~~ school district, the superintendent of schools of that school district or the principal of a school, which is based solely upon any act or omission of a person volunteering as a crossing guard; or

(e) A chief of a local law enforcement agency which is based solely on any act or omission of a person volunteering as a crossing guard.

2. This section does not:

(a) Limit the authority of the State or a political subdivision or a public corporation of the State to bring an action on any bond or insurance policy provided pursuant to law for or on behalf of any person who may be aggrieved or wronged.

(b) Limit or abridge the jurisdiction of any court to render judgment upon any such bond or insurance policy for the benefit of any person so aggrieved or wronged.

Sec. 72. NRS 62F.110 is hereby amended to read as follows:

62F.110 1. In addition to any other action authorized or required pursuant to the provisions of this title and except as otherwise provided in NRS 62F.150, if a child is adjudicated delinquent for an unlawful act that would have been a sexual offense if committed by an adult or is adjudicated delinquent for a sexually motivated act, the juvenile court shall:

(a) Place the child under the supervision of a probation officer or parole officer, as appropriate, for a period of not less than 3 years.

(b) Except as otherwise provided in NRS 62F.130 and 62F.140, prohibit the child from attending a public school or private school that a victim of the sexual offense or the sexually motivated act is attending for the period ordered by the juvenile court pursuant to paragraph (a).

(c) Order the parent or guardian of the child to inform the probation officer or parole officer, as appropriate, assigned to the child each time the child expects to change the public school or private school that the child is attending, not later than 20 days before the expected date of the change.

(d) Order the parent or guardian of the child, to the extent of the financial ability of the parent or guardian, to reimburse all or part of the additional costs of transporting the child, if the costs are incurred by a ~~county~~ school district pursuant to NRS 392.251 to 392.271, inclusive.

(e) Inform the parent or guardian of the child of the requirements of NRS 62F.100 to 62F.150, inclusive, 392.251 to 392.271, inclusive, and 394.162 to 394.167, inclusive.



2. The juvenile court may authorize a superintendent of a ~~county~~ school district or the executive head of a private school who receives notification from a probation officer or parole officer, as appropriate, pursuant to NRS 62F.120 to inform other appropriate educational personnel that the child has been adjudicated delinquent for a sexual offense or a sexually motivated act.

3. Except as otherwise provided in NRS 62F.150, the juvenile court may not terminate its jurisdiction concerning the child for the purposes of carrying out the provisions of NRS 62F.100 to 62F.150, inclusive, for the period ordered by the juvenile court pursuant to paragraph (a) of subsection 1.

Sec. 73. NRS 62F.120 is hereby amended to read as follows:

62F.120 1. If a child has been adjudicated delinquent for a sexual offense or a sexually motivated act, the probation officer or parole officer, as appropriate, assigned to the child shall provide notice that the child has been adjudicated delinquent for a sexual offense or a sexually motivated act to:

(a) The superintendent of the ~~county~~ school district in which the child resides; or

(b) If the child is attending a private school within this State, the executive head of the private school.

2. If the probation officer or parole officer, as appropriate, assigned to the child is informed by the parent or guardian of the child that the child expects to change the public school or private school that the child is attending or if the probation officer or parole officer otherwise becomes aware of such a change, the probation officer or parole officer shall provide notification that the child has been adjudicated delinquent for a sexual offense or a sexually motivated act to:

(a) The superintendent of the ~~county~~ school district in which the child is or will be residing; or

(b) If the child is or will be attending a private school within this State, the executive head of the private school.

3. Notification provided pursuant to this section must include the name of each victim of a sexual offense or a sexually motivated act committed by the child if:

(a) The victim is attending a public school or private school within this State; and

(b) The parent or guardian of the victim consents, in writing, to the inclusion of the name of the victim in the notification.

Sec. 74. NRS 62F.130 is hereby amended to read as follows:

62F.130 1. The juvenile court may permit a child who has been adjudicated delinquent for a sexual offense or a sexually motivated act to attend a public school or private school that a victim of the sexual offense or the sexually motivated act is



1 attending if, upon the request of the child, the superintendent of the
2 ~~county~~ school district or the executive head of the private school:

3 (a) The juvenile court develops and approves an alternative plan
4 of supervision for the child that protects the safety and the interests
5 of the victim;

6 (b) The victim and the parent or guardian of the victim consent,
7 in writing, to the plan;

8 (c) The superintendent of the ~~county~~ school district or the
9 executive head of the private school consents, in writing, to the plan;
10 and

11 (d) The child and the parent or guardian of the child agree, in
12 writing, to comply with the conditions of the plan.

13 2. As part of an alternative plan of supervision, the juvenile
14 court shall impose reasonable conditions on the child and, if
15 necessary to facilitate the alternative plan, on the parent or guardian
16 of the child. The conditions must be designed to protect the safety
17 and the interests of the victim and to ensure that the child complies
18 with the plan.

19 3. Upon its own motion or upon a request from the district
20 attorney, the victim, the parent or guardian of the victim or the
21 probation officer or parole officer, as appropriate, assigned to the
22 child, the juvenile court may modify or rescind the alternative plan
23 of supervision or a condition of the alternative plan after providing
24 notice and an opportunity to be heard to the child, the parent or
25 guardian of the child, the district attorney and the parties who
26 consented to the alternative plan. If a proposed modification is
27 reasonably likely to increase contact between the victim and
28 the child, the juvenile court may not make the modification without
29 the written consent of the victim and the parent or guardian of the
30 victim. If the juvenile court rescinds the alternative plan of
31 supervision, the child is subject to the provisions of NRS 62F.100 to
32 62F.150, inclusive, as if the alternative plan had not existed.

33 4. Before the juvenile court accepts the written consent of the
34 victim and the parent or guardian of the victim pursuant to this
35 section, the juvenile court shall inform them of their right to
36 withhold consent and, except as otherwise provided in NRS
37 62F.140, their right to have the child not attend the public school or
38 private school the victim is attending.

39 **Sec. 75.** NRS 62F.140 is hereby amended to read as follows:

40 62F.140 1. If the juvenile court does not approve an
41 alternative plan of supervision pursuant to NRS 62F.130 for a child
42 who has been adjudicated delinquent for a sexual offense or a
43 sexually motivated act, the superintendent of the ~~county~~ school
44 district or the executive head of the private school may request that



1 the juvenile court approve an alternative plan of attendance for the
2 child.

3 2. An alternative plan of attendance:

4 (a) Must be designed to prevent contact between the victim and
5 the child during school hours and during extracurricular activities
6 conducted on school grounds; and

7 (b) Must not interfere with or alter the schedule of classes or the
8 extracurricular activities of the victim.

9 3. Before approving an alternative plan of attendance, the
10 juvenile court shall provide notice and an opportunity to be heard to
11 the child, the parent or guardian of the child, the district attorney,
12 the victim and the parent or guardian of the victim.

13 4. If the juvenile court approves an alternative plan of
14 attendance, the district attorney, the victim or the parent or guardian
15 of the victim may petition the juvenile court to modify or rescind the
16 alternative plan on the basis that:

17 (a) The alternative plan is not protecting the safety or the
18 interests of the victim; or

19 (b) The child or the public school or private school is not
20 complying with the alternative plan.

21 5. Upon receiving a petition to modify or rescind an alternative
22 plan of attendance, the juvenile court may modify or rescind the
23 alternative plan after providing notice and an opportunity to be
24 heard to the child, the parent or guardian of the child, the district
25 attorney, the victim, the parent or guardian of the victim and the
26 superintendent of the ~~the county~~ school district or the executive head
27 of the private school.

28 6. If the juvenile court rescinds the alternative plan of
29 attendance, the child is subject to the provisions of NRS 62F.100 to
30 62F.150, inclusive, as if the alternative plan had not existed.

31 **Sec. 76.** NRS 63.210 is hereby amended to read as follows:

32 63.210 1. The superintendent of a facility shall establish a
33 department of instruction for the children of the facility, with
34 programs of study corresponding so far as practicable with programs
35 of study given in the elementary and high schools of this state.

36 2. The superintendent of a facility may:

37 (a) Arrange for industrial training and the teaching of various
38 trades; and

39 (b) Purchase the supplies and equipment necessary for the
40 teaching of such programs of study.

41 3. If deemed practicable and with the concurrence of the board
42 of trustees of ~~the county~~ a school district ~~in the county~~, the
43 superintendent of a facility may allow children in the facility to be
44 enrolled for instruction in the public schools within ~~the county~~ that
45 school district. If any children are so enrolled, the superintendent of



1 the facility or the ~~county~~ school district shall provide
2 transportation for the children to the public schools.

3 **Sec. 77.** NRS 108.500 is hereby amended to read as follows:

4 108.500 1. All sales made under NRS 108.480 and 108.490
5 shall be made at public auction.

6 2. No sale shall be valid unless notice of the sale is published at
7 least once a week for 2 successive weeks prior to the sale in some
8 newspaper published in the county in which the sale is to take place
9 or, in case no newspaper is published therein, by posting notices at
10 least 10 days prior to the sale in at least three public places in the
11 county, two of which shall be in the township where the property is
12 to be offered for sale.

13 3. The notice shall:

14 (a) Give a description of the property to be sold.

15 (b) Give the time and place of the sale.

16 (c) Give the name of the hotel, inn, motel, motor court,
17 boardinghouse or lodging house at which the property or baggage
18 was left.

19 (d) Give the name of the owner of the property when known.

20 (e) Be signed by the person conducting the sale.

21 4. If the name and residence of the owner of the property upon
22 which the lien is to be foreclosed is known, a copy of the notice
23 shall, at the time of the posting or publication, be delivered to the
24 owner, if the owner resides in the county; otherwise, it shall be
25 mailed to the owner's last known place of residence.

26 5. After paying all costs of keeping the property until the time
27 of sale, the reasonable costs of the sale and the amount due the lien
28 claimant, the remainder, if any, shall be paid to the county treasurer
29 of the county in which the lien is foreclosed with a statement of the
30 innkeeper's claim, the costs of enforcing it, a copy of the published
31 or posted notice, and the amount received for the property sold at
32 the sale. The residue shall be paid into the ~~county~~ school district
33 fund ~~H~~ *of each school district in the county*, subject to a right of
34 the guest or boarder, or the representative of the guest or boarder, to
35 reclaim it within 6 months from the date of the deposit.

36 **Sec. 78.** NRS 108.515 is hereby amended to read as follows:

37 108.515 1. If a person removes a child from a child care
38 establishment or abandons a child in that establishment for 3
39 months, the keeper or proprietor of that establishment may sell or
40 cause to be sold at public auction any baggage or property left at
41 that establishment. The sale must be made in the manner provided in
42 NRS 108.480, 108.490 and 108.500.

43 2. The proceeds of the sale, after payment of any indebtedness
44 due for the care of the child and the costs of the sale, must be paid to



the county treasurer to be held for 6 months for the benefit of the owner of the property sold.

3. If the proceeds are not paid to the owner or any other person entitled to receive them within that period, the proceeds must be deposited in the ~~county~~ school district fund of *each school district* in the county.

4. As used in this section:

(a) “Care” includes board, laundry, lodging, teaching, incidental materials and supplies, necessary articles of apparel or clothing and necessary medical, nursing or hospital service for which a child care establishment is liable.

(b) “Child care establishment” includes any children’s home, day nursery, kindergarten, nursery school or other similar establishment however designated, maintained or operated for the care of children for compensation or hire.

Sec. 79. NRS 108.550 is hereby amended to read as follows:

108.550 1. The lien provided for in NRS 108.540 may be foreclosed in the following manner:

(a) A notice must be posted for a period of 10 days in three public and conspicuous places in the county where the animals are being fed, pastured or boarded, which notice must also be published in one issue of a newspaper of general circulation in the county.

(b) The notice must:

(1) Specify the nature and amount of the lien.

(2) Specify that it is the intention of the lienholder to foreclose the animal or animals by sale.

(3) Specify a description of the animal or animals.

(4) Specify the name and last known address of the owner or purported owner of the animal or animals.

(5) State that unless the amount of the lien is paid on or before a specified date, the animal or animals, or so many thereof as may be necessary, will be sold at public auction at the place and on the day and hour specified in the notice.

(6) Be signed and dated by the lienholder.

(c) The lienholder shall specify a day for the purposes of the demand in subparagraph (5) of paragraph (b). The day specified must not be less than 10 nor more than 15 days after the date of the publication of the notice.

(d) A true copy of the demand and notice must be mailed by registered or certified letter and at the time of publication to the last known address of the holder of every lien appearing of record in the county.

2. The sale provided for in this section may be conducted by the person furnishing the feed, pasture or board, or by any other person who may be designated by the lienholder. Only such number



1 of animals will be sold as may be necessary to discharge the lien and
2 pay the cost of the publication of notice, plus the sum of \$5 to be
3 allowed to the person making the sale. No sale may be made except
4 when the animals to be sold are corralled and have been viewed by
5 the bidders. Any expense incidental to rounding up or bringing the
6 animal or animals to the place of sale is also a proper and an
7 additional charge against the owner. The lienholder may be a bidder
8 at the sale. From the proceeds of the sale, the lienholder shall satisfy
9 the lien, including the additional charges mentioned in this
10 subsection, delivering over the balance, if any, to the owner. If the
11 owner is out of the state or cannot be found, the balance must be
12 deposited with the county treasurer of the county in which the sale
13 was conducted.

14 3. If the balance is not called for by the owner within 6 months
15 after the date of sale, the balance must be paid into the ~~county~~
16 school district fund ~~of~~ *of each school district in the county.*

17 4. The highest bidder at the sale shall immediately pay the
18 amount bid in cash and receive title to the animals sold, subject only
19 to any prior lien appearing of record in the county, but before title
20 vests in the successful bidder there must be recorded with the
21 recorder of the county in which the sale was held a certificate
22 executed by the person conducting the sale, to which must be
23 attached the publisher's proof of publication of the notice of sale to
24 foreclose the lien. The certificate must specify:

- 25 (a) The name and address of the buyer.
26 (b) That the buyer was the highest bidder.
27 (c) The amount bid and paid.
28 (d) The kind, color, size, weight, brand, if any, and earmarks, if
29 any, of the animal or animals sold.

30 5. No person requesting or consenting to the furnishing of feed,
31 pasture or board is entitled to assert a lien prior to that provided for
32 in this section.

33 6. This section is intended to supplement existing law and the
34 remedy provided in this section is not exclusive. This section does
35 not deprive the lienholder from resorting to any other legal remedy.

36 **Sec. 80.** NRS 179A.075 is hereby amended to read as follows:

37 179A.075 1. The Central Repository for Nevada Records of
38 Criminal History is hereby created within the Records,
39 Communications and Compliance Division of the Department.

40 2. Each agency of criminal justice and any other agency
41 dealing with crime shall:

- 42 (a) Collect and maintain records, reports and compilations of
43 statistical data required by the Department; and
44 (b) Submit the information collected to the Central Repository:



(1) In the manner approved by the Director of the Department; and

(2) In accordance with the policies, procedures and definitions of the Uniform Crime Reporting Program of the Federal Bureau of Investigation.

3. Each agency of criminal justice shall submit the information relating to records of criminal history that it creates, issues or collects, and any information in its possession relating to the DNA profile of a person from whom a biological specimen is obtained pursuant to NRS 176.09123 or 176.0913, to the Division. The information must be submitted to the Division:

(a) Through an electronic network;

(b) On a medium of magnetic storage; or

(c) In the manner prescribed by the Director of the Department, ➔ within 60 days after the date of the disposition of the case. If an agency has submitted a record regarding the arrest of a person who is later determined by the agency not to be the person who committed the particular crime, the agency shall, immediately upon making that determination, so notify the Division. The Division shall delete all references in the Central Repository relating to that particular arrest.

4. Each state and local law enforcement agency shall submit Uniform Crime Reports to the Central Repository:

(a) In the manner prescribed by the Director of the Department;

(b) In accordance with the policies, procedures and definitions of the Uniform Crime Reporting Program of the Federal Bureau of Investigation; and

(c) Within the time prescribed by the Director of the Department.

5. The Division shall, in the manner prescribed by the Director of the Department:

(a) Collect, maintain and arrange all information submitted to it relating to:

(1) Records of criminal history; and

(2) The DNA profile of a person from whom a biological specimen is obtained pursuant to NRS 176.09123 or 176.0913.

(b) When practicable, use a record of the personal identifying information of a subject as the basis for any records maintained regarding him or her.

(c) Upon request, provide, in paper or electronic form, the information that is contained in the Central Repository to the Committee on Domestic Violence appointed pursuant to NRS 228.470 when, pursuant to NRS 228.495, the Committee is reviewing the death of the victim of a crime that constitutes domestic violence pursuant to NRS 33.018.



6. The Division may:

(a) Disseminate any information which is contained in the Central Repository to any other agency of criminal justice;

(b) Enter into cooperative agreements with repositories of the United States and other states to facilitate exchanges of information that may be disseminated pursuant to paragraph (a); and

(c) Request of and receive from the Federal Bureau of Investigation information on the background and personal history of any person whose record of fingerprints or other biometric identifier the Central Repository submits to the Federal Bureau of Investigation and:

(1) Who has applied to any agency of the State of Nevada or any political subdivision thereof for a license which it has the power to grant or deny;

(2) With whom any agency of the State of Nevada or any political subdivision thereof intends to enter into a relationship of employment or a contract for personal services;

(3) Who has applied to any agency of the State of Nevada or any political subdivision thereof to attend an academy for training peace officers approved by the Peace Officers' Standards and Training Commission;

(4) For whom such information is required or authorized to be obtained pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031, 432A.170, 432B.198, 433B.183, 449.123 and 449.4329; or

(5) About whom any agency of the State of Nevada or any political subdivision thereof is authorized by law to have accurate personal information for the protection of the agency or the persons within its jurisdiction.

7. To request and receive information from the Federal Bureau of Investigation concerning a person pursuant to subsection 6, the Central Repository must receive:

(a) The person's complete set of fingerprints for the purposes of:

(1) Booking the person into a city or county jail or detention facility;

(2) Employment;

(3) Contractual services; or

(4) Services related to occupational licensing;

(b) One or more of the person's fingerprints for the purposes of mobile identification by an agency of criminal justice; or

(c) Any other biometric identifier of the person as it may require for the purposes of:

(1) Arrest; or

(2) Criminal investigation,



1 ➤ from the agency of criminal justice or agency of the State of
2 Nevada or any political subdivision thereof and submit the received
3 data to the Federal Bureau of Investigation for its report.

4 8. The Central Repository shall:

5 (a) Collect and maintain records, reports and compilations of
6 statistical data submitted by any agency pursuant to subsection 2.

7 (b) Tabulate and analyze all records, reports and compilations of
8 statistical data received pursuant to this section.

9 (c) Disseminate to federal agencies engaged in the collection of
10 statistical data relating to crime information which is contained in
11 the Central Repository.

12 (d) Investigate the criminal history of any person who:

13 (1) Has applied to the Superintendent of Public Instruction
14 for the issuance or renewal of a license;

15 (2) Has applied to a ~~county~~ school district, charter school or
16 private school for employment or to serve as a volunteer; or

17 (3) Is employed by or volunteers for a ~~county~~ school
18 district, charter school or private school,

19 ➤ and immediately notify the superintendent of each ~~county~~
20 school district, the governing body of each charter school and the
21 Superintendent of Public Instruction, or the administrator of each
22 private school, as appropriate, if the investigation of the Central
23 Repository indicates that the person has been convicted of a
24 violation of NRS 200.508, 201.230, 453.3385 or 453.339, or
25 convicted of a felony or any offense involving moral turpitude.

26 (e) Upon discovery, immediately notify the superintendent of
27 each ~~county~~ school district, the governing body of each charter
28 school or the administrator of each private school, as appropriate, by
29 providing the superintendent, governing body or administrator with
30 a list of all persons:

31 (1) Investigated pursuant to paragraph (d); or

32 (2) Employed by or volunteering for a ~~county~~ school
33 district, charter school or private school whose fingerprints were
34 sent previously to the Central Repository for investigation,

35 ➤ who the Central Repository's records indicate have been
36 convicted of a violation of NRS 200.508, 201.230, 453.3385 or
37 453.339, or convicted of a felony or any offense involving moral
38 turpitude since the Central Repository's initial investigation. The
39 superintendent of each ~~county~~ school district, the governing body
40 of a charter school or the administrator of each private school, as
41 applicable, shall determine whether further investigation or action
42 by the district, charter school or private school, as applicable, is
43 appropriate.

44 (f) Investigate the criminal history of each person who submits
45 one or more fingerprints or other biometric identifier or has such



1 data submitted pursuant to NRS 62B.270, 62G.223, 62G.353,
2 424.031, 432A.170, 432B.198, 433B.183, 449.122, 449.123 or
3 449.4329.

4 (g) Provide an electronic means to access on the Central
5 Repository's Internet website statistical data relating to crime.

6 (h) Provide an electronic means to access on the Central
7 Repository's Internet website statistical data about domestic
8 violence in this State.

9 (i) Identify and review the collection and processing of
10 statistical data relating to criminal justice by any agency identified
11 in subsection 2 and make recommendations for any necessary
12 changes in the manner of collecting and processing statistical data
13 by any such agency.

14 (j) Adopt regulations governing biometric identifiers and the
15 information and data derived from biometric identifiers, including,
16 without limitation:

17 (1) Their collection, use, safeguarding, handling, retention,
18 storage, dissemination and destruction; and

19 (2) The methods by which a person may request the removal
20 of his or her biometric identifiers from the Central Repository and
21 any other agency where his or her biometric identifiers have been
22 stored.

23 9. The Central Repository may:

24 (a) In the manner prescribed by the Director of the Department,
25 disseminate compilations of statistical data and publish statistical
26 reports relating to crime.

27 (b) Charge a reasonable fee for any publication or special report
28 it distributes relating to data collected pursuant to this section. The
29 Central Repository may not collect such a fee from an agency of
30 criminal justice or any other agency dealing with crime which is
31 required to submit information pursuant to subsection 2. All money
32 collected pursuant to this paragraph must be used to pay for the cost
33 of operating the Central Repository.

34 (c) In the manner prescribed by the Director of the Department,
35 use electronic means to receive and disseminate information
36 contained in the Central Repository that it is authorized to
37 disseminate pursuant to the provisions of this chapter.

38 10. As used in this section:

39 (a) "Mobile identification" means the collection, storage,
40 transmission, reception, search, access or processing of a biometric
41 identifier using a handheld device.

42 (b) "Personal identifying information" means any information
43 designed, commonly used or capable of being used, alone or in
44 conjunction with any other information, to identify a person,
45 including, without limitation:



(1) The name, driver's license number, social security number, date of birth and photograph or computer-generated image of a person; and

(2) A biometric identifier of a person.

(c) "Private school" has the meaning ascribed to it in NRS 394.103.

Sec. 81. NRS 218A.970 is hereby amended to read as follows:
218A.970 1. Except as otherwise provided in subsection 2, a Legislator shall not:

(a) Become a named contractor or named subcontractor under any contract or order for supplies or any other kind of contract paid for in whole or in part by money appropriated by the Legislature of which that Legislator is a member for the State or any of its departments, or the Legislature or either House, or to be interested, directly or indirectly, as principal, in any kind of contract so paid.

(b) Be interested in any contract made by the Legislature of which that Legislator is a member, or be a purchaser or interested in any purchase or sale made by the Legislature of which that Legislator is a member.

2. A Legislator may:

(a) Sell or enter into a contract to sell, to the State or any of its departments, any item, commodity, service or capital improvement if:

(1) The sources of supply for the item, commodity, service or capital improvement are limited;

(2) The contracting process is controlled by rules of open competitive bidding;

(3) The Legislator has not taken part in developing the plans or specifications for the sale or contract; and

(4) The Legislator will not be personally involved in opening, considering or accepting any bids for the sale or contract.

(b) If the Legislator is not named in a contract, receive, as direct salary or wages, compensation for which the original source was a legislative appropriation to any governmental entity or a private entity not owned or controlled by the Legislator.

(c) Receive, for services as an instructor or teacher from any ~~county~~ school district or the Nevada System of Higher Education, compensation for which the original source was a legislative appropriation to any governmental entity or a private entity not owned or controlled by the Legislator.

3. Any contract made in violation of subsection 1 may be declared void at the instance of the State or of any other person interested in the contract except the Legislator prohibited by subsection 1 from making or being interested in the contract.



4. A person who violates any provision of this section is guilty of a gross misdemeanor and forfeits the person's office.

Sec. 82. NRS 232.383 is hereby amended to read as follows:

232.383 1. The Grants Management Advisory Committee is hereby created within the Department.

2. The Advisory Committee consists of the following 15 members appointed by the Director:

(a) A superintendent of a ~~county~~ school district or the superintendent's designee;

(b) A director of a local agency which provides services for abused or neglected children, or the director's designee;

(c) A member who possesses knowledge, skill and experience in the provision of services to children;

(d) A representative of a department of juvenile justice services;

(e) A member who possesses knowledge, skill and experience in the provision of services to senior citizens;

(f) Two members who possess knowledge, skill and experience in finance or in business generally;

(g) A representative of the Nevada Association of Counties;

(h) A member who possesses knowledge, skill and experience in building partnerships between the public sector and the private sector;

(i) Two members of the public who possess knowledge of or experience in the provision of services to persons or families who are disadvantaged or at risk;

(j) A member who possesses knowledge, skill and experience in the provision of services to persons with disabilities;

(k) A member who possesses knowledge, skill and experience in the provision of services relating to the cessation of the use of tobacco;

(l) A member who possesses knowledge, skill and experience in the provision of health services to children; and

(m) A representative who is a member of the Nevada Commission on Aging, created by NRS 427A.032, who must not be a Legislator.

3. An entity who employs a member of the Advisory Committee is not eligible to receive a grant. This subsection does not prohibit an entity that serves solely as the fiscal agent for a recipient of a grant from employing a member of the Advisory Committee.

4. The Director shall ensure that, insofar as practicable, the members whom the Director appoints reflect the ethnic and geographical diversity of this State.

5. After the initial terms, each member of the Advisory Committee serves for a term of 2 years. Each member of the



1 Advisory Committee continues in office until his or her successor is
2 appointed.

3 6. Each member of the Advisory Committee who is not an
4 officer or employee of this State or a political subdivision of this
5 State is entitled to receive a salary of not more than \$80 per day,
6 fixed by the Director, while engaged in the business of the Advisory
7 Committee.

8 7. While engaged in the business of the Advisory Committee,
9 each member of the Advisory Committee is entitled to receive the
10 per diem allowance and travel expenses provided for state officers
11 and employees generally.

12 8. A majority of the members of the Advisory Committee
13 constitutes a quorum for the transaction of business, and a majority
14 of a quorum present at any meeting is sufficient for any official
15 action taken by the Advisory Committee.

16 9. A member of the Advisory Committee who is an officer or
17 employee of this State or a political subdivision of this State must be
18 relieved from his or her duties without loss of regular compensation
19 to prepare for and attend meetings of the Advisory Committee and
20 perform any work necessary to carry out the duties of the Advisory
21 Committee in the most timely manner practicable. A state agency or
22 political subdivision of this State shall not require an officer or
23 employee who is a member of the Advisory Committee to:

24 (a) Make up the time he or she is absent from work to carry out
25 his or her duties as a member of the Advisory Committee; or

26 (b) Take annual leave or compensatory time for the absence.

27 10. The Advisory Committee shall:

28 (a) At its first meeting and annually thereafter, elect a Chair
29 from among its members;

30 (b) Meet at the call of the Director, the Chair or a majority of its
31 members as necessary, within the budget of the Advisory
32 Committee, but not to exceed six meetings per year; and

33 (c) Adopt rules for its own management and government.

34 **Sec. 83.** NRS 241.031 is hereby amended to read as follows:

35 241.031 1. Except as otherwise provided in subsection 2, a
36 public body shall not hold a closed meeting to consider the
37 character, alleged misconduct or professional competence of:

38 (a) An elected member of a public body; or

39 (b) A person who is an appointed public officer or who serves at
40 the pleasure of a public body as a chief executive or administrative
41 officer or in a comparable position, including, without limitation, a
42 president of a university, state college or community college within
43 the Nevada System of Higher Education, a superintendent of a
44 ~~county~~ school district, a county manager and a city manager.



2. The prohibition set forth in subsection 1 does not apply if the consideration of the character, alleged misconduct or professional competence of the person does not pertain to his or her role as an elected member of a public body or an appointed public officer or other officer described in paragraph (b) of subsection 1, as applicable.

Sec. 84. NRS 244.3354 is hereby amended to read as follows:

244.3354 The proceeds of the tax imposed pursuant to NRS 244.3352 and any applicable penalty or interest must be distributed as follows:

1. In a county whose population is 700,000 or more:

(a) Three-eighths of the first 1 percent of the proceeds must be paid to the Department of Taxation for deposit with the State Treasurer for credit to the Fund for the Promotion of Tourism.

(b) The remaining proceeds must be transmitted to the county treasurer for deposit in the ~~county school district's fund~~ **funds** for capital projects **of one or more school districts in the county** established pursuant to NRS 387.328, to be held and expended in the same manner as other money deposited in ~~that fund.~~ **such funds.**

2. In a county whose population is less than 700,000:

(a) Three-eighths must be paid to the Department of Taxation for deposit with the State Treasurer for credit to the Fund for the Promotion of Tourism.

(b) Five-eighths must be deposited with the county fair and recreation board created pursuant to NRS 244A.599 or, if no such board is created, with the board of county commissioners, to be used to advertise the resources of that county related to tourism, including available accommodations, transportation, entertainment, natural resources and climate, and to promote special events related thereto.

Sec. 85. NRS 244A.7645 is hereby amended to read as follows:

244A.7645 1. If a surcharge is imposed pursuant to NRS 244A.7643 in a county whose population is 100,000 or more, the board of county commissioners of that county shall establish by ordinance an advisory committee to develop a plan to enhance the telephone system for reporting an emergency in that county and to oversee any money allocated for that purpose. The advisory committee must:

(a) Consist of not less than five members who:

(1) Are residents of the county;

(2) Possess knowledge concerning telephone systems for reporting emergencies; and

(3) Are not elected public officers.



(b) Subject to the provisions of subparagraph (3) of paragraph (a), include the chief law enforcement officer or his or her designee from each office of the county sheriff, metropolitan police department, police department of an incorporated city within the county and department, division or municipal court of a city or town that employs marshals within the county, as applicable.

2. If a surcharge is imposed pursuant to NRS 244A.7643 in a county whose population is less than 100,000, the board of county commissioners of that county shall establish by ordinance an advisory committee to develop a plan to enhance or improve the telephone system for reporting an emergency in that county and to oversee any money allocated for that purpose. The advisory committee must:

(a) Consist of not less than five members who:

(1) Are residents of the county;

(2) Possess knowledge concerning telephone systems for reporting emergencies; and

(3) Are not elected public officers.

(b) Include a representative of an incumbent local exchange carrier which provides service to persons in that county. As used in this paragraph, “incumbent local exchange carrier” has the meaning ascribed to it in 47 U.S.C. § 251(h)(1), as that section existed on October 1, 1999, and includes a local exchange carrier that is treated as an incumbent local exchange carrier pursuant to that section.

(c) Subject to the provisions of subparagraph (3) of paragraph (a), include the chief law enforcement officer or his or her designee from each office of the county sheriff, metropolitan police department, police department of an incorporated city within the county and department, division or municipal court of a city or town that employs marshals within the county, as applicable.

3. If a surcharge is imposed in a county pursuant to NRS 244A.7643, the board of county commissioners of that county shall create a special revenue fund of the county for the deposit of the money collected pursuant to NRS 244A.7643. The money in the fund must be used only:

(a) To pay the costs of adopting and reviewing the 5-year master plan for the enhancement of the telephone system for reporting emergencies in the county that is required pursuant to NRS 244A.7643.

(b) With respect to the telephone system for reporting an emergency:

(1) In a county whose population is 45,000 or more, to enhance the telephone system for reporting an emergency, including only:



(I) Paying recurring and nonrecurring charges for telecommunication services necessary for the operation of the enhanced telephone system;

(II) Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system;

(III) Purchasing, leasing or renting the equipment and software necessary to operate the enhanced telephone system, including, without limitation, equipment and software that identify the number or location from which a call is made; and

(IV) Paying costs associated with any maintenance, upgrade and replacement of equipment and software necessary for the operation of the enhanced telephone system.

(2) In a county whose population is less than 45,000, to improve the telephone system for reporting an emergency in the county.

(c) With respect to purchasing and maintaining portable event recording devices and vehicular event recording devices, to pay:

(1) By an entity described in this subparagraph, costs associated with the acquisition, maintenance, storage of data, upgrade and replacement of equipment and software necessary for the operation of portable event recording devices and vehicular event recording devices or systems that consist of both portable event recording devices and vehicular event recording devices. Money may be expended pursuant to this subparagraph for the purchase and maintenance of portable event recording devices or vehicular event recording devices only by:

(I) The sheriff's office of a county;

(II) A metropolitan police department;

(III) A police department of an incorporated city;

(IV) A department, division or municipal court of a city or town that employs marshals;

(V) A department of alternative sentencing; or

(VI) A ~~county~~ school district that employs school police officers.

(2) Costs for personnel and training associated with maintaining, updating and operating the equipment, hardware and software necessary for portable event recording devices and vehicular event recording devices or systems that consist of both portable event recording devices and vehicular event recording devices.

(3) Costs for personnel and training associated with the maintenance, retention and redaction of audio and video events recorded on portable event recording devices and vehicular event



1 recording devices or systems that consist of both portable event
2 recording devices and vehicular event recording devices.

3 (d) To pay any costs associated with performing an analysis or
4 audit pursuant to NRS 244A.7648 of the surcharges collected by
5 telecommunications providers.

6 4. For the purposes described in subsection 3, money in the
7 fund must be expended in the following order of priority:

8 (a) Paying the costs authorized pursuant to paragraph (a) of
9 subsection 3 to adopt and review the 5-year master plan.

10 (b) If the county performs an analysis or audit described in NRS
11 244A.7648, paying the costs associated authorized pursuant to
12 paragraph (d) of subsection 3.

13 (c) Paying the costs authorized pursuant to paragraph (b) of
14 subsection 3.

15 (d) If the county has imposed a portion of the surcharge for
16 purposes of purchasing and maintaining portable event recording
17 devices and vehicular event recording devices:

18 (1) Paying the costs authorized pursuant to paragraph (c) of
19 subsection 3 other than costs related to personnel and training.

20 (2) Paying the costs authorized pursuant to paragraph (c) of
21 subsection 3 related to personnel.

22 (3) Paying the costs authorized pursuant to paragraph (c) of
23 subsection 3 related to training.

24 5. If money in the fund is distributed to a recipient and:

25 (a) The recipient has not used the money for any purpose
26 authorized pursuant to subsection 3 within 6 months, the recipient
27 must:

28 (1) Notify the board of county commissioners and the
29 advisory committee; and

30 (2) Return the unused money.

31 (b) The recipient used any portion of the money for a purpose
32 that is not authorized pursuant to subsection 3, the recipient must:

33 (1) Notify the board of county commissioners and the
34 advisory committee; and

35 (2) Repay the portion of the money that was used for a
36 purpose not authorized pursuant to subsection 3.

37 (c) The recipient was not entitled to receive all or a portion of
38 the money, the recipient must:

39 (1) Notify the board of county commissioners and the
40 advisory committee; and

41 (2) Repay all money to which the recipient was not entitled
42 to receive.

43 6. If the balance in the fund created in a county whose
44 population is 100,000 or more pursuant to subsection 3 which has
45 not been committed for expenditure exceeds \$5,000,000 at the end



1 of any fiscal year, the board of county commissioners shall reduce
2 the amount of the surcharge imposed during the next fiscal year
3 by the amount necessary to ensure that the unencumbered balance in
4 the fund at the end of the next fiscal year does not exceed
5 \$5,000,000.

6 7. If the balance in the fund created in a county whose
7 population is 45,000 or more but less than 100,000 pursuant to
8 subsection 3 which has not been committed for expenditure exceeds
9 \$1,000,000 at the end of any fiscal year, the board of county
10 commissioners shall reduce the amount of the surcharge imposed
11 during the next fiscal year by the amount necessary to ensure that
12 the unencumbered balance in the fund at the end of the next fiscal
13 year does not exceed \$1,000,000.

14 8. If the balance in the fund created in a county whose
15 population is less than 45,000 pursuant to subsection 3 which has
16 not been committed for expenditure exceeds \$500,000 at the end of
17 any fiscal year, the board of county commissioners shall reduce the
18 amount of the surcharge imposed during the next fiscal year by
19 the amount necessary to ensure that the unencumbered balance in
20 the fund at the end of the next fiscal year does not exceed \$500,000.

21 **Sec. 86.** NRS 251.040 is hereby amended to read as follows:

22 251.040 1. In addition to the requirements of NRS 251.030,
23 the county auditor shall notify the clerk of the board of trustees of
24 ~~the county~~ each school district in the county and send at the same
25 time a duplicate of the report to the Superintendent of Public
26 Instruction, at the beginning of each month, showing the amount of
27 funds left to the credit of each of the ~~district~~ districts at the
28 beginning of the previous month, new funds credited during the
29 previous month and the source thereof, the total of disbursements
30 allowed by warrants during the previous month, and the balance to
31 the credit of ~~the~~ each district at the beginning of the month in
32 which the report is rendered.

33 2. The report must be in such form as the Superintendent of
34 Public Instruction may prescribe.

35 **Sec. 87.** NRS 252.110 is hereby amended to read as follows:

36 252.110 The district attorney shall:

37 1. Draw all indictments, when required by the grand jury.

38 2. Defend all suits brought against his or her county.

39 3. Prosecute all recognizances forfeited in the district court and
40 all actions for the recovery of debts, fines, penalties and forfeitures
41 accruing to his or her county.

42 4. Except with respect to matters for which the board of
43 trustees of ~~the~~ a school district in the county has employed private
44 counsel, draw all legal papers, give his or her written opinion when
45 required on matters relating to the duties of the board of trustees and



1 transact the legal business of the school district ~~{whose boundaries~~
2 ~~are coterminous with}~~ **that is located within** the boundaries of his
3 or her county, and perform such other legal duties as may be
4 required of him or her by the board of trustees.

5 5. Bring all actions on behalf of the county for abatement of
6 nuisances pursuant to order of the board of county commissioners
7 or, in the discretion of the district attorney, pursuant to an ordinance
8 of the county as provided by NRS 244.360, subsection 6, including
9 actions for injunction, as well as for recovery of compensatory and
10 exemplary damages and costs of suit.

11 6. Perform such other duties as may be required of him or her
12 by law.

13 **Sec. 88.** NRS 265.050 is hereby amended to read as follows:

14 265.050 1. Whenever any city or town shall become
15 disincorporated by the force of NRS 265.010 to 265.100, inclusive,
16 the board of county commissioners of the county wherein such city
17 or town is situated shall:

18 (a) Immediately establish a special district identical in
19 boundaries and territory with the disincorporated city or town.

20 (b) Proceed to wind up the affairs of the late corporation.

21 (c) Dispose of its property.

22 (d) Make provision for the payment of all indebtedness thereof
23 and for the performance of its contracts and obligations.

24 (e) Levy such taxes from time to time against the property
25 within such special district as may be requisite therefor.

26 2. Such taxes shall be collected by the county treasurer like
27 other taxes and paid out under the orders of the board of county
28 commissioners, and any surplus shall be paid into the school ~~{fund}~~
29 **funds** for the school ~~{district}~~ **districts** where the same is levied and
30 all property remaining shall revert to such school ~~{district,}~~ **districts,**
31 which ~~{is}~~ **are** hereby empowered to enforce all claims and to have
32 the use of all property so vesting.

33 3. If there shall be any debt or outstanding bonds of any
34 disincorporated city or town the board of county commissioners
35 shall provide for the payment of the principal and interest of the
36 same substantially in the time, manner and form provided by law or
37 ordinance touching the same at the time of disincorporation,
38 substituting the district established in lieu of the city or town
39 disincorporated.

40 **Sec. 89.** NRS 268.0962 is hereby amended to read as follows:

41 268.0962 The proceeds of the tax imposed pursuant to NRS
42 268.096 and any applicable penalty or interest must be distributed as
43 follows:

44 1. In a county whose population is 700,000 or more:



(a) Three-eighths of the first 1 percent of the proceeds must be paid to the Department of Taxation for deposit with the State Treasurer for credit to the Fund for the Promotion of Tourism.

(b) The remaining proceeds must be transmitted to the county treasurer for deposit in the ~~{county school district's fund}~~ **funds** for capital projects **of one or more school districts in the county** established pursuant to NRS 387.328, to be held and expended in the same manner as other money deposited in ~~{that fund.}~~ **such funds.**

2. In a county whose population is less than 700,000:

(a) Three-eighths must be paid to the Department of Taxation for deposit with the State Treasurer for credit to the Fund for the Promotion of Tourism.

(b) Five-eighths must be deposited with the county fair and recreation board created pursuant to NRS 244A.599 or, if no such board is created, with the city council or other governing body of the incorporated city, to be used to advertise the resources of that county or incorporated city related to tourism, including available accommodations, transportation, entertainment, natural resources and climate, and to promote special events related thereto.

Sec. 90. NRS 277.065 is hereby amended to read as follows:

277.065 1. Within the limits of legislative appropriations, the Department of Education, the ~~{county}~~ school districts ~~{of the various counties}~~ of the State, the Nevada Youth Training Center Bureau and the Caliente Youth Center Bureau of the Division of Child and Family Services of the Department of Health and Human Services and any other state facility for the detention of children that is operated pursuant to title 5 of NRS may enter into cooperative arrangements for improving the quality of the academic, and career and technical education provided at the Nevada Youth Training Center, the Caliente Youth Center and any other state facility for the detention of children that is operated pursuant to title 5 of NRS.

2. This authorization includes the right to pay over money appropriated to the Nevada Youth Training Center, the Caliente Youth Center or any other state facility for the detention of children that is operated pursuant to title 5 of NRS to the Department of Education or to a ~~{county}~~ school district when necessary to accomplish the purpose of this section.

Sec. 91. NRS 277.0655 is hereby amended to read as follows:

277.0655 1. The Department of Education, the ~~{county}~~ school districts, ~~{of the various counties.}~~ charter schools and the Division of Public and Behavioral Health of the Department of Health and Human Services may enter into cooperative agreements for the provision of educational services at any hospital or other facility which is licensed:



(a) By the Division that provides residential treatment to children and which operates a private school licensed pursuant to chapter 394 of NRS; or

(b) In the District of Columbia or any state or territory of the United States that:

(1) Meets the requirements of 42 C.F.R. §§ 441.151 to 441.156, inclusive;

(2) Provides residential treatment to children; and

(3) Operates an educational program accredited by a national organization and approved by the Department of Education.

2. The authorization provided by subsection 1 includes the right to pay over money appropriated to a ~~county~~ school district or charter school for the education of a child placed in such a hospital or facility.

3. As used in this section, “hospital” has the meaning ascribed to it in NRS 449.012.

Sec. 92. NRS 278.02542 is hereby amended to read as follows:

278.02542 1. The regional planning coalition may:

(a) Coordinate sources of information.

(b) Recommend measures to increase the efficiency of governmental entities and services.

(c) Make recommendations regarding the disposal of federal land.

(d) Establish methods for resolving issues related to annexation, boundaries and other matters that arise between jurisdictions.

(e) At least every 5 years, review:

(1) Master plans, facilities plans and other similar plans, and amendments thereto, adopted by a governing body, regional agency, state agency or public utility that is located in whole or in part within the region; and

(2) The annual plan for capital improvements that is prepared by each local government in the region pursuant to NRS 278.0226.

(f) Develop and recommend, to the extent practicable, standardized classifications for land use for the region.

(g) Consider and take necessary action with respect to any issue that the regional planning coalition determines will have a significant impact on the region, including, without limitation, projects of regional significance.

(h) Review, consider and make recommendations regarding applications submitted to agencies of the Federal Government and applications for federal assistance for federally assisted programs or projects.

(i) Designate allowable future land uses for each part of the county, including, without limitation, the identification of each



category of land use in which the construction and operation of a public school is permissible. The identification of a category of land use in which the construction and operation of a public school is permissible must be carried out in consultation with the ~~county~~ school district *in which the land is located* and include a determination of whether there is sufficient land in the proximity of a residential development to meet projected needs for public schools.

2. The regional planning coalition shall establish a definition for the term “project of regional significance.” In establishing the definition, the regional planning coalition shall consider:

(a) Existing definitions of the term within the Nevada Revised Statutes; and

(b) That a project may have regional significance for several reasons, including, without limitation, the potential impact that the project may have on historic, archaeological, paleontological, cultural, scenic and natural resources, public facilities, including, without limitation, schools, and public services within the region.

Sec. 93. NRS 278.0274 is hereby amended to read as follows:

278.0274 The comprehensive regional plan must include goals, policies, maps and other documents relating to:

1. Population, including a projection of population growth in the region and the resources that will be necessary to support that population.

2. Conservation, including policies relating to the use and protection of air, land, water and other natural resources, ambient air quality, natural recharge areas, floodplains and wetlands, and a map showing the areas that are best suited for development based on those policies.

3. The limitation of the premature expansion of development into undeveloped areas, preservation of neighborhoods and revitalization of urban areas, including, without limitation, policies that relate to the interspersion of new housing and businesses in established neighborhoods and set forth principles by which growth will be directed to older urban areas.

4. Land use and transportation, including the classification of future land uses by density or intensity of development based upon the projected necessity and availability of public facilities, including, without limitation, schools, and services and natural resources, and the compatibility of development in one area with that of other areas in the region. This portion of the plan must:

(a) Address, if applicable:

(1) Mixed-use development, transit-oriented development, master-planned communities and gaming enterprise districts; and



(2) The coordination and compatibility of land uses with each military installation in the region, taking into account the location, purpose and stated mission of the military installation;

(b) Allow for a variety of uses;

(c) Describe the transportation facilities that will be necessary to satisfy the requirements created by those future uses; and

(d) Be based upon the policies and map relating to conservation that are developed pursuant to subsection 2, surveys, studies and data relating to the area, the amount of land required to accommodate planned growth, the population of the area projected pursuant to subsection 1, and the characteristics of undeveloped land in the area.

5. Public facilities and services, including provisions relating to sanitary sewer facilities, solid waste, flood control, potable water and groundwater aquifer recharge which are correlated with principles and guidelines for future land uses, and which specify ways to satisfy the requirements created by those future uses. This portion of the plan must:

(a) Describe the problems and needs of the area relating to public facilities and services and the general facilities that will be required for their solution and satisfaction;

(b) Identify the providers of public services within the region and the area within which each must serve, including service territories set by the Public Utilities Commission of Nevada for public utilities;

(c) Establish the time within which those public facilities and services necessary to support the development relating to land use and transportation must be made available to satisfy the requirements created by that development; and

(d) Contain a summary prepared by the regional planning commission regarding the plans for capital improvements that:

(1) Are required to be prepared by each local government in the region pursuant to NRS 278.0226; and

(2) May be prepared by the water planning commission of the county, the regional transportation commission and the ~~county~~ school ~~district~~ *districts in the county*.

6. Annexation, including the identification of spheres of influence for each unit of local government, improvement district or other service district and specifying standards and policies for changing the boundaries of a sphere of influence and procedures for the review of development within each sphere of influence. As used in this subsection, “sphere of influence” means an area into which a political subdivision may expand in the foreseeable future.



7. Intergovernmental coordination, including the establishment of guidelines for determining whether local master plans and facilities plans conform with the comprehensive regional plan.

8. Any utility project required to be reported pursuant to NRS 278.145.

Sec. 94. NRS 278.160 is hereby amended to read as follows:

278.160 1. Except as otherwise provided in this section and NRS 278.150 and 278.170, the master plan, with the accompanying charts, drawings, diagrams, schedules and reports, may include such of the following elements or portions thereof as are appropriate to the city, county or region, and as may be made the basis for the physical development thereof:

(a) A conservation element, which must include:

(1) A conservation plan for the conservation, development and utilization of natural resources, including, without limitation, water and its hydraulic force, underground water, water supply, solar or wind energy, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals and other natural resources. The conservation plan must also cover the reclamation of land and waters, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan, prevention, control and correction of the erosion of soils through proper clearing, grading and landscaping, beaches and shores, and protection of watersheds. The conservation plan must also indicate the maximum tolerable level of air pollution.

(2) A solid waste disposal plan showing general plans for the disposal of solid waste.

(b) A historic preservation element, which must include:

(1) A historic neighborhood preservation plan which:

(I) Must include, without limitation, a plan to inventory historic neighborhoods and a statement of goals and methods to encourage the preservation of historic neighborhoods.

(II) May include, without limitation, the creation of a commission to monitor and promote the preservation of historic neighborhoods.

(2) A historical properties preservation plan setting forth an inventory of significant historical, archaeological, paleontological and architectural properties as defined by a city, county or region, and a statement of methods to encourage the preservation of those properties.

(c) A housing element, which must include, without limitation:

(1) An inventory of housing conditions and needs, and plans and procedures for improving housing standards and providing



adequate housing to individuals and families in the community, regardless of income level.

(2) An inventory of existing affordable housing in the community, including, without limitation, housing that is available to rent or own, housing that is subsidized either directly or indirectly by this State, an agency or political subdivision of this State, or the Federal Government or an agency of the Federal Government, and housing that is accessible to persons with disabilities.

(3) An analysis of projected growth and the demographic characteristics of the community.

(4) A determination of the present and prospective need for affordable housing in the community.

(5) An analysis of any impediments to the development of affordable housing and the development of policies to mitigate those impediments.

(6) An analysis of the characteristics of the land that is suitable for residential development. The analysis must include, without limitation:

(I) A determination of whether the existing infrastructure is sufficient to sustain the current needs and projected growth of the community; and

(II) An inventory of available parcels that are suitable for residential development and any zoning, environmental and other land-use planning restrictions that affect such parcels.

(7) An analysis of the needs and appropriate methods for the construction of affordable housing or the conversion or rehabilitation of existing housing to affordable housing.

(8) A plan for maintaining and developing affordable housing to meet the housing needs of the community for a period of at least 5 years.

(d) A land use element, which must include:

(1) Provisions concerning community design, including standards and principles governing the subdivision of land and suggestive patterns for community design and development.

(2) A land use plan, including an inventory and classification of types of natural land and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land. The land use plan:

(I) Must, if applicable, address mixed-use development, transit-oriented development, master-planned communities and gaming enterprise districts. The land use plan must also, if applicable, address the coordination and compatibility of land uses with any military installation in the city, county or region, taking into account the location, purpose and stated mission of the military installation.



(II) May include a provision concerning the acquisition and use of land that is under federal management within the city, county or region, including, without limitation, a plan or statement of policy prepared pursuant to NRS 321.7355.

(3) In any county whose population is 700,000 or more, a rural neighborhoods preservation plan showing general plans to preserve the character and density of rural neighborhoods.

(e) A public facilities and services element, which must include:

(1) An economic plan showing recommended schedules for the allocation and expenditure of public money to provide for the economical and timely execution of the various components of the plan.

(2) A population plan setting forth an estimate of the total population which the natural resources of the city, county or region will support on a continuing basis without unreasonable impairment.

(3) An aboveground utility plan that shows corridors designated for the construction of aboveground utilities and complies with the provisions of NRS 278.165.

(4) Provisions concerning public buildings showing the locations and arrangement of civic centers and all other public buildings, including the architecture thereof and the landscape treatment of the grounds thereof.

(5) Provisions concerning public services and facilities showing general plans for sewage, drainage and utilities, and rights-of-way, easements and facilities therefor, including, without limitation, any utility projects required to be reported pursuant to NRS 278.145. If a public utility which provides electric service notifies the planning commission that a new transmission line or substation will be required to support the master plan, those facilities must be included in the master plan. The utility is not required to obtain an easement for any such transmission line as a prerequisite to the inclusion of the transmission line in the master plan.

(6) A school facilities plan showing the general locations of current and future school facilities based upon information furnished by the appropriate ~~county~~ school district.

(f) A recreation and open space element, which must include a recreation plan showing a comprehensive system of recreation areas, including, without limitation, natural reservations, parks, parkways, trails, reserved riverbank strips, beaches, playgrounds and other recreation areas, including, when practicable, the locations and proposed development thereof.

(g) A safety element, which must include:

(1) In any county whose population is 700,000 or more, a safety plan identifying potential types of natural and man-made



hazards, including, without limitation, hazards from floods, landslides or fires, or resulting from the manufacture, storage, transfer or use of bulk quantities of hazardous materials. The safety plan may set forth policies for avoiding or minimizing the risks from those hazards.

(2) A seismic safety plan consisting of an identification and appraisal of seismic hazards such as susceptibility to surface ruptures from faulting, to ground shaking or to ground failures.

(h) A transportation element, which must include:

(1) A streets and highways plan showing the general locations and widths of a comprehensive system of major traffic thoroughfares and other traffic ways and of streets and the recommended treatment thereof, building line setbacks, and a system of naming or numbering streets and numbering houses, with recommendations concerning proposed changes.

(2) A transit plan showing a proposed multimodal system of transit lines, including mass transit, streetcar, motorcoach and trolley coach lines, paths for bicycles and pedestrians, satellite parking and related facilities.

(3) A transportation plan showing a comprehensive transportation system, including, without limitation, locations of rights-of-way, terminals, viaducts and grade separations. The transportation plan may also include port, harbor, aviation and related facilities.

(i) An urban agricultural element, which must include a plan to inventory any vacant lands or other real property owned by the city or county and blighted land in the city or county to determine whether such lands are suitable for urban farming and gardening. The plan to inventory any vacant lands or other real property may include, without limitation, any other real property in the city or county, as deemed appropriate by the commission.

2. The commission may prepare and adopt, as part of the master plan, other and additional plans and reports dealing with such other elements as may in its judgment relate to the physical development of the city, county or region, and nothing contained in NRS 278.010 to 278.630, inclusive, prohibits the preparation and adoption of any such element as a part of the master plan.

Sec. 95. NRS 278.346 is hereby amended to read as follows:

278.346 1. The planning commission or its designated representative or, if there is no planning commission, the clerk or other designated representative of the governing body shall, not more than 10 days after the tentative map is filed pursuant to the provisions of subsection 2 of NRS 278.330, forward a copy of the tentative map to the board of trustees of the school district within which the proposed subdivision is located. Within 15 days after



1 receipt of the copy, the board of trustees or its designee shall, if a
2 school site is needed within the area, notify the commission or
3 governing body that a site is requested.

4 2. If the board of trustees requests a site:

5 (a) The subdivider shall, except as otherwise provided in
6 subsection 8, set aside a site of the size which is determined by the
7 board.

8 (b) The subdivider and the board of trustees shall, except as
9 otherwise provided in subsections 7 and 8, negotiate for the price of
10 the site, which must not exceed the fair market value of the land as
11 determined by an independent appraisal paid for by the board.

12 3. If any land purchased by the school district pursuant to the
13 provisions of subsection 2 has not been placed in use as a school site
14 at the end of 10 years from the date of purchase, the land must be
15 offered to the subdivider or the successor in interest of the
16 subdivider at a sale price equal to the fair market value of the land at
17 the time of the offer, as determined by an independent appraisal paid
18 for by the board.

19 4. If the subdivider or the successor in interest of the
20 subdivider does not accept an offer made pursuant to the provisions
21 of subsection 3 or 9, then the board of trustees may:

22 (a) Sell or lease such property in the manner provided in NRS
23 277.050 or 393.220 to 393.320, inclusive;

24 (b) Exchange such property in the manner provided in NRS
25 277.050 or 393.326 to 393.3293, inclusive; or

26 (c) Retain such property, if such retention is determined to be in
27 the best interests of the school district.

28 5. Except as otherwise provided in subsection 6, when any land
29 dedicated to the use of the public school system or any land
30 purchased and used as a school site becomes unsuitable, undesirable
31 or impractical for any school uses or purposes, the board of trustees
32 of the ~~Leavenworth~~ school district in which the land is located shall
33 dispose of the land as provided in subsection 4.

34 6. Land dedicated under the provisions of former NRS
35 116.020, as it read before April 6, 1961, which the board of trustees
36 determines is unsuitable, undesirable or impractical for school
37 purposes may be reconveyed without cost to the dedicator or the
38 successor or successors in interest of the dedicator.

39 7. Except as otherwise provided in subsection 8, in a county
40 whose population is 100,000 or more but less than 700,000, the
41 school district may purchase the site for a price negotiated between
42 the subdivider and the board of trustees, which price must not
43 exceed the lesser of:

44 (a) The fair market value of the land at the time the tentative
45 map was approved, as determined by an independent appraisal paid



for by the board, plus any costs paid by the subdivider with respect to that land between the date the tentative map was approved and the date of purchase; or

(b) The fair market value of the land on the date of purchase, as determined by an independent appraisal paid for by the board.

8. If, 5 years after the date on which the final map that contains the school site was approved, a school district has not purchased the site pursuant to the provisions of subsection 7, the subdivider need not continue to set aside the site pursuant to the provisions of subsection 2.

9. If, 10 years after the date on which the final map that contains the school site was approved, construction of a school at the school site has not yet begun, the land purchased by the school district pursuant to subsection 7 must be offered to the subdivider or the successor in interest of the subdivider at a sale price equal to the fair market value of the land at the time of the offer, as determined by an independent appraisal paid for by the board.

Sec. 96. NRS 278C.155 is hereby amended to read as follows:

278C.155 1. A tax increment area may be created pursuant to this section by a cooperative agreement between a city in which the principal campus of the Nevada State College is located or intended to be located and the Nevada System of Higher Education, if the boundaries of the tax increment area include only land:

(a) On which the principal campus of the Nevada State College is located or intended to be located; and

(b) Which:

(1) Consists of not more than 509 acres;

(2) Was transferred by the city creating the tax increment area to the Nevada System of Higher Education for the use of the Nevada State College;

(3) Has never been subject to property taxation; and

(4) The Nevada System of Higher Education has agreed to continue to own for the term of the tax increment area.

➤ The provisions of NRS 278C.160, subsections 4, 6 and 7 of NRS 278C.170, NRS 278C.220, subsections 2 and 3 of NRS 278C.250 and paragraph (d) of subsection 6 of NRS 278C.250 do not apply to a tax increment area created pursuant to this section, but such a tax increment area is subject to the provisions of subsections 2 to 9, inclusive.

2. Whenever the governing body of a city in which the principal campus of the Nevada State College is located or intended to be located and the Board of Regents of the University of Nevada determine that the interests of the city, the Nevada System of Higher Education and the public require an undertaking, the governing body and the Board of Regents may enter into a cooperative



1 agreement pursuant to NRS 277.080 to 277.180, inclusive, which
2 describes by reference to the general types of undertakings
3 authorized pursuant to NRS 278C.140 and the undertakings
4 proposed for the tax increment area, and which contains or refers to
5 an exhibit filed with the clerk of the city and the Secretary of the
6 Board of Regents which contains:

7 (a) A statement of the last finalized amount of the assessed
8 valuation of the real property within the boundaries of the tax
9 increment area, which boundaries must be in compliance with
10 subsection 1, and a statement that, based upon the records of the
11 county treasurer, no property taxes were collected on any of that
12 property, or on any interest therein, during the most recent year for
13 which those records are available; and

14 (b) A description of the tax increment area or its location, so that
15 the various tracts of taxable real property and any taxable personal
16 property may be identified and determined to be within or without
17 the tax increment area, except that the description need not describe
18 in complete detail each tract of real property proposed to be
19 included within the tax increment area.

20 3. The governing body may, at any time after the effective date
21 of a cooperative agreement entered into pursuant to this section,
22 adopt a resolution that provisionally orders the undertakings and
23 creation of the tax increment area.

24 4. The notice of the meeting required pursuant to subsection 3
25 of NRS 278C.170 must:

26 (a) Describe by reference the general types of undertakings
27 authorized pursuant to NRS 278C.140 and the undertakings
28 proposed for the tax increment area;

29 (b) Describe the last finalized amount of the assessed valuation
30 of the real property within the boundaries of the tax increment area,
31 and state that, based upon the records of the county treasurer, no
32 property taxes were collected on any of that property, or on any
33 interest therein, during the most recent year for which those records
34 are available;

35 (c) Describe the tax increment area or its location, so that the
36 various tracts of taxable real or personal property may be identified
37 and determined to be within or without the tax increment area; and

38 (d) State the date, time and place of the meeting described in
39 subsection 1 of NRS 278C.170.

40 5. If, after considering all properly submitted and relevant
41 written and oral complaints, protests, objections and other relevant
42 comments and after considering any other relevant material, the
43 governing body determines that the undertaking is in the public
44 interest and defines that public interest, the governing body shall
45 determine whether to proceed with the undertaking. If the governing



body has ordered any modification to an undertaking and has determined to proceed, the governing body must consult with the Board of Regents to obtain its consent to the proposed modification. When the Board of Regents and the governing body are in agreement on the modification, if any, and a statement of the modification is filed with the clerk, if the governing body wants to proceed with the undertaking, the governing body shall adopt an ordinance in the same manner as any other ordinance:

(a) Overruling all complaints, protests and objections not otherwise acted upon;

(b) Ordering the undertaking;

(c) Describing the tax increment area to which the undertaking pertains; and

(d) Creating a tax increment account for the undertaking.

6. Money deposited in the tax increment account as described in subparagraph (2) of paragraph (a) of subsection 1 of NRS 278C.250 may be used to pay the capital costs of the undertaking directly, in addition to being used to pay the bond requirements of loans, money advanced or indebtedness incurred to finance or refinance an undertaking, and may continue to be used for those purposes until the expiration of the tax increment area pursuant to NRS 278C.300.

7. The Board of Regents may pledge to any securities it issues under a delegation pursuant to subsection 8, or irrevocably dedicate to the city that will issue securities hereunder, any revenues of the Nevada System of Higher Education derived from the campus of the Nevada System of Higher Education whose boundaries are included in whole or in part in the tax increment area, other than revenues from state appropriations and from student fees, and subject to any covenants or restrictions in any instruments authorizing other securities. Such an irrevocable dedication must be for the term of the securities issued by the city and any securities refunding those securities and may also extend for the term of the tax increment area.

8. The city may delegate to the Board of Regents the authority to issue any security other than a general obligation security which the city is authorized to issue pursuant to this chapter, and in connection therewith, may irrevocably dedicate to the Board of Regents the revenues that are authorized pursuant to this chapter to be pledged or used to repay those securities, including, without limitation, all money in the tax increment account created pursuant to subsection 5. The irrevocable dedication of any security pursuant to this subsection must be for the term of the security issued by the Nevada System of Higher Education and any security refunding



1 those securities and may also extend for the term of the tax
2 increment area.

3 9. If the boundaries of a ~~county~~ school district include a tax
4 increment area created pursuant to this section and the ~~county~~
5 school district operates a public school on property within the
6 boundaries of that tax increment area, the ~~county~~ school district
7 and the Nevada System of Higher Education shall consult with one
8 another regarding funding for the operating costs of that public
9 school.

10 **Sec. 97.** NRS 278C.250 is hereby amended to read as follows:

11 278C.250 1. After the effective date of the ordinance adopted
12 pursuant to NRS 278C.220:

13 (a) Any taxes levied upon taxable property in the tax increment
14 area each year by or for the benefit of the State, the municipality and
15 any public body must be divided as follows:

16 (1) That portion of the taxes that would be produced by the
17 rate upon which the tax is levied each year by or for each of those
18 taxing agencies upon the total sum of the assessed value of the
19 taxable property in the tax increment area as shown upon the last
20 equalized assessment roll used in connection with the taxation of the
21 property by the taxing agency, must be allocated to and when
22 collected must be paid into the funds of the respective taxing
23 agencies as taxes by or for the taxing agencies on all other property
24 are paid.

25 (2) Except as otherwise provided in this section, the portion
26 of the taxes levied each year in excess of the amount determined
27 pursuant to subparagraph (1) must be allocated to, and when
28 collected must be paid into, the tax increment account pertaining to
29 the undertaking to pay the bond requirements of loans, money
30 advanced to, or indebtedness, whether funded, refunded, assumed or
31 otherwise, incurred by the municipality to finance or refinance, in
32 whole or in part, the undertaking. Unless the total assessed valuation
33 of the taxable property in the tax increment area exceeds the total
34 assessed value of the taxable property in the area as shown by the
35 last equalized assessment roll referred to in this subsection, all of the
36 taxes levied and collected upon the taxable property in the area must
37 be paid into the funds of the respective taxing agencies. When the
38 loans, advances and indebtedness, if any, and interest thereon, have
39 been paid, all money thereafter received from taxes upon the taxable
40 property in the tax increment area must be paid into the funds of the
41 respective taxing agencies as taxes on all other property are paid.

42 (b) If the undertaking is a natural resources project or a rail
43 project for which the municipality has received approval from the
44 Interim Finance Committee pursuant to NRS 278C.157, any taxes
45 levied upon the sale or use of tangible personal property in the tax



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1 increment area each year by or for the benefit of the State, the
2 municipality and any public body must be divided as follows:

3 (1) That portion of the taxes that would be produced by the
4 rate upon which the tax is levied each year by or for each of those
5 taxing agencies upon the total sum of the sales and use of tangible
6 personal property in the tax increment area in the fiscal year
7 immediately preceding the effective date of the ordinance adopted
8 pursuant to NRS 278C.220, must be allocated to and when collected
9 must be paid into the funds of the respective taxing agencies as
10 taxes by or for the taxing agencies on all other sales of tangible
11 personal property are paid.

12 (2) Except as otherwise provided in this section, of the
13 portion of the taxes levied each year in excess of the amount
14 determined pursuant to subparagraph (1), 50 percent of that amount
15 must be allocated to, and when collected must be paid into the tax
16 increment account pertaining to the undertaking to pay the bond
17 requirements of loans, money advanced to, or indebtedness, whether
18 funded, refunded, assumed or otherwise, incurred by the
19 municipality to finance or refinance, in whole or in part, the
20 undertaking. The remaining 50 percent of that amount must be
21 allocated to and when collected must be paid into the funds of the
22 respective taxing agencies as taxes by or for the taxing agencies on
23 all other sales of tangible personal property are paid. Unless the total
24 amount of the taxes imposed on the sale and use of tangible personal
25 property in the tax increment area exceeds the total amount of the
26 taxes imposed on the sale and use of tangible personal property in
27 the tax increment area in the fiscal year immediately preceding the
28 effective date of the ordinance adopted pursuant to NRS 278C.220,
29 all of the taxes levied and collected upon the sale or use of tangible
30 personal property in the tax increment area must be paid into the
31 funds of the respective taxing agencies. When the loans, advances
32 and indebtedness, if any, and interest thereon, have been paid, all
33 money thereafter received from taxes upon the sale or use of
34 tangible personal property in the tax increment area must be paid
35 into the funds of the respective taxing agencies as taxes on all other
36 taxes on the sale or use of tangible personal property are paid.

37 (c) If the undertaking is a natural resources project or a rail
38 project for which the municipality has received approval from the
39 Interim Finance Committee pursuant to NRS 278C.157, any taxes
40 imposed pursuant to NRS 363A.130 or 363B.110 on employers
41 located in the tax increment area must be divided as follows:

42 (1) That portion of the taxes that would be produced by the
43 rate upon which the tax is imposed each year by the Department of
44 Taxation in the fiscal year immediately preceding the effective date
45 of the ordinance adopted pursuant to NRS 278C.220, must be



1 allocated to and when collected must be paid to the Department of
2 Taxation as all other taxes imposed pursuant to NRS 363A.130 and
3 363B.110 are paid.

4 (2) Except as otherwise provided in this section, of the
5 portion of the taxes imposed each year in excess of the amount
6 determined pursuant to subparagraph (1), 50 percent of that amount
7 must be allocated to, and when collected must be paid into, the tax
8 increment account pertaining to the undertaking to pay the bond
9 requirements of loans, money advanced to, or indebtedness, whether
10 funded, refunded, assumed or otherwise, incurred by the
11 municipality to finance or refinance, in whole or in part, the
12 undertaking. The remaining 50 percent of that amount must be
13 allocated to and when collected must be paid to the Department of
14 Taxation as all other taxes imposed pursuant to NRS 363A.130 and
15 363B.110 are paid. Unless the total amount of the taxes imposed
16 pursuant to NRS 363A.130 and 363B.110 on employers located in
17 the tax increment area exceeds the total amount of the taxes imposed
18 on employers located in the tax increment area in the fiscal year
19 immediately preceding the effective date of the ordinance adopted
20 pursuant to NRS 278C.220, all of the taxes imposed on employers
21 located in the tax increment area must be paid to the Department of
22 Taxation. When the loans, advances and indebtedness, if any, and
23 interest thereon, have been paid, all money thereafter received from
24 taxes imposed pursuant to NRS 363A.130 or 363B.110 on
25 employers located in the tax increment area must be paid to the
26 Department of Taxation as all other taxes imposed pursuant to NRS
27 363A.130 and 363B.110 are paid.

28 2. Except as otherwise provided in subsection 2 of NRS
29 360.991, the amount of the taxes levied each year which are paid
30 into the tax increment account pursuant to subparagraph (2) of
31 paragraph (a) of subsection 1, subparagraph (2) of paragraph (b) of
32 subsection 1 and subparagraph (2) of paragraph (c) of subsection 1
33 must be limited by the governing body to an amount not to exceed
34 the combined total amount required for annual debt service of or any
35 outstanding advances of money or unfunded costs associated with
36 the project or projects acquired, improved or equipped, or any
37 combination thereof, as part of the undertaking.

38 3. Any revenues generated within the tax increment area in
39 excess of the amount referenced in subsection 2, if any, will be paid
40 into the funds of the respective taxing agencies in the same
41 proportion as their base amount was distributed.

42 4. Except as otherwise provided in this subsection, in any fiscal
43 year, the total revenue paid to a tax increment area pursuant to
44 subparagraph (2) of paragraph (a) of subsection 1 in combination
45 with the total revenue paid to any other tax increment areas and any



1 redevelopment agencies of a municipality, other than any revenues
2 paid to any other tax increment areas pursuant to subparagraph (2)
3 of paragraph (b) of subsection 1 and subparagraph (2) of paragraph
4 (c) of subsection 1, must not exceed:

5 (a) In a county whose population is 100,000 or more or a city
6 whose population is 150,000 or more, an amount equal to the
7 combined tax rates of the taxing agencies for that fiscal year
8 multiplied by 10 percent of the total assessed valuation of the
9 municipality.

10 (b) In a county whose population is less than 100,000 or a city
11 whose population is less than 150,000, an amount equal to the
12 combined tax rates of the taxing agencies for that fiscal year
13 multiplied by 15 percent of the total assessed valuation of the
14 municipality.

15 ➤ Notwithstanding the provisions of this subsection, if a county has
16 a population of less than 100,000 or if a city has a population of less
17 than 150,000 at the time the municipality issues securities for a tax
18 increment area pursuant to NRS 278C.280, the revenue limitation
19 set forth in paragraph (b) must remain the revenue limitation for the
20 tax increment area until such time as the securities issued for that
21 tax increment area pursuant to NRS 278C.280 have been paid in
22 full, including any securities issued to refund those securities,
23 regardless of whether the population of the municipality reaches or
24 exceeds 100,000 after the issuance of those securities.

25 5. If the revenue paid to a tax increment area must be limited
26 pursuant to paragraph (a) or (b) of subsection 4 and the municipality
27 has more than one redevelopment agency or tax increment area, or
28 one of each, the municipality shall determine the allocation to each
29 agency and area. Any revenue that would be allocated to a tax
30 increment area but for the provisions of this section must be paid
31 into the funds of the respective taxing agencies.

32 6. The portion of the taxes levied each year in excess of the
33 amount determined pursuant to subparagraph (1) of paragraph (a) of
34 subsection 1 which is attributable to any tax rate levied by a taxing
35 agency:

36 (a) To produce revenue in an amount sufficient to make annual
37 repayments of the principal of, and the interest on, any bonded
38 indebtedness that was approved by a majority of the registered
39 voters within the area of the taxing agency voting upon the question,
40 must be allocated to, and when collected must be paid into, the debt
41 service fund of that taxing agency.

42 (b) In excess of any tax rate of that taxing agency applicable to
43 the last taxation of the property before the effective date of the
44 ordinance, if that additional rate was approved by a majority of the
45 registered voters within the area of the taxing agency voting upon



the question, must be allocated to, and when collected must be paid into, the appropriate fund of that taxing agency.

(c) Pursuant to NRS 387.3285 or 387.3287, if that rate was approved by a majority of the registered voters within the area of the taxing agency voting upon the question, must be allocated to, and when collected must be paid into, the appropriate fund of that taxing agency.

(d) For the support of the public schools within a ~~county~~ school district pursuant to NRS 387.195, must be allocated to, and when collected must be paid into, the State Education Fund.

7. The provisions of paragraph (a) of subsection 6 include, without limitation, a tax rate approved for bonds of a ~~county~~ school district issued pursuant to NRS 350.020, including, without limitation, amounts necessary for a reserve account in the debt service fund.

8. As used in this section, the term “last equalized assessment roll” means the assessment roll in existence on the 15th day of March immediately preceding the effective date of the ordinance.

Sec. 98. NRS 279.676 is hereby amended to read as follows:

279.676 1. Any redevelopment plan may contain a provision that taxes, if any, levied upon taxable property in the redevelopment area each year by or for the benefit of the State, any city, county, district or other public corporation, after the effective date of the ordinance approving the redevelopment plan, must be divided as follows:

(a) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of the taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment area as shown upon the assessment roll used in connection with the taxation of the property by the taxing agency, last equalized before the effective date of the ordinance, must be allocated to and when collected must be paid into the funds of the respective taxing agencies as taxes by or for such taxing agencies on all other property are paid. To allocate taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment area on the effective date of the ordinance but to which the territory has been annexed or otherwise included after the effective date, the assessment roll of the county last equalized on the effective date of the ordinance must be used in determining the assessed valuation of the taxable property in the redevelopment area on the effective date. If property which was shown on the assessment roll used to determine the amount of taxes allocated to the taxing agencies is transferred to the State and becomes exempt from taxation, the assessed valuation of the exempt property as shown on the assessment roll last equalized before the



1 date on which the property was transferred to the State must be
2 subtracted from the assessed valuation used to determine the amount
3 of revenue allocated to the taxing agencies.

4 (b) Except as otherwise provided in paragraphs (c), (d) and (e)
5 and NRS 540A.265, that portion of the levied taxes each year in
6 excess of the amount set forth in paragraph (a) must be allocated to
7 and when collected must be paid into a special fund of the
8 redevelopment agency to pay the costs of redevelopment and to pay
9 the principal of and interest on loans, money advanced to, or
10 indebtedness, whether funded, refunded, assumed, or otherwise,
11 incurred by the redevelopment agency to finance or refinance, in
12 whole or in part, redevelopment. Unless the total assessed valuation
13 of the taxable property in a redevelopment area exceeds the total
14 assessed value of the taxable property in the redevelopment area as
15 shown by:

16 (1) The assessment roll last equalized before the effective
17 date of the ordinance approving the redevelopment plan; or

18 (2) The assessment roll last equalized before the effective
19 date of an ordinance adopted pursuant to subsection 5,
20 ➤ whichever occurs later, less the assessed valuation of any exempt
21 property subtracted pursuant to paragraph (a), all of the taxes levied
22 and collected upon the taxable property in the redevelopment area
23 must be paid into the funds of the respective taxing agencies. When
24 the redevelopment plan is terminated pursuant to the provisions of
25 NRS 279.438 and 279.439 and all loans, advances and indebtedness,
26 if any, and interest thereon, have been paid, all money thereafter
27 received from taxes upon the taxable property in the redevelopment
28 area must be paid into the funds of the respective taxing agencies as
29 taxes on all other property are paid.

30 (c) That portion of the taxes in excess of the amount set forth in
31 paragraph (a) that is attributable to a tax rate levied by a taxing
32 agency to produce revenues in an amount sufficient to make annual
33 repayments of the principal of, and the interest on, any bonded
34 indebtedness that was approved by the voters of the taxing agency
35 on or after November 5, 1996, must be allocated to and when
36 collected must be paid into the debt service fund of that taxing
37 agency.

38 (d) That portion of the taxes in excess of the amount set forth in
39 paragraph (a) that is attributable to a new or increased tax rate levied
40 by a taxing agency and was approved by the voters of the taxing
41 agency on or after November 5, 1996, must be allocated to and
42 when collected must be paid into the appropriate fund of the taxing
43 agency.

44 (e) If an agency has adopted a resolution pursuant to subsection
45 8, that portion of the taxes in excess of the amount set forth in



paragraph (a) that is attributable to a tax rate levied by a taxing agency:

(1) Pursuant to NRS 387.3285 or 387.3287, if that rate was approved by a majority of the registered voters within the area of the taxing agency voting upon the question, must be allocated to, and when collected paid into, the appropriate fund of that taxing agency.

(2) For the support of public schools within a ~~county~~ school district pursuant to NRS 387.195, must be allocated to, and when collected paid into, the appropriate fund of that taxing agency.

2. Except as otherwise provided in subsection 3, in any fiscal year, the total revenue paid to a redevelopment agency must not exceed:

(a) In a county whose population is 100,000 or more or a city whose population is 150,000 or more, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 10 percent of the total assessed valuation of the municipality.

(b) In a county whose population is 30,000 or more but less than 100,000 or a city whose population is 25,000 or more but less than 150,000, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 15 percent of the total assessed valuation of the municipality.

(c) In a county whose population is less than 30,000 or a city whose population is less than 25,000, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 20 percent of the total assessed valuation of the municipality.

➤ If the revenue paid to a redevelopment agency must be limited pursuant to paragraph (a), (b) or (c) and the redevelopment agency has more than one redevelopment area, the redevelopment agency shall determine the allocation to each area. Any revenue which would be allocated to a redevelopment agency but for the provisions of this section must be paid into the funds of the respective taxing agencies.

3. The taxing agencies shall continue to pay to a redevelopment agency any amount which was being paid before July 1, 1987, and in anticipation of which the agency became obligated before July 1, 1987, to repay any bond, loan, money advanced or any other indebtedness, whether funded, refunded, assumed or otherwise incurred.

4. For the purposes of this section, the assessment roll last equalized before the effective date of the ordinance approving the redevelopment plan is the assessment roll in existence on March 15 immediately preceding the effective date of the ordinance.



5. If in any year the assessed value of the taxable property in a redevelopment area located in a city in a county whose population is 700,000 or more as shown by the assessment roll most recently equalized has decreased by 10 percent or more from the assessed value of the taxable property in the redevelopment area as shown by the assessment roll last equalized before the effective date of the ordinance approving the redevelopment plan, the redevelopment agency may adopt an ordinance which provides that the total assessed value of the taxable property in the redevelopment area for the purposes of paragraphs (a) and (b) of subsection 1 is the total assessed value of the taxable property in the redevelopment area as shown by the assessment roll last equalized before the effective date of the ordinance adopted pursuant to this subsection. A redevelopment agency may adopt an ordinance pursuant to this subsection only once, and the election to adopt such an ordinance is irrevocable.

6. An agency which adopts an ordinance pursuant to subsection 5 and which receives revenue pursuant to paragraph (b) of subsection 1 from taxes on the taxable property located in the redevelopment area affected by the ordinance shall set aside 18 percent of that revenue received on and after the effective date of the ordinance to:

(a) Increase, improve, preserve or enhance public educational facilities;

(b) Support public educational activities and programs; or

(c) Increase, improve, preserve or enhance public educational facilities and support public educational activities and programs,

➤ which are located in or within 1 mile of the redevelopment area or which serve pupils who reside in or within 1 mile of the redevelopment area. For each fiscal year, the agency shall prepare a written report concerning the amount of money expended for the purposes set forth in this subsection and shall, on or before November 30 of each year, submit a copy of the report to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission, if the report is received during an odd-numbered year, or to the next session of the Legislature, if the report is received during an even-numbered year.

7. The obligation of an agency pursuant to subsection 6 to set aside 18 percent of the revenue allocated to and received by the agency pursuant to paragraph (b) of subsection 1 from taxes on the taxable property located in the redevelopment area affected by the ordinance adopted by the agency pursuant to subsection 5 is subordinate to any existing obligations of the agency. As used in this subsection, "existing obligations" means the principal and interest, when due, on any bonds, notes or other indebtedness



whether funded, refunded, assumed or otherwise incurred by an agency before the effective date of an ordinance adopted by the agency pursuant to subsection 5, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency on or after the effective date of an ordinance adopted by the agency pursuant to subsection 5 shall be deemed existing obligations if the net proceeds are used to refinance existing obligations of the agency.

8. An agency may adopt a resolution providing that the portion of the taxes in excess of the amount set forth in paragraph (a) of subsection 1 that is attributable to any tax rate levied by a taxing agency:

(a) Pursuant to NRS 387.3285 or 387.3287, if that rate was approved by a majority of the registered voters within the area of the taxing agency voting upon the question, must be allocated to, and when collected paid into, the appropriate fund of that taxing agency.

(b) For the support of public schools within a ~~county~~ school district pursuant to NRS 387.195, must be allocated to, and when collected paid into, the appropriate fund of that taxing agency.

Sec. 99. NRS 280.287 is hereby amended to read as follows:

280.287 1. The department may enter into a contract with the board of trustees of ~~the~~ a school district located in the county served by the department for the provision and supervision of police services in the public schools within the school district and any charter school with which the board of trustees has entered into a contract for the provision of school police officers pursuant to NRS 388A.384, and on property owned by the school district and, if applicable, on property owned or operated by a charter school. If the department enters into a contract pursuant to this section, the department shall create a separate unit designated as the school police unit for this purpose.

2. The department may establish different qualifications and training requirements for officers assigned to the school police unit than those generally applicable to officers of the department.

Sec. 100. NRS 281.210 is hereby amended to read as follows:

281.210 1. Except as otherwise provided in this section, it is unlawful for any person acting as a school trustee, state, township, municipal or county officer, or as an employing authority of the Nevada System of Higher Education, any school district or of the State, any town, city or county, or for any state or local board, agency or commission, elected or appointed, to employ in any capacity on behalf of the State of Nevada, or any county, township, municipality or school district thereof, or the Nevada System of Higher Education, any relative of such a person or of any member of



1 such a board, agency or commission who is within the third degree
2 of consanguinity or affinity.

3 2. This section does not apply:

4 (a) To school districts, when the teacher or other school
5 employee is not related to more than one of the trustees or person
6 who is an employing authority by consanguinity or affinity and
7 receives a unanimous vote of all members of the board of trustees
8 and approval by the Department of Education.

9 (b) To school districts, when the teacher or other school
10 employee has been employed by an abolished school district or
11 educational district, which constitutes a part of the employing
12 ~~county~~ school district, and the ~~county~~ school district for 4 years
13 or more before April 1, 1957.

14 (c) To the spouse of the warden of an institution or manager of a
15 facility of the Department of Corrections.

16 (d) To relatives of officers and employees who are blind of the
17 Bureau of Services to Persons Who Are Blind or Visually Impaired
18 of the Rehabilitation Division of the Department of Employment,
19 Training and Rehabilitation when those relatives are employed as
20 automobile drivers for those officers and employees.

21 3. Nothing in this section:

22 (a) Prevents any officer in this State, employed under a flat
23 salary, from employing any suitable person to assist in any such
24 employment, when the payment for the service is met out of the
25 personal money of the officer.

26 (b) Disqualifies any widow with a dependent as an employee of
27 any officer or board in this State, or any of its counties, townships,
28 municipalities or school districts.

29 4. A person employed contrary to the provisions of this section
30 must not be compensated for the employment.

31 5. Any person violating any provisions of this section is guilty
32 of a gross misdemeanor.

33 **Sec. 101.** NRS 281A.182 is hereby amended to read as
34 follows:

35 281A.182 1. Any person who serves in one of the following
36 positions is designated as a public officer solely and exclusively for
37 the purposes of this chapter:

38 (a) A president of a university, state college or community
39 college within the Nevada System of Higher Education.

40 (b) A superintendent of a ~~county~~ school district.

41 (c) A county manager or a city manager.

42 2. The provisions of subsection 1 apply to such a person
43 regardless of whether the person serves in the position:

44 (a) By appointment, contract or employment;

45 (b) With or without compensation; or



(c) On a temporary, interim or acting basis.

3. A person who is not otherwise a public officer is designated as a public officer solely and exclusively for the purposes of this chapter if the person:

(a) Enters into a contract with any state or local agency;

(b) Is paid compensation with public money; and

(c) Serves in a position which involves the exercise of a public power, trust or duty and which ordinarily would be held or filled by a public officer.

4. A person who is not otherwise a public employee is designated as a public employee solely and exclusively for the purposes of this chapter if:

(a) The person enters into a contract with any state or local agency;

(b) The person is paid compensation with public money;

(c) The person serves in a position which involves the performance of public duties under the substantial and continuing direction and control of a public officer or supervisory public employee;

(d) The position ordinarily would be held or filled by a public employee and would require the public employee to hold a valid professional or occupational license or similar type of authorization issued by a state or local agency to perform the public duties of the position, other than a general business license or similar type of authorization;

(e) The position is entrusted with public duties of a substantial and continuing nature which ordinarily would require a public employee to avoid conflicts between the private interests of the public employee and those of the general public whom the public employee serves; and

(f) The person occupies the position on a full-time basis or its equivalent for a substantial and continuing period of time.

5. The provisions of subsections 3 and 4 must be interpreted and applied to ensure that a person does not evade the provisions of this chapter because a state or local agency elects to use a contractual relationship instead of an employment relationship for a position which ordinarily would be held or filled by a public officer or employee.

6. If, pursuant to this section, any person is designated as a public officer or employee for the purposes of this chapter, that designation:

(a) Does not make the person a public officer or employee for the purposes of any other law or for any other purposes; and

(b) Must not be used, interpreted or applied in any manner to establish, suggest or prove that the person is a public officer or



employee for the purposes of any other law or for any other purposes.

Sec. 102. NRS 289.830 is hereby amended to read as follows:

289.830 1. A law enforcement agency shall require uniformed peace officers that it employs and who routinely interact with the public to wear a portable event recording device while on duty. Each law enforcement agency shall adopt policies and procedures governing the use of portable event recording devices, which must include, without limitation:

(a) Except as otherwise provided in paragraph (d), requiring activation of a portable event recording device whenever a peace officer is responding to a call for service or at the initiation of any other law enforcement or investigative encounter between a uniformed peace officer and a member of the public;

(b) Except as otherwise provided in paragraph (d), prohibiting deactivation of a portable event recording device until the conclusion of a law enforcement or investigative encounter;

(c) Prohibiting the recording of general activity;

(d) Protecting the privacy of persons:

(1) In a private residence;

(2) Seeking to report a crime or provide information regarding a crime or ongoing investigation anonymously; or

(3) Claiming to be a victim of a crime;

(e) Requiring that any video recorded by a portable event recording device must be retained by the law enforcement agency for not less than 15 days; and

(f) Establishing disciplinary rules for peace officers who:

(1) Fail to operate a portable event recording device in accordance with any departmental policies;

(2) Intentionally manipulate a video recorded by a portable event recording device; or

(3) Prematurely erase a video recorded by a portable event recording device.

2. Any record made by a portable event recording device pursuant to this section is a public record which may be:

(a) Requested only on a per incident basis; and

(b) Available for inspection only at the location where the record is held if the record contains confidential information that may not otherwise be redacted.

3. As used in this section:

(a) “Law enforcement agency” means:

(1) The sheriff’s office of a county;

(2) A metropolitan police department;

(3) A police department of an incorporated city;



(4) A department, division or municipal court of a city or town that employs marshals;

(5) The Nevada Highway Patrol; or

(6) A board of trustees of any ~~county~~ school district that employs or appoints school police officers.

(b) "Portable event recording device" means a device issued to a peace officer by a law enforcement agency to be worn on his or her body and which records both audio and visual events occurring during an encounter with a member of the public while performing his or her duties as a peace officer.

Sec. 103. NRS 293.193 is hereby amended to read as follows:

293.193 1. Fees as listed in this section for filing declarations of candidacy must be paid to the filing officer by cash, cashier's check or certified check.

United States Senator	\$500
Representative in Congress	300
Governor.....	300
Justice of the Supreme Court.....	300
Any state office, other than Governor or justice of the Supreme Court	200
District judge	150
Justice of the peace.....	100
Any county office	100
State Senator.....	100
Assemblyman or Assemblywoman	100
Any district office other than district judge.....	30
Constable or other town or township office	30

For the purposes of this subsection, trustee of a ~~county~~ school district, hospital or hospital district is not a county office.

2. No filing fee may be required from a candidate for an office the holder of which receives no compensation.

3. The county clerk shall pay to the county treasurer all filing fees received from candidates. The county treasurer shall deposit the money to the credit of the general fund of the county.

4. Except as otherwise provided in NRS 293.194, a filing fee paid pursuant to this section is not refundable.

Sec. 104. NRS 350.0115 is hereby amended to read as follows:

350.0115 1. There is hereby created in each county whose population is 700,000 or more a debt management commission, to be composed of:

(a) Three representatives of the board of county commissioners from its membership;



(b) One representative of each governing body of the five largest incorporated cities in the county from its membership;

(c) One representative of the board of trustees of the county school district from its membership; and

(d) Two representatives of the public at large.

2. There is hereby created in each county whose population is less than 700,000 a debt management commission, to be composed of one representative of the county, one representative of the *county* school district and the following additional representatives:

(a) In each such county which contains more than one incorporated city:

(1) One representative of the city in which the county seat is located;

(2) One representative of the other incorporated cities jointly; and

(3) One representative of the public at large.

(b) In each such county which contains one incorporated city:

(1) One representative of the incorporated city; and

(2) Two representatives of the public at large.

(c) In each such county which contains no incorporated city, one representative of the public at large.

(d) In each such county which contains one or more general improvement districts, one representative of the district or districts jointly and one additional representative of the public at large.

3. In Carson City, there is hereby created a debt management commission, to be composed of one representative of the Board of Supervisors, one representative of the school district and three representatives of the public at large. The representative of the Board of Supervisors and the representative of the school district shall select the representatives of the public at large and, for that purpose only, constitute a quorum of the debt management commission. Members of the commission serve for a term of 2 years beginning on January 1, or until their successors are chosen.

4. Except as otherwise provided in subsection 1, each representative of a single local government must be chosen by its governing body. Each representative of two or more local governments must be chosen by their governing bodies jointly, each governing body having one vote. Each representative of the general improvement districts must be chosen by their governing bodies jointly, each governing body having one vote. Each representative of the public at large must be chosen by the other members of the commission from residents of the county, or Carson City, as the case may be, who have a knowledge of its financial structure. A tie vote must be resolved by lot.



5. A person appointed as a member of the commission in a county whose population is 100,000 or more who is not an elected officer or a person appointed to an elective office for an unexpired term must have at least 5 years of experience in the field of public administration, public accounting or banking.

6. A person appointed as a member of the commission shall not have a substantial financial interest in the ownership or negotiation of securities issued by this State or any of its political subdivisions.

7. Except as otherwise provided in this subsection, members of the commission or their successors must be chosen in January of each odd-numbered year and hold office for a term of 2 years beginning January 1. The representatives of incorporated cities must be chosen after elections are held in the cities, but before the annual meeting of the commission in August. The term of a representative who serves pursuant to paragraph (a), (b) or (c) of subsection 1 is coterminous with the term of his or her elected office, unless the public entity that appointed the representative revokes his or her appointment.

8. Any vacancy must be filled in the same manner as the original choice was made for the remainder of the unexpired term.

Sec. 105. NRS 350.020 is hereby amended to read as follows:

350.020 1. A general obligation issued or incurred pursuant to this section must be used only for the stated purpose for which the general obligation was originally issued or incurred and not for any other purpose. Except as otherwise provided by subsections 3 and 4, if a municipality proposes to issue or incur general obligations, the proposal must be submitted to the electors of the municipality at a special election called for that purpose or the next general municipal election or general state election.

2. Such a special election may be held:

(a) At any time, including, without limitation, on the date of a primary municipal election or a primary state election, if the governing body of the municipality determines, by a unanimous vote, that an emergency exists; or

(b) On the second Tuesday after the first Monday in June of an odd-numbered year, whether or not the municipality also holds a general municipal election on that date,

except that the governing body shall not determine that an emergency exists if the special election is for the purpose of submitting to the electors a proposal to refund bonds. The determination made by the governing body is conclusive unless it is shown that the governing body acted with fraud, a gross abuse of discretion or in violation of the provisions of this subsection. An action to challenge the determination made by the governing body must be commenced within 15 days after the governing body's



determination is final. As used in this subsection, “emergency” means any occurrence or combination of occurrences which requires immediate action by the governing body of the municipality to prevent or mitigate a substantial financial loss to the municipality or to enable the governing body to provide an essential service to the residents of the municipality.

3. If payment of a general obligation of the municipality is additionally secured by a pledge of gross or net revenue of a project to be financed by its issue, and the governing body determines, by an affirmative vote of two-thirds of the members elected to the governing body, that the pledged revenue will at least equal the amount required in each year for the payment of interest and principal, without regard to any option reserved by the municipality for early redemption, the municipality may, after a public hearing, incur this general obligation without an election unless, within 90 days after publication of a resolution of intent to issue the bonds, a petition is presented to the governing body signed by not less than 5 percent of the registered voters of the municipality. Any member elected to the governing body whose authority to vote is limited by charter, statute or otherwise may vote on the determination required to be made by the governing body pursuant to this subsection. The determination by the governing body becomes conclusive on the last day for filing the petition. For the purpose of this subsection, the number of registered voters must be determined as of the close of registration for the last preceding general election. The resolution of intent need not be published in full, but the publication must include the amount of the obligation, the purpose for which it is to be incurred, the date by which the registered voters of the municipality must file a petition with the governing body to hold an election on the issuance of the obligation, the location at which the petition must be filed with the governing body and the location at which a person may obtain additional information regarding the contents of and filing requirements for the petition. Notice of the public hearing must be published at least three times, once each week for three consecutive weeks, in a newspaper of general circulation in the municipality. The third publication of the notice required by this subsection must be made at least 10 days before the date of the hearing. When published, the notice of the public hearing must be at least as large as 5 inches high by 4 inches wide.

4. The board of trustees of a school district may issue general obligation bonds which are not expected to result in an increase in the existing property tax levy for the payment of bonds of the school district without holding an election for each issuance of the bonds if the qualified electors approve a question submitted by the board of trustees that authorizes issuance of bonds for a period of 10 years



1 after the date of approval by the voters. If the question is approved,
2 the board of trustees of the school district may issue the bonds for a
3 period of 10 years after the date of approval by the voters, after
4 obtaining the approval of the debt management commission in the
5 county in which the school district is located and, in a county whose
6 population is 100,000 or more, the approval of the oversight panel
7 for school facilities established pursuant to NRS 393.092 in that
8 county, if the board of trustees of the school district finds that the
9 existing tax for debt service will at least equal the amount required
10 to pay the principal and interest on the outstanding general
11 obligations of the school district and the general obligations
12 proposed to be issued. The finding made by the board of trustees is
13 conclusive in the absence of fraud or gross abuse of discretion. As
14 used in this subsection, “general obligations” does not include
15 medium-term obligations issued pursuant to NRS 350.087 to
16 350.095, inclusive.

17 5. At the time of issuance of bonds authorized pursuant to
18 subsection 4, the board of trustees shall establish a reserve account
19 in its debt service fund for payment of the outstanding bonds of the
20 school district. The reserve account must be established and
21 maintained in an amount at least equal to the lesser of:

22 (a) For a school district located in a county whose population is
23 100,000 or more, 25 percent; and

24 (b) For a school district located in a county whose population is
25 less than 100,000, 50 percent,

26 ➤ of the amount of principal and interest payments due on all of the
27 outstanding bonds of the school district in the next fiscal year or 10
28 percent of the outstanding principal amount of the outstanding
29 bonds of the school district.

30 6. If the amount in the reserve account falls below the amount
31 required by subsection 5:

32 (a) The board of trustees shall not issue additional bonds
33 pursuant to subsection 4 until the reserve account is restored to the
34 level required by subsection 5; and

35 (b) The board of trustees shall apply all of the taxes levied by
36 the school district for payment of bonds of the school district that
37 are not needed for payment of the principal and interest on bonds of
38 the school district in the current fiscal year to restore the reserve
39 account to the level required pursuant to subsection 5.

40 7. A question presented to the voters pursuant to subsection 4
41 may authorize all or a portion of the revenue generated by the debt
42 rate which is in excess of the amount required:

43 (a) For debt service in the current fiscal year;

44 (b) For other purposes related to the bonds by the instrument
45 pursuant to which the bonds were issued; and



(c) To maintain the reserve account required pursuant to subsection 5,

➔ to be transferred to the ~~{county school district's}~~ fund for capital projects *of the school district which issued the bonds* established pursuant to NRS 387.328 and used to pay the cost of capital projects which can lawfully be paid from that fund. Any such transfer must not limit the ability of the school district to issue bonds during the period of voter authorization if the findings and approvals required by subsection 4 are obtained.

8. A municipality may issue special or medium-term obligations without an election.

Sec. 106. NRS 350.524 is hereby amended to read as follows:

350.524 “Governing body” means the board of county commissioners, city council, city commission, board of supervisors, town council, board of trustees of ~~{the}~~ *a* school district, board of directors or trustees of any other type district, or other local legislative or governing body of the municipality.

Sec. 107. NRS 354.140 is hereby amended to read as follows:

354.140 1. The money paid to the State of Nevada by the Secretary of the Treasury under the provisions of 16 U.S.C. § 500, providing for the payment to states and territories of a fixed percentage of the money received by the Government of the United States from the forest reserves established therein, must be distributed respectively to the county or counties in which the forest reserves are situated, to be expended for the benefit of the public schools and the public roads of the county or counties in equal proportion for each object. The proportion for schools must be paid into the ~~{county}~~ school district ~~{fund}~~ *funds for each school district in the county*. If there is a county road fund, the proportion for roads must be paid into the county road fund. If there is no county road fund, the proportion for roads must be paid into the county general fund for public road purposes.

2. When any forest reserve is in more than one state or county, the distributive share to each must be proportional to its area therein, following as near as may be the figures submitted to the State of Nevada respecting net forest area and county acreage therein by the Forest Service, United States Department of Agriculture.

3. The agency which is responsible for completing any audit required for the continuation of the payments must be reimbursed for the cost of the audit from the funds to which the payments were distributed proportionately according to the percentage of the payment which was distributed to each fund.

Sec. 108. NRS 354.603 is hereby amended to read as follows:

354.603 1. The board of trustees of any ~~{county}~~ school district, the board of hospital trustees of any county hospital or the



board of trustees of any consolidated library district or district library may establish and administer separate accounts in:

(a) A bank whose deposits are insured by the Federal Deposit Insurance Corporation;

(b) A credit union whose deposits are insured by the National Credit Union Share Insurance Fund or by a private insurer approved pursuant to NRS 672.755; or

(c) A savings and loan association or savings bank whose deposits if made by the State, a local government or an agency of either, are insured by the Federal Deposit Insurance Corporation, or the legal successor of the Federal Deposit Insurance Corporation,

☛ for money deposited by the county treasurer which is by law to be administered and expended by those boards.

2. The county treasurer shall transfer the money to a separate account pursuant to subsection 1 when the following conditions are met:

(a) The board of trustees of ~~{the county}~~ a school district, the board of hospital trustees of the county hospital or the board of trustees of the consolidated library district or district library adopts a resolution declaring an intention to establish and administer a separate account in accordance with the provisions of this section.

(b) The board of trustees of ~~{the county}~~ a school district, the board of hospital trustees of the county hospital or the board of trustees of the consolidated library district or district library sends a certificate to the county treasurer, the county auditor, the board of county commissioners and, in the case of the board of trustees of ~~{the county}~~ a school district, to the Department of Education, attested by the secretary of the board, declaring the intention of the board to establish and administer a separate account in accordance with the provisions of this section.

(c) The board of hospital trustees of the county hospital or the board of trustees of the consolidated library district or district library submits monthly reports, listing all transactions involving the separate account, to the county treasurer, the county auditor and the board of county commissioners. The reports must be certified by the secretary of the board. In addition, the board shall give a full account and record of all money in such an account upon request of the board of county commissioners.

3. The separate account of the board of trustees of ~~{the county}~~ a school district established under the provisions of this section must be composed of:

(a) The ~~{county}~~ school district fund; and

(b) The ~~{county}~~ school district building and sites fund.

4. The separate account established by the board of county hospital trustees is designated the county hospital fund.



5. The separate account of the board of trustees of the consolidated library district or district library established under the provisions of this section must be composed of:

(a) The fund for the consolidated library or district library, as appropriate; and

(b) The capital projects fund of the consolidated library or district library, as appropriate.

6. No expenditures from an account may be made in excess of the balance of the account.

7. Such an account must support all expenditures properly related to the purpose of the fund, excluding direct payments of principal and interest on general obligation bonds, and including, but not limited to, debt service, capital projects, capital outlay and operating expenses.

8. The board of county commissioners, if it determines that there is clear evidence of misuse or mismanagement of money in any separate account, may order the closing of the account and the return of the money to the county treasury to be administered in accordance with existing provisions of law. The board of trustees of ~~the county~~ a school district, the board of hospital trustees of the county hospital or the board of trustees of the consolidated library district or district library is entitled to a hearing before the board of county commissioners.

Sec. 109. NRS 354.6241 is hereby amended to read as follows:

354.6241 1. The statement required by paragraph (a) of subsection 5 of NRS 354.624 must indicate for each fund set forth in that paragraph:

(a) Whether the fund is being used in accordance with the provisions of this chapter.

(b) Whether the fund is being administered in accordance with generally accepted accounting procedures.

(c) Whether the reserve in the fund is limited to an amount that is reasonable and necessary to carry out the purposes of the fund.

(d) The sources of revenues available for the fund during the fiscal year, including transfers from any other funds.

(e) The statutory and regulatory requirements applicable to the fund.

(f) The balance and retained earnings of the fund.

2. Except as otherwise provided in subsections 3 and 4 and NRS 354.59891 and 354.613, to the extent that the reserve in any fund set forth in paragraph (a) of subsection 5 of NRS 354.624 exceeds the amount that is reasonable and necessary to carry out the purposes for which the fund was created, the reserve may be



expended by the local government pursuant to the provisions of chapter 288 of NRS.

3. For any local government other than a school district, for the purposes of chapter 288 of NRS, a budgeted ending fund balance of not more than 16.67 percent of the total budgeted expenditures, less capital outlay, for a general fund:

(a) Is not subject to negotiations with an employee organization; and

(b) Must not be considered by a fact finder or arbitrator in determining the financial ability of the local government to pay compensation or monetary benefits.

4. For a school district, for the purposes of chapter 288 of NRS:

(a) A budgeted ending fund balance of not more than 12 percent of the total budgeted expenditures for a ~~county~~ school district fund:

(1) Is not subject to negotiations with an employee organization; and

(2) Must not be considered by a fact finder or arbitrator in determining the financial ability of the local government to pay compensation or monetary benefits; and

(b) Any portion of a budgeted ending fund balance which exceeds 16.6 percent of the total budgeted expenditures for a ~~county~~ school district fund:

(1) Is not subject to negotiations with an employee organization;

(2) Must not be considered by a fact finder or arbitrator in determining the financial ability of the local government to pay compensation or monetary benefits; and

(3) Except as otherwise provided in section 77 of chapter 624, Statutes of Nevada 2019, at page 4252, must be transferred to the Education Stabilization Account pursuant to NRS 387.1213.

Sec. 110. NRS 361.455 is hereby amended to read as follows:

361.455 1. Unless individual tax rates are reduced pursuant to NRS 361.4547, immediately upon adoption of the final budgets, if the combined tax rate exceeds the limit imposed by NRS 361.453, the chair of the board of county commissioners in each county concerned shall call a meeting of the governing boards of each of the local governments within the county for the purpose of establishing a combined tax rate that conforms to the statutory limit. The chair shall convene the meeting no later than June 20 of each year.

2. The governing boards of the local governments shall meet in public session and the county clerk shall keep appropriate records, pursuant to regulations of the Department, of all proceedings. The



1 costs of taking and preparing the record of the proceedings,
2 including the costs of transcribing and summarizing tape recordings,
3 must be borne by the county and participating incorporated cities in
4 proportion to the final tax rate as certified by the Department. The
5 chair of the board of county commissioners or his or her designee
6 shall preside at the meeting. The governing boards shall explore
7 areas of mutual concern so as to agree upon a combined tax rate that
8 does not exceed the statutory limit.

9 3. The governing boards shall determine final decisions by a
10 unanimous vote of all entities present and qualified to vote, as
11 defined in this subsection. No ballot may be cast on behalf of any
12 governing board unless a majority of the individual board is present.
13 A majority vote of all members of each governing board is
14 necessary to determine the ballot cast for that entity. All ballots
15 must be cast not later than the day following the day the meeting is
16 convened. The district attorney is the legal adviser for such
17 proceedings.

18 4. The county clerk shall immediately thereafter advise the
19 Department of the results of the ballots cast and the tax rates set for
20 local governments concerned. If the ballots for the entities present at
21 the meeting in the county are not unanimous, the county clerk shall
22 transmit all records of the proceedings to the Department within 5
23 days after the meeting.

24 5. If a unanimous vote is not obtained and the combined rate in
25 any county together with the established state tax rate exceeds the
26 statutory limit, the Department shall examine the record of the
27 discussions and the budgets of all local governments concerned. On
28 June 25 or, if June 25 falls on a Saturday or Sunday, on the Monday
29 next following, the Nevada Tax Commission shall meet to set the
30 tax rates for the next succeeding year for all local governments so
31 examined. In setting the tax rates for the next succeeding year the
32 Nevada Tax Commission shall not reduce that portion of the
33 proposed tax rate of ~~the county~~ any school district in the county
34 for the operation and maintenance of public schools.

35 6. Any local government affected by a rate adjustment, made in
36 accordance with the provisions of this section, which necessitates a
37 budget revision shall file a copy of its revised budget by July 30
38 next after the approval and certification of the rate by the Nevada
39 Tax Commission.

40 7. A copy of the certificate of the Nevada Tax Commission
41 sent to the board of county commissioners must be forwarded to the
42 county auditor.

43 **Sec. 111.** NRS 362.170 is hereby amended to read as follows:

44 362.170 1. There is hereby appropriated to each county the
45 total of the amounts obtained by multiplying, for each extractive



operation situated within the county, the net proceeds of that operation and any royalties paid by that operation, by the combined rate of tax ad valorem, excluding any rate levied by the State of Nevada, for property at that site, plus a pro rata share of any penalties and interest collected by the Department for the late payment of taxes distributed to the county. The Department shall report to the State Controller on or before May 25 of each year the amount appropriated to each county, as calculated for each operation from the final statement made in February of that year for the preceding calendar year. The State Controller shall distribute all money due to a county on or before May 30 of each year.

2. The county treasurer shall apportion to each local government or other local entity an amount calculated by:

(a) Determining the total of the amounts obtained by multiplying, for each extractive operation situated within its jurisdiction, the net proceeds of that operation and any royalty payments paid by that operation, by the rate levied on behalf of that local government or other local entity;

(b) Adding to the amount determined pursuant to paragraph (a) a pro rata share of any penalties and interest collected by the Department for the late payment of taxes distributed to that local government or local entity; and

(c) Subtracting from the amount determined pursuant to paragraph (b) a commission of 5 percent, of which 3 percent must be deposited in the county general fund and 2 percent must be accounted for separately in the account for the acquisition and improvement of technology in the office of the county assessor created pursuant to NRS 250.085.

3. The amounts apportioned pursuant to subsection 2, including, without limitation, the amount retained by the county and excluding the percentage commission, must be applied to the uses for which each levy was authorized in the same proportion as the rate of each levy bears to the total rate.

4. Any amount apportioned pursuant to subsection 2 for a ~~county~~ school district for any purpose other than capital projects or debt service for the ~~county~~ school district must be paid over to the State Treasurer to be deposited to the credit of the State Education Fund.

5. The Department shall report to the State Controller on or before May 25 of each year the amount received as tax upon the net proceeds of geothermal resources which equals the product of those net proceeds multiplied by the rate of tax levied ad valorem by the State of Nevada.



Sec. 112. NRS 362.171 is hereby amended to read as follows:

362.171 1. Each county to which money is appropriated by subsection 1 of NRS 362.170 may set aside a percentage of that appropriation to establish a county fund for mitigation. Money from the fund may be appropriated by the board of county commissioners only to mitigate adverse effects upon the county, or ~~the~~ **any** school ~~district~~ **districts** located in the county, which result from:

(a) A decline in the revenue received by the county from the tax on the net proceeds of minerals during the 2 fiscal years immediately preceding the current fiscal year; or

(b) The opening or closing of an extractive operation from the net proceeds of which revenue has been or is reasonably expected to be derived pursuant to this chapter.

2. A school district in a county whose population is less than 4,500 may, as the board of trustees of the school district determines is necessary, use a portion of the money apportioned to the school district pursuant to subsection 2 of NRS 362.170 to retire bonds issued by the school district or any other outstanding obligations of the school district. Before authorizing the expenditure of money pursuant to this subsection, the board of trustees shall hold at least one public hearing on the matter.

Sec. 113. NRS 374A.010 is hereby amended to read as follows:

374A.010 1. A tax is hereby imposed on all retailers within a county in which:

(a) The board of county commissioners of the county has not imposed the maximum rate of tax that it is authorized to impose pursuant to NRS 377B.100;

(b) The board of trustees of a ~~county~~ school district has applied for a grant from the Fund to Assist School Districts in Financing Capital Improvements pursuant to NRS 387.3335; and

(c) The State Board of Examiners has approved the application by the board of trustees.

2. The rate of the tax imposed by subsection 1 is the difference between:

(a) The rate of tax that the board of county commissioners of the county has imposed pursuant to NRS 377B.100; and

(b) The maximum rate of tax that the board of county commissioners of the county is authorized to impose pursuant to NRS 377B.100,

➔ but in no event may the rate imposed by subsection 1 exceed one-eighth of 1 percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail, or stored, used or otherwise consumed, in the county.



Sec. 114. NRS 374A.020 is hereby amended to read as follows:

374A.020 1. The collection of the tax imposed by NRS 374A.010 must be commenced on the first day of the first calendar quarter that begins at least 120 days after the last condition in subsection 1 of NRS 374A.010 is met.

2. Except as otherwise provided in NRS 374A.030, the tax must be administered, collected and distributed in the manner set forth in chapter 374 of NRS.

3. The board of trustees of the school district shall transfer the proceeds of the tax imposed by NRS 374A.010 from the ~~county~~ school district fund to the fund described in NRS 354.6105 which must be established by the board of trustees. The money deposited in the fund described in NRS 354.6105 pursuant to this subsection must be accounted for separately in that fund and must only be expended by the board of trustees for the cost of the extraordinary maintenance, extraordinary repair and extraordinary improvement of school facilities within the county.

Sec. 115. NRS 374A.030 is hereby amended to read as follows:

374A.030 1. All fees, taxes, interest and penalties imposed and all amounts of tax required to be paid pursuant to this chapter must be paid to the Department in the form of remittances payable to the Department.

2. The Department shall deposit the payments with the State Treasurer for credit to the Sales and Use Tax Account in the State General Fund.

3. The State Controller, acting upon the collection data furnished by the Department, shall monthly:

(a) Transfer from the Sales and Use Tax Account 1.75 percent of all fees, taxes, interest and penalties collected pursuant to this chapter during the preceding month to the appropriate account in the State General Fund as compensation to the State for the cost of collecting the tax.

(b) Determine for each county an amount of money equal to any fees, taxes, interest and penalties collected in or for that county pursuant to this chapter during the preceding month, less the amount transferred to the State General Fund pursuant to paragraph (a).

(c) Transfer the amount determined for each county to the Intergovernmental Fund and remit the money to the ~~county~~ *applicable* school district ~~fund~~ *funds*.

Sec. 116. NRS 375.070 is hereby amended to read as follows:

375.070 1. The county recorder shall transmit the proceeds of the tax imposed by NRS 375.020 at the end of each quarter in the following manner:



(a) An amount equal to that portion of the proceeds which is equivalent to 10 cents for each \$500 of value or fraction thereof must be transmitted to the State Controller who shall deposit that amount in the Account for Affordable Housing created pursuant to NRS 319.500.

(b) In a county whose population is 700,000 or more, an amount equal to that portion of the proceeds which is equivalent to 60 cents for each \$500 of value or fraction thereof must be transmitted to the county treasurer for deposit in the ~~county school district's~~ fund for capital projects established pursuant to NRS 387.328 ~~for each~~ **for each school district in the county**, to be held and expended in the same manner as other money deposited in that fund.

(c) The remaining proceeds must be transmitted to the State Controller for deposit in the Local Government Tax Distribution Account created by NRS 360.660 for credit to the respective accounts of Carson City and each county.

2. In addition to any other authorized use of the proceeds it receives pursuant to subsection 1, a county or city may use the proceeds to pay expenses related to or incurred for the development of tier one affordable housing and tier two affordable housing. A county or city that uses the proceeds in that manner must give priority to the development of tier one affordable housing and tier two affordable housing for persons who are elderly or persons with disabilities.

3. The expenses authorized by subsection 2 include, but are not limited to:

(a) The costs to acquire land and developmental rights;

(b) Related predevelopment expenses;

(c) The costs to develop the land, including the payment of related rebates;

(d) Contributions toward down payments made for the purchase of affordable housing; and

(e) The creation of related trust funds.

4. As used in this section:

(a) "Tier one affordable housing" has the meaning ascribed to it in NRS 278.01902.

(b) "Tier two affordable housing" has the meaning ascribed to it in NRS 278.01906.

Sec. 117. NRS 377C.110 is hereby amended to read as follows:

377C.110 1. All fees, taxes, interest and penalties imposed and all amounts of tax required to be paid pursuant to this chapter must be paid to the Department in the form of remittances payable to the Department.



2. The Department shall deposit the payments in the State Treasury to the credit of the Sales and Use Tax Account in the State General Fund.

3. The State Controller, acting upon the collection data furnished by the Department, shall monthly:

(a) Transfer from the Sales and Use Tax Account 1.75 percent of all fees, taxes, interest and penalties collected pursuant to this chapter during the preceding month to the appropriate account in the State General Fund as compensation to the State for the cost of collecting the tax.

(b) Determine for each county an amount of money equal to any fees, taxes, interest and penalties collected in or for that county pursuant to this chapter during the preceding month, less the amount transferred to the State General Fund pursuant to paragraph (a).

(c) Transfer the amount determined for each county to the Intergovernmental Fund and remit the money to the county treasurer for deposit in the ~~{county school district's fund}~~ **funds** for capital projects **of one or more school districts** established pursuant to NRS 387.328, to be held and expended in the same manner as other money deposited in ~~{that fund.}~~ **such funds.**

Sec. 118. NRS 377D.130 is hereby amended to read as follows:

377D.130 1. The money received from any tax imposed pursuant to NRS 377D.100 and any applicable penalty or interest must be retained by the county, or remitted to a city or school district in the county, and must only be used to pay the cost of:

(a) One or more programs of early childhood education operated by ~~{the county}~~ **a school district in the county** or any public school in ~~{the county}~~ **such** school district;

(b) One or more programs of adult education operated by ~~{the county}~~ **a school district in the county** or any public school in ~~{the county}~~ **such** school district;

(c) One or more programs to reduce truancy;

(d) One or more programs to reduce homelessness;

(e) The development or redevelopment of affordable housing or ensuring the availability or affordability of housing, including, without limitation, any infrastructure or services to support the development or redevelopment of affordable housing;

(f) Incentives for the recruitment or retention of licensed teachers for high-vacancy schools in ~~{the county}~~ school ~~{district;}~~ **districts in the county;** and

(g) One or more joint labor-management programs of workforce training in the hospitality industry.

2. If a public school ceases to be a high-vacancy school, the ~~{county}~~ school district in which the public school is located:



(a) May continue to use the money received by the ~~county~~ school district from any tax imposed pursuant to NRS 377D.100 to pay incentives to licensed teachers at the public school pursuant to paragraph (f) of subsection 1 for the remainder of the school year in which the public school ceased to be a high-vacancy school; and

(b) Shall not use the money received by the ~~county~~ school district from any tax imposed pursuant to NRS 377D.100 to pay incentives to licensed teachers at the public school pursuant to paragraph (f) of subsection 1 for any subsequent school year unless the public school newly qualifies as a high-vacancy school.

3. A county that receives money from a tax imposed pursuant to NRS 377D.100, and any city or school district to which the money is remitted, must account separately for all such money. On or before November 1 of each year, each such county, city or school district shall prepare a report detailing how all money received from a tax imposed pursuant to NRS 377D.100 was spent during the immediately preceding fiscal year and submit the report to the Director of the Legislative Counsel Bureau for transmission to the next session of the Legislature, if the report is submitted in an even-numbered year, or to the Legislative Commission, if the report is submitted in an odd-numbered year.

4. As used in this section, "high-vacancy school" means a public school, other than a charter school, in which 10 percent or more of the classroom teacher positions at the public school are:

(a) Vacant for 20 consecutive days or more; or

(b) Filled by a substitute teacher for 20 consecutive days or more in the same classroom or assignment.

Sec. 119. NRS 380.190 is hereby amended to read as follows:

380.190 1. Whenever the board of county commissioners of any county in which a law library has been established pursuant to the provisions of this chapter desires to discontinue the law library, the board of county commissioners shall discontinue the law library by the enactment of an ordinance. The ordinance must provide for:

(a) The discontinuance of the law library.

(b) The transfer of the law library books to the chambers of the district judge or judges of the county or to other appropriate locations in the county.

(c) The keeping thereafter of such books in the judges' chambers or other locations.

(d) The transfer of all money in the law library fund to the ~~county~~ school district ~~fund~~ *funds of the school districts in the county.*

(e) The abolishment of the offices of law library trustees, if any.

2. After such an ordinance takes effect, the county clerk shall not set aside the fees provided for in NRS 380.110.



3. The discontinuance of a law library does not alter the duty of the board of county commissioners to provide, at a publicly accessible location, all legal books and materials which the State Library, Archives and Public Records Administrator has determined, pursuant to NRS 380.153, must be available in every county.

Sec. 120. NRS 404.040 is hereby amended to read as follows:

404.040 All moneys remaining in the road fund belonging to any road district at the end of every year, or belonging to any road district that may disorganize as provided in NRS 404.010, may, on petition of a majority of the taxpayers therein, be applied by the board of county commissioners to the building of any bridge or special improvement of any highway in the road district or the county in which the road district is situated; or, upon petition, the moneys may be transferred to the ~~county~~ school district ~~fund~~ *funds of the school districts that are located within the road district* and applied to the public schools of ~~the county~~ *such* school ~~district~~ *districts*.

Sec. 121. NRS 432B.610 is hereby amended to read as follows:

432B.610 1. The Peace Officers' Standards and Training Commission shall:

(a) Require each category I peace officer to complete a program of training for the detection and investigation of and response to cases of sexual abuse or sexual exploitation of children under the age of 18 years.

(b) Not certify any person as a category I peace officer unless the person has completed the program of training required pursuant to paragraph (a).

(c) Establish a program to provide the training required pursuant to paragraph (a).

(d) Adopt regulations necessary to carry out the provisions of this section.

2. As used in this section, "category I peace officer" means:

(a) Sheriffs of counties and of metropolitan police departments, their deputies and correctional officers;

(b) Personnel of the Nevada Highway Patrol whose principal duty is to enforce one or more laws of this State, and any person promoted from such a duty to a supervisory position related to such a duty;

(c) Marshals, police officers and correctional officers of cities and towns;

(d) Members of the Police Department of the Nevada System of Higher Education;



(e) Employees of the Division of State Parks of the State Department of Conservation and Natural Resources designated by the Administrator of the Division who exercise police powers specified in NRS 289.260;

(f) The Chief, investigators and agents of the Investigation Division of the Department of Public Safety;

(g) The personnel of the Department of Wildlife who exercise those powers of enforcement conferred by title 45 and chapter 488 of NRS; and

(h) School police officers employed or appointed by the board of trustees of any ~~county~~ school district.

Sec. 122. NRS 433B.333 is hereby amended to read as follows:

433B.333 1. A mental health consortium is hereby established in each of the following jurisdictions:

(a) A county whose population is 100,000 or more; and

(b) The region consisting of all counties whose population are less than 100,000.

2. In a county whose population is 100,000 or more, such a consortium must consist of at least the following persons appointed by the Administrator:

(a) A representative of the Division;

(b) A representative of the agency which provides child welfare services;

(c) A representative of the Division of Health Care Financing and Policy of the Department;

(d) A representative of the ~~board~~ **boards** of trustees of the school ~~district~~ **districts** in the county;

(e) A representative of the local juvenile probation department;

(f) A representative of the local chamber of commerce or business community;

(g) A private provider of mental health care;

(h) A provider of foster care;

(i) A parent of a child with an emotional disturbance; and

(j) A representative of an agency which provides services for the treatment and prevention of substance use disorders.

3. In the region consisting of counties whose population are less than 100,000, such a consortium must consist of at least the following persons appointed by the Administrator:

(a) A representative of the Division of Public and Behavioral Health of the Department;

(b) A representative of the agency which provides child welfare services in the region;

(c) A representative of the Division of Health Care Financing and Policy of the Department;



(d) A representative of the boards of trustees of the school districts in the region;

(e) A representative of the local juvenile probation departments;

(f) A representative of the chambers of commerce or business community in the region;

(g) A private provider of mental health care;

(h) A provider of foster care;

(i) A parent of a child with an emotional disturbance; and

(j) A representative of an agency which provides services for the treatment and prevention of substance use disorders.

Sec. 123. NRS 445B.500 is hereby amended to read as follows:

445B.500 1. Except as otherwise provided in this section and in NRS 445B.310 and 704.7318:

(a) The district board of health, county board of health or board of county commissioners in each county whose population is 100,000 or more shall establish a program for the control of air pollution and administer the program within its jurisdiction unless superseded.

(b) The program:

(1) Must include, without limitation, standards for the control of emissions, emergency procedures and variance procedures established by ordinance or local regulation which are equivalent to or stricter than those established by statute or state regulation;

(2) May, in a county whose population is 700,000 or more, include requirements for the creation, receipt and exchange for consideration of credits to reduce and control air contaminants in accordance with NRS 445B.508; and

(3) Must provide for adequate administration, enforcement, financing and staff.

(c) The district board of health, county board of health or board of county commissioners is designated as the air pollution control agency of the county for the purposes of NRS 445B.100 to 445B.640, inclusive, and the Federal Act insofar as it pertains to local programs, and that agency is authorized to take all action necessary to secure for the county the benefits of the Federal Act.

(d) Powers and responsibilities provided for in NRS 445B.210, 445B.240 to 445B.470, inclusive, 445B.560, 445B.570, 445B.580 and 445B.640 are binding upon and inure to the benefit of local air pollution control authorities within their jurisdiction.

2. The local air pollution control board shall carry out all provisions of NRS 445B.215 with the exception that notices of public hearings must be given in any newspaper, qualified pursuant to the provisions of chapter 238 of NRS, once a week for 3 weeks. The notice must specify with particularity the reasons for the



proposed regulations and provide other informative details. NRS 445B.215 does not apply to the adoption of existing regulations upon transfer of authority as provided in NRS 445B.610.

3. In a county whose population is 700,000 or more, the local air pollution control board may delegate to an independent hearing officer or hearing board its authority to determine violations and levy administrative penalties for violations of the provisions of NRS 445B.100 to 445B.450, inclusive, and 445B.500 to 445B.640, inclusive, or any regulation adopted pursuant to those sections. If such a delegation is made, 17.5 percent of any penalty collected must be deposited in the county treasury in an account to be administered by the local air pollution control board to a maximum of \$17,500 per year. The money in the account may only be used to defray the administrative expenses incurred by the local air pollution control board in enforcing the provisions of NRS 445B.100 to 445B.640, inclusive. The remainder of the penalty must be deposited in the ~~county~~ school district ~~fund~~ *funds of the school districts in* the county where the violation occurred and must be accounted for separately in the fund. A school district may spend the money received pursuant to this section only in accordance with an annual spending plan that is approved by the local air pollution control board and shall submit an annual report to that board detailing the expenditures of the school district under the plan. A local air pollution control board shall approve an annual spending plan if the proposed expenditures set forth in the plan are reasonable and limited to:

(a) Programs of education on topics relating to air quality; and

(b) Projects to improve air quality, including, without limitation, the purchase and installation of equipment to retrofit school buses of the school district to use biodiesel, compressed natural gas or a similar fuel formulated to reduce emissions from the amount of emissions produced by the use of traditional fuels such as gasoline and diesel fuel,

➤ which are consistent with the state implementation plan adopted by this State pursuant to 42 U.S.C. §§ 7410 and 7502.

4. Any county whose population is less than 100,000 or any city may meet the requirements of this section for administration and enforcement through cooperative or interlocal agreement with one or more other counties, or through agreement with the State, or may establish its own program for the control of air pollution. If the county establishes such a program, it is subject to the approval of the Commission.

5. No district board of health, county board of health or board of county commissioners may adopt any regulation or establish a compliance schedule, variance order or other enforcement action



1 relating to the control of emissions from plants which generate
2 electricity by using steam produced by the burning of fossil fuel.

3 6. As used in this section, "plants which generate electricity by
4 using steam produced by the burning of fossil fuel" means plants
5 that burn fossil fuels in a boiler to produce steam for the production
6 of electricity. The term does not include any plant which uses
7 technology for a simple or combined cycle combustion turbine,
8 regardless of whether the plant includes duct burners.

9 **Sec. 124.** NRS 482.181 is hereby amended to read as follows:

10 482.181 1. Except as otherwise provided in subsection 5,
11 after deducting the amount withheld by the Department and the
12 amount credited to the Department pursuant to subsection 6 of NRS
13 482.180, and the amount transferred to the State General Fund and
14 the State Highway Fund pursuant to NRS 482.182, the Department
15 shall certify monthly to the State Board of Examiners the amount of
16 the basic and supplemental governmental services taxes collected
17 for each county by the Department and its agents during the
18 preceding month, and that money must be distributed monthly as
19 provided in this section.

20 2. Any supplemental governmental services tax collected for a
21 county must be distributed only to the county, to be used as
22 provided in NRS 371.043, 371.045 and 371.047.

23 3. The distribution of the basic governmental services tax
24 received or collected for each county must be made to the State
25 Education Fund or the fund for capital projects or debt service fund
26 of a ~~{county}~~ school district ~~{}~~ *which is located in the county*, as
27 applicable, before any distribution is made to a local government,
28 special district or enterprise district. For the purpose of calculating
29 the amount of the basic governmental services tax to be distributed
30 to the State Education Fund or the fund for capital projects or debt
31 service fund of a ~~{county}~~ school district, as applicable, the taxes
32 levied by each local government, special district and enterprise
33 district are the product of its certified valuation, determined
34 pursuant to subsection 2 of NRS 361.405, and its tax rate,
35 established pursuant to NRS 361.455 for the fiscal year beginning
36 on July 1, 1980, except that the tax rate for school districts,
37 including the rate attributable to a district's debt service, is the rate
38 established pursuant to NRS 361.455 for the fiscal year beginning
39 on July 1, 1978, but if the rate attributable to a district's debt service
40 in any fiscal year is greater than its rate for the fiscal year beginning
41 on July 1, 1978, the higher rate must be used to determine the
42 amount attributable to debt service.

43 4. After making the distributions set forth in subsection 3, the
44 remaining money received or collected for each county must be
45 deposited in the Local Government Tax Distribution Account



created by NRS 360.660 for distribution to local governments, special districts and enterprise districts within each county pursuant to the provisions of NRS 360.680 and 360.690.

5. An amount equal to any basic governmental services tax distributed to a redevelopment agency in the Fiscal Year 1987-1988 must continue to be distributed to that agency as long as it exists but must not be increased.

6. The Department shall make distributions of the basic governmental services tax directly to the State Education Fund or the fund for capital projects or debt service fund of a ~~county~~ school district, as applicable.

7. As used in this section:

(a) "Enterprise district" has the meaning ascribed to it in NRS 360.620.

(b) "Local government" has the meaning ascribed to it in NRS 360.640.

(c) "Received or collected for each county" means:

(1) For the basic governmental services tax collected on vehicles subject to the provisions of chapter 706 of NRS, the amount determined for each county based on the following percentages:

Carson City.....	1.07 percent	Lincoln	3.12 percent
Churchill.....	5.21 percent	Lyon	2.90 percent
Clark.....	22.54 percent	Mineral	2.40 percent
Douglas.....	2.52 percent	Nye	4.09 percent
Elko	13.31 percent	Pershing.....	7.00 percent
Esmeralda	2.52 percent	Storey	0.19 percent
Eureka.....	3.10 percent	Washoe.....	12.24 percent
Humboldt.....	8.25 percent	White Pine.....	5.66 percent
Lander.....	3.88 percent		

(2) For all other basic and supplemental governmental services tax received or collected by the Department, the amount attributable to each county based on the county of registration of the vehicle for which the tax was paid.

(d) "Special district" has the meaning ascribed to it in NRS 360.650.

Sec. 125. NRS 555.470 is hereby amended to read as follows:

555.470 1. The Director shall adopt regulations specifying a schedule of fines which may be imposed, upon notice and a hearing, for each violation of the provisions of NRS 555.2605 to 555.460, inclusive. The maximum fine that may be imposed by the Director for each violation must not exceed \$5,000 per day. All fines collected by the Director pursuant to this subsection must be



1 remitted to the county treasurer of the county in which the violation
2 occurred for credit to the ~~{county}~~ school district ~~{fund-}~~ *funds of*
3 *the school districts in the county.*

4 2. The Director may:

5 (a) In addition to imposing a fine pursuant to subsection 1, issue
6 an order requiring a violator to take appropriate action to correct the
7 violation; or

8 (b) Request the district attorney of the appropriate county to
9 investigate or file a criminal complaint against any person that the
10 State Board of Agriculture suspects may have violated any provision
11 of NRS 555.2605 to 555.460, inclusive.

12 **Sec. 126.** NRS 582.310 is hereby amended to read as follows:

13 582.310 1. A person subject to a civil penalty may request an
14 administrative hearing within 10 days after receipt of the notice of
15 the civil penalty. The State Sealer of Measurement Standards or a
16 designee thereof shall conduct the hearing after giving appropriate
17 notice to the respondent. The decision of the State Sealer of
18 Measurement Standards or designee is subject to appropriate
19 judicial review.

20 2. If the respondent has exhausted all administrative appeals
21 and the civil penalty has been upheld, the respondent shall pay the
22 civil penalty:

23 (a) If no petition for judicial review is filed pursuant to NRS
24 233B.130, within 40 days after the final decision of the State Sealer
25 of Measurement Standards; or

26 (b) If a petition for judicial review is filed pursuant to NRS
27 233B.130 and the civil penalty is upheld, within 10 days after the
28 effective date of the final decision of the court.

29 3. If the respondent fails to pay the civil penalty, a civil action
30 may be brought by the State Sealer of Measurement Standards in
31 any court of competent jurisdiction to recover the civil penalty. All
32 civil penalties collected pursuant to this chapter must be remitted to
33 the county treasurer of the county in which the violation occurred
34 for credit to the ~~{county}~~ school district ~~{fund-}~~ *funds of the school*
35 *districts in the county.*

36 **Sec. 127.** NRS 701B.350 is hereby amended to read as
37 follows:

38 701B.350 1. The Renewable Energy School Pilot Program is
39 hereby created. The goal of the Program is to encourage the
40 development of and determine the feasibility for the integration of
41 renewable energy systems on school properties.

42 2. The Commission shall adopt regulations for the Program.
43 Such regulations shall include, but not be limited to:

44 (a) A time frame for implementation of the Program;



(b) The allowed renewable energy systems and combinations of such renewable energy systems on school property;

(c) The amount of capacity that may be installed at each school property that participates in the Program;

(d) A process by which a school district may apply for participation in the Program;

(e) Requirements for participation by a school district;

(f) The type of transactions allowed between a renewable energy system generator, a school district and a utility;

(g) Incentives which may be provided to a school district or school property to encourage participation; and

(h) Such other parameters as determined by the Commission and are consistent with the development of renewable energy systems at school properties.

3. The Program shall be limited to 10 school properties. Not more than 6 school properties from any one school district may participate in the Program.

4. The Commission shall adopt the regulations necessary to implement the Program not later than March 1, 2008.

5. The Commission shall prepare a report detailing the results of the Program and shall submit the report to the Legislature by December 1, 2008.

6. As used in this section:

(a) "Commission" means the Public Utilities Commission of Nevada.

(b) "Owned, leased or occupied" includes, without limitation, any real property, building or facilities which are owned, leased or occupied under a deed, lease, contract, license, permit, grant, patent or any other type of legal authorization.

(c) "Renewable energy system" has the meaning ascribed to it in NRS 704.7815.

(d) "School district" means a ~~county~~ school district created pursuant to chapter 386 of NRS.

(e) "School property" means any real property, building or facilities which are owned, leased or occupied by a public school as defined in NRS 385.007.

(f) "Utility" has the meaning ascribed to it in NRS 701B.180.

Sec. 128. 1. There is hereby appropriated from the State General Fund to the Department of Education the sum of \$6,000,000 for the costs of the creation of the Rural Northeastern Clark County Regional School District and the conduct of the feasibility study required pursuant to section 1 of this act, including, without limitation, the costs to:

(a) Hire a superintendent and administrative staff for the District;



(b) Procure office space, equipment and supplies for the superintendent, administrative staff and offices of the District; and

(c) Establish such other infrastructure as is necessary to prepare for the conduct of the feasibility study.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2027, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 17, 2027, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 17, 2027.

Sec. 129. Any contracts or other agreements entered into by a county school district whose responsibilities have been transferred to a regional school district established pursuant to the provisions of this act are binding upon the regional school district to which the responsibility for the administration of the provisions of the contract or other agreement has been transferred. Such contracts and other agreements may be enforced by the regional school district to which the responsibility for the enforcement of the provisions of the contract or other agreement has been transferred.

Sec. 130. 1. This section and section 128 of this act become effective upon passage and approval.

2. Sections 1 to 127, inclusive, and 129 of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2024, for all other purposes.

3. This section and sections 1 to 129, inclusive, of this act expire by limitation on June 30, 2027.

