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FIRST REPRINT

A.B. 46

ASSEMBLY BILL NO. 46—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE OFFICE OF HISTORIC PRESERVATION
OF THE STATE DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Natural Resources

SUMMARY—Makes various changes relating to historical markers.
(BDR 33-240)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 historical preservation; revising provisions relating to the responsibility for the installation, interpretation, maintenance and protection of historical markers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Administrator of the Office of Historic Preservation of the State Department of Conservation and Natural Resources to: (1) establish the qualifications and standards for a historical markers program, designate and make an inventory of qualified sites on both public and privately owned lands and place and maintain historical markers on all public lands and all private lands when the owner consents; (2) establish a state historical marker registry system; and (3) install, maintain and protect, with certain exceptions, all registered historical markers. (NRS 383.091)

Section 1 of this bill eliminates the requirement for the Administrator to place and maintain historical markers on all public lands and private lands.

Existing law authorizes the Administrator to contract with, or cooperate with, public or private agencies for suitable markers and directional signs, including signs on highways and roads, at the site of, or on the approaches to, registered historical markers. (NRS 383.091) **Section 1** eliminates such authority.

Section 4.5 of this bill requires that the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources be responsible for the installation, interpretation, maintenance and protection of all registered historical markers.



* A B 4 6 R 1 *

Existing law requires the Administrator of the Office of Historic Preservation to consult with the Nevada Historical Society to determine the content of the legend on all historical markers and grants the Nevada Historical Society final authority to determine the content of any legend. (NRS 383.091) **Section 1** eliminates the granting of such authority to the Nevada Historical Society and instead requires the Administrator to prepare the legend for any new marker identified in the inventory of qualified sites, upon request by any state agency or political subdivision.

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

Section 1. NRS 383.091 is hereby amended to read as follows:

383.091 1. The Administrator shall:

(a) Establish the qualifications and standards for a historical markers program, designate *a qualified site when the owner consents* and make an inventory of qualified sites on both public and privately owned lands . ~~[, and place and maintain historical markers on all public lands and all private lands when the owner consents.]~~

(b) Establish a state historical marker registry system.

(c) Consult with the Nevada Historical Society to determine the content of the legend on all markers. ~~[The Nevada Historical Society has the final authority to determine the content of any legend.]~~ *Upon request by any state agency or political subdivision, the Administrator shall prepare the legend for any new historical marker identified in the inventory of qualified sites not already included in the State Historical Marker Registry.*

(d) Solicit the cooperation of owners of private property for the installation of historical markers on eligible properties and structures in order that they may be included in the State Historical Marker Registry.

~~[(e) Except as otherwise provided in subsection 3, install, maintain and protect all registered historical markers.]~~

2. ~~[The Administrator may contract with, or cooperate with, public or private agencies for suitable markers and directional signs, including signs on highways and roads, at the site of, or on the approaches to, registered historical markers. The contracts may include provisions for the installation, maintenance and protection of the markers.]~~

~~—3.]~~ When the owner of private property consents to the placement by a nonprofit organization of a historical marker in or on a structure located on his or her property, the owner shall be deemed to have consented to the maintenance of the historical marker in or on the structure for as long as the structure remains standing unless the owner notifies the nonprofit organization and requests the



organization to remove the historical marker. The owner shall notify any person to whom he or she sells or otherwise transfers ownership of the structure of the duty to maintain the historical marker. The purchaser of a structure in or on which a historical marker has been placed by a nonprofit organization shall maintain the historical marker on the structure for as long as he or she owns the structure and shall notify any person to whom he or she sells or otherwise transfers ownership of the structure of the duty to maintain the historical marker unless the purchaser notifies the nonprofit organization and requests the organization to remove the historical marker. If the structure in or on which a historical marker is placed by a nonprofit organization is renovated or remodeled in such a manner as to require the removal of the historical marker, the owner shall ensure that the marker is reattached to the structure in the same place or in a place of similar prominence as soon as practicable after the completion of the renovation or remodeling project.

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. (Deleted by amendment.)

Sec. 4.5. Chapter 407 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Administrator shall direct the installation, interpretation, maintenance and protection of all registered historical markers.

2. As used in this section, "registered historical marker" means a historical marker registered in the State Historical Marker Registry pursuant to NRS 383.091.

Sec. 5. This act becomes effective on July 1, 2023.

