

SENATE BILL NO. 21—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTIES)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Government Affairs

SUMMARY—Revises certain classifications based on populations.
(BDR 20-391)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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

AN ACT relating to classifications based on population; revising the population bases that apply to certain provisions of the Nevada Revised Statutes; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides that, except as otherwise provided or required by the context, “population” is defined for the entire Nevada Revised Statutes as the number of people in a specified area as determined by the last preceding national decennial census conducted by the Bureau of the Census of the United States Department of Commerce pursuant to the United States Constitution and as reported by the Secretary of Commerce to the Governor of Nevada. (NRS 0.050) The Nevada Supreme Court has upheld classifications in statutes based on the population of entities if the classification is rationally related to the subject matter and purpose of the statute, applies prospectively to all such entities that might come within its designated class and does not create an odious, absurd or bizarre distinction. (*County of Clark v. City of Las Vegas*, 97 Nev. 260, 264 (1981)) This bill revises the classifications of populations in certain provisions of the Nevada Revised Statutes in order to determine whether such classifications continue to meet the conditions expressed by the Nevada Supreme Court.



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

Section 1. NRS 244.1507 is hereby amended to read as follows:

244.1507 1. Except as otherwise provided in subsection 2, the board of county commissioners of a county whose population is less than ~~145,000~~ **52,000** may by ordinance direct that:

(a) The powers and duties of two or more county offices be combined into one county office.

(b) The powers and duties of one county office be allocated between two or more county offices.

2. A board of county commissioners shall not take the action described in subsection 1 unless:

(a) The board determines that the combining or separating of the applicable county offices will benefit the public;

(b) The board determines that the combining or separating of the applicable county offices will not create:

(1) An ethical, legal or practical conflict of interest; or

(2) A situation in which the powers and duties assigned to a county office are incompatible with the proper performance of that office in the public interest;

(c) The board submits to the residents of the county, in the form of an advisory ballot question pursuant to NRS 295.230, a proposal to combine or separate the applicable county offices; and

(d) A majority of the voters voting on the advisory ballot question approves the proposal.

3. If the combining or separating of county offices pursuant to this section will result in the elimination of one or more county offices, the combining or separating of offices must not become effective until the earlier of the date on which:

(a) The normal term of office of the person whose office will be eliminated expires; or

(b) The person whose office will be eliminated resigns.

4. If the combining or separating of county offices pursuant to this section results in the powers and duties of one county office being transferred to another county office, the county office to which the powers and duties are transferred shall be deemed to be the county office from which the powers and duties were transferred for the purposes of any applicable provision of law authorizing or requiring the performance or exercise of those powers and duties, as appropriate.

Sec. 2. NRS 244.2795 is hereby amended to read as follows:

244.2795 1. Except as otherwise provided in NRS 244.189, 244.276, 244.279, 244.2815, 244.2825, 244.2833, 244.2835,



1 244.284, 244.287, 244.290, 278.479 to 278.4965, inclusive, and
2 subsection 3 of NRS 496.080, except as otherwise required by
3 federal law, except as otherwise required pursuant to a cooperative
4 agreement entered into pursuant to NRS 277.050 or 277.053 or an
5 interlocal agreement in existence on or before October 1, 2004,
6 except if the board of county commissioners is entering into a joint
7 development agreement for real property owned by the county to
8 which the board of county commissioners is a party, except for a
9 lease of residential property with a term of 1 year or less, except for
10 the sale or lease of real property to a public utility, as defined in
11 NRS 704.020, to be used for a public purpose, except for the sale or
12 lease of real property to the State or another governmental entity and
13 except for the sale or lease of real property larger than 1 acre which
14 is approved by the voters at a primary or general election or special
15 election, the board of county commissioners shall, when offering
16 any real property for sale or lease:

17 (a) Except as otherwise provided in this paragraph and
18 paragraph (h) of subsection 1 of NRS 244.281, obtain two
19 independent appraisals of the real property before selling or leasing
20 it. If the board of county commissioners holds a public hearing on
21 the matter of the fair market value of the real property, one
22 independent appraisal of the real property is sufficient before selling
23 or leasing it. The appraisal or appraisals, as applicable, must have
24 been prepared not more than 6 months before the date on which the
25 real property is offered for sale or lease.

26 (b) Select the one independent appraiser or two independent
27 appraisers, as applicable, from the list of appraisers established
28 pursuant to subsection 2.

29 (c) Verify the qualifications of each appraiser selected pursuant
30 to paragraph (b). The determination of the board of county
31 commissioners as to the qualifications of the appraiser is conclusive.

32 2. The board of county commissioners shall adopt by ordinance
33 the procedures for creating or amending a list of appraisers qualified
34 to conduct appraisals of real property offered for sale or lease by the
35 board. The list must:

36 (a) Contain the names of all persons qualified to act as a general
37 appraiser in the same county as the real property that may be
38 appraised; and

39 (b) Be organized at random and rotated from time to time.

40 3. An appraiser chosen pursuant to subsection 1 must provide a
41 disclosure statement which includes, without limitation, all sources
42 of income that may constitute a conflict of interest and any
43 relationship with the real property owner or the owner of an
44 adjoining real property.



4. An appraiser shall not perform an appraisal on any real property for sale or lease by the board of county commissioners if:

(a) The appraiser has an interest in the real property or an adjoining property;

(b) The real property is located in a county whose population is ~~45,000~~ 52,000 or more and any person who is related to the appraiser has an interest in the real property or an adjoining property and the relationship between the appraiser and the person is within the third degree of consanguinity or affinity; or

(c) The real property is located in a county whose population is less than ~~45,000~~ 52,000 and any person who is related to the appraiser has an interest in the real property or an adjoining property and the relationship between the appraiser and the person is within the second degree of consanguinity or affinity.

5. If real property is sold or leased in violation of the provisions of this section:

(a) The sale or lease is void; and

(b) Any change to an ordinance or law governing the zoning or use of the real property is void if the change takes place within 5 years after the date of the void sale or lease.

Sec. 3. NRS 244.2815 is hereby amended to read as follows:

244.2815 1. A board of county commissioners may sell, lease or otherwise dispose of real property for the purposes of redevelopment or economic development:

(a) Without first offering the real property to the public; and

(b) For less than fair market value of the real property.

2. Before a board of county commissioners may sell, lease or otherwise dispose of real property pursuant to this section, the board must:

(a) Except as otherwise provided in subsection 3, obtain an appraisal of the real property pursuant to NRS 244.2795; and

(b) Adopt a resolution finding that it is in the best interest of the public to sell, lease or otherwise dispose of the real property:

(1) Without offering the real property to the public; and

(2) For less than fair market value of the real property.

3. The board of county commissioners of a county whose population is less than ~~45,000~~ 52,000 may lease real property pursuant to this section without obtaining the appraisal otherwise required pursuant to subsection 2 if:

(a) The real property was acquired by the county directly from the Federal Government; and

(b) The terms and conditions under which the real property was acquired prohibit the sale of the real property and provide for the reversion of the title to the real property to the Federal Government upon demand by the Federal Government.



4. As used in this section:

(a) "Economic development" means:

(1) The establishment of new commercial enterprises or facilities within the county;

(2) The support, retention or expansion of existing commercial enterprises or facilities within the county;

(3) The establishment, retention or expansion of public, quasi-public or other facilities or operations within the county;

(4) The establishment of residential housing needed to support the establishment of new commercial enterprises or facilities or the expansion of existing commercial enterprises or facilities; or

(5) Any combination of the activities described in subparagraphs (1) to (4), inclusive,

➔ to create and retain opportunities of employment for the residents of the county.

(b) "Redevelopment" has the meaning ascribed to it in NRS 279.408.

Sec. 4. 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 (1) Are residents of the county;
2 (2) Possess knowledge concerning telephone systems for
3 reporting emergencies; and

- 4 (3) Are not elected public officers.

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

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

17 3. If a surcharge is imposed in a county pursuant to NRS
18 244A.7643, the board of county commissioners of that county shall
19 create a special revenue fund of the county for the deposit of the
20 money collected pursuant to NRS 244A.7643. The money in the
21 fund must be used only:

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

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

28 (1) In a county whose population is ~~145,000~~ 52,000 or more,
29 to enhance the telephone system for reporting an emergency,
30 including only:

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

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

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

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



(2) In a county whose population is less than ~~145,000,~~ 52,000, 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 recording devices or systems that consist of both portable event recording devices and vehicular event recording devices.

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

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

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

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

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



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

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

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

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

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

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

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

(2) Return the unused money.

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

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

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

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

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

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

6. If the balance in the fund created in a county whose population is 100,000 or more pursuant to subsection 3 which has not been committed for expenditure exceeds \$5,000,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$5,000,000.

7. If the balance in the fund created in a county whose population is ~~145,000~~ **52,000** or more but less than 100,000 pursuant to subsection 3 which has not been committed for expenditure exceeds \$1,000,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$1,000,000.



8. If the balance in the fund created in a county whose population is less than ~~145,000~~ 52,000 pursuant to subsection 3 which has not been committed for expenditure exceeds \$500,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$500,000.

Sec. 5. NRS 248.040 is hereby amended to read as follows:

248.040 1. Except as provided in NRS 248.045, each sheriff may:

(a) Appoint, in writing signed by him or her, one or more deputies, who may perform all the duties devolving on the sheriff of the county and such other duties as the sheriff may from time to time direct. The appointment of a deputy sheriff must not be construed to confer upon that deputy policymaking authority for the office of the sheriff or the county by which the deputy sheriff is employed.

(b) Except as otherwise provided in this paragraph, only remove a deputy who has completed a probationary period of 12 months for cause. A deputy who functions as the head of a department or an administrative employee or who has not completed the probationary period may be removed at the sheriff's pleasure.

2. For the purposes of paragraph (b) of subsection 1, in any county whose population is less than ~~145,000~~ 52,000, "cause" includes, without limitation:

(a) Failure to be certified by the Peace Officers' Standards and Training Commission within the time required by NRS 289.550;

(b) Loss of the certification by the Peace Officers' Standards and Training Commission required by NRS 289.550; or

(c) Failure to maintain a valid driver's license.

↪ This subsection does not limit or impair any internal grievance procedure, grievance procedure negotiated pursuant to chapter 288 of NRS or administrative remedy otherwise available to a deputy.

3. No deputy sheriff is qualified to act as such unless he or she has taken an oath to discharge the duties of the office faithfully and impartially. The oath, together with the written appointment, must be recorded in the office of the recorder of the county within which the sheriff legally holds and exercises office. Revocations of such appointments must be recorded as provided in this subsection. From the time of the recording of the appointments or revocations therein, persons shall be deemed to have notice of the appointments or revocations.

4. The sheriff may require of his or her deputies such bonds as to the sheriff seem proper.



Sec. 6. NRS 241.020 is hereby amended to read as follows:

241.020 1. Except as otherwise provided by specific statute, all meetings of public bodies must be open and public, and all persons must be permitted to attend any meeting of these public bodies at a physical location or by means of a remote technology system. A meeting that is closed pursuant to a specific statute may only be closed to the extent specified in the statute allowing the meeting to be closed. All other portions of the meeting must be open and public, and the public body must comply with all other provisions of this chapter to the extent not specifically precluded by the specific statute. Public officers and employees responsible for these meetings shall make reasonable efforts to assist and accommodate persons with physical disabilities desiring to attend.

2. If any portion of a meeting is open to the public, the public officers and employees responsible for the meeting must make reasonable efforts to ensure the facilities for the meeting are large enough to accommodate the anticipated number of attendees. No violation of this chapter occurs if a member of the public is not permitted to attend a public meeting because the facilities for the meeting have reached maximum capacity if reasonable efforts were taken to accommodate the anticipated number of attendees. Nothing in this subsection requires a public body to incur any costs to secure a facility outside the control or jurisdiction of the public body or to upgrade, improve or otherwise modify an existing facility to accommodate the anticipated number of attendees.

3. Except in an emergency, written notice of all meetings must be given at least 3 working days before the meeting. The notice must include:

(a) The time, place and location of the meeting. If the meeting is held using a remote technology system pursuant to NRS 241.023 and has no physical location, the notice must include information on how a member of the public may:

(1) Use the remote technology system to hear and observe the meeting;

(2) Participate in the meeting by telephone; and

(3) Provide live public comment during the meeting and, if authorized by the public body, provide prerecorded public comment.

(b) A list of the locations where the notice has been posted.

(c) The name, contact information and business address for the person designated by the public body from whom a member of the public may request the supporting material for the meeting described in subsection 7 and:

(1) A list of the locations where the supporting material is available to the public; or



(2) Information about how the supporting material may be found on the Internet website of the public body.

(d) An agenda consisting of:

(1) A clear and complete statement of the topics scheduled to be considered during the meeting.

(2) A list describing the items on which action may be taken and clearly denoting that action may be taken on those items by placing the term "for possible action" next to the appropriate item or, if the item is placed on the agenda pursuant to NRS 241.0365, by placing the term "for possible corrective action" next to the appropriate item.

(3) Periods devoted to comments by the general public, if any, and discussion of those comments. Comments by the general public must be taken:

(I) At the beginning of the meeting before any items on which action may be taken are heard by the public body and again before the adjournment of the meeting; or

(II) After each item on the agenda on which action may be taken is discussed by the public body, but before the public body takes action on the item.

➤ The provisions of this subparagraph do not prohibit a public body from taking comments by the general public in addition to what is required pursuant to sub-subparagraph (I) or (II). Regardless of whether a public body takes comments from the general public pursuant to sub-subparagraph (I) or (II), the public body must allow the general public to comment on any matter that is not specifically included on the agenda as an action item at some time before adjournment of the meeting. No action may be taken upon a matter raised during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to subparagraph (2).

(4) If any portion of the meeting will be closed to consider the character, alleged misconduct or professional competence of a person, the name of the person whose character, alleged misconduct or professional competence will be considered.

(5) If, during any portion of the meeting, the public body will consider whether to take administrative action regarding a person, the name of that person.

(6) Notification that:

(I) Items on the agenda may be taken out of order;

(II) The public body may combine two or more agenda items for consideration; and



(III) The public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

(7) Any restrictions on comments by the general public. Any such restrictions must be reasonable and may restrict the time, place and manner of the comments, but may not restrict comments based upon viewpoint.

4. Minimum public notice is:

(a) Posting a copy of the notice at the principal office of the public body. If the meeting is held using a remote technology system pursuant to NRS 241.023 and has no physical location, the public body must also post the notice to the Internet website of the public body not later than 9 a.m. of the third working day before the meeting is to be held unless the public body is unable to do so because of technical problems relating to the operation or maintenance of the Internet website of the public body.

(b) Posting the notice on the official website of the State pursuant to NRS 232.2175 not later than 9 a.m. of the third working day before the meeting is to be held, unless the public body is unable to do so because of technical problems relating to the operation or maintenance of the official website of the State.

(c) Providing a copy of the notice to any person who has requested notice of the meetings of the public body. A request for notice lapses 6 months after it is made. The public body shall inform the requester of this fact by enclosure with, notation upon or text included within the first notice sent. The notice must be:

(1) Delivered to the postal service used by the public body not later than 9 a.m. of the third working day before the meeting for transmittal to the requester by regular mail; or

(2) Transmitted to the requester by electronic mail sent not later than 9 a.m. of the third working day before the meeting.

5. For each of its meetings, a public body shall document in writing that the public body complied with the minimum public notice required by paragraph (a) of subsection 4. The documentation must be prepared by every person who posted a copy of the public notice and include, without limitation:

(a) The date and time when the person posted the copy of the public notice;

(b) The address of the location where the person posted the copy of the public notice; and

(c) The name, title and signature of the person who posted the copy of the notice.

6. Except as otherwise provided in paragraph (a) of subsection 4, if a public body maintains a website on the Internet or its successor, the public body shall post notice of each of its meetings



on its website unless the public body is unable to do so because of technical problems relating to the operation or maintenance of its website. Notice posted pursuant to this subsection is supplemental to and is not a substitute for the minimum public notice required pursuant to subsection 4. The inability of a public body to post notice of a meeting pursuant to this subsection as a result of technical problems with its website shall not be deemed to be a violation of the provisions of this chapter.

7. Upon any request, a public body shall provide, at no charge, at least one copy of:

(a) An agenda for a public meeting;

(b) A proposed ordinance or regulation which will be discussed at the public meeting; and

(c) Subject to the provisions of subsection 8 or 9, as applicable, any other supporting material provided to the members of the public body for an item on the agenda, except materials:

(1) Submitted to the public body pursuant to a nondisclosure or confidentiality agreement which relates to proprietary information;

(2) Pertaining to the closed portion of such a meeting of the public body; or

(3) Declared confidential by law, unless otherwise agreed to by each person whose interest is being protected under the order of confidentiality.

➤ The public body shall make at least one copy of the documents described in paragraphs (a), (b) and (c) available to the public at the meeting to which the documents pertain. As used in this subsection, “proprietary information” has the meaning ascribed to it in NRS 332.025.

8. Unless it must be made available at an earlier time pursuant to NRS 288.153, a copy of supporting material required to be provided upon request pursuant to paragraph (c) of subsection 7 must be:

(a) If the supporting material is provided to the members of the public body before the meeting, made available to the requester at the time the material is provided to the members of the public body; or

(b) If the supporting material is provided to the members of the public body at the meeting, made available at the meeting to the requester at the same time the material is provided to the members of the public body.

➤ If the requester has agreed to receive the information and material set forth in subsection 7 by electronic mail, the public body shall, if feasible, provide the information and material by electronic mail.



9. Unless the supporting material must be posted at an earlier time pursuant to NRS 288.153, and except as otherwise provided in subsection 11, the governing body of a county or city whose population is ~~145,000~~ 52,000 or more shall post the supporting material described in paragraph (c) of subsection 7 to its website not later than the time the material is provided to the members of the governing body or, if the supporting material is provided to the members of the governing body at a meeting, not later than 24 hours after the conclusion of the meeting. Such posting is supplemental to the right of the public to request the supporting material pursuant to subsection 7. The inability of the governing body, as a result of technical problems with its website, to post supporting material pursuant to this subsection shall not be deemed to be a violation of the provisions of this chapter.

10. Except as otherwise provided in subsection 11, a public body may provide the public notice, information or supporting material required by this section by electronic mail. Except as otherwise provided in this subsection, if a public body makes such notice, information or supporting material available by electronic mail, the public body shall inquire of a person who requests the notice, information or supporting material if the person will accept receipt by electronic mail. If a public body is required to post the public notice, information or supporting material on its website pursuant to this section, the public body shall inquire of a person who requests the notice, information or supporting material if the person will accept by electronic mail a link to the posting on the website when the documents are made available. The inability of a public body, as a result of technical problems with its electronic mail system, to provide a public notice, information or supporting material or a link to a website required by this section to a person who has agreed to receive such notice, information, supporting material or link by electronic mail shall not be deemed to be a violation of the provisions of this chapter.

11. If a public body holds a meeting using a remote technology system pursuant to NRS 241.023 and has no physical location for the meeting, the public body must:

(a) Have an Internet website; and

(b) Post to its Internet website:

(1) The public notice required by this section; and

(2) Supporting material not later than the time the material is provided to the members of the governing body or, if the supporting material is provided to the members of the governing body at a meeting, not later than 24 hours after the conclusion of the meeting.

➤ The inability of the governing body, as a result of technical problems with its Internet website, to post supporting material



pursuant to this subsection shall not be deemed to be a violation of the provisions of this chapter.

12. As used in this section, "emergency" means an unforeseen circumstance which requires immediate action and includes, but is not limited to:

(a) Disasters caused by fire, flood, earthquake or other natural causes; or

(b) Any impairment of the health and safety of the public.

Sec. 7. NRS 241.0355 is hereby amended to read as follows:

241.0355 1. A public body that is required to be composed of elected officials only may not take action by vote unless at least a majority of all the members of the public body vote in favor of the action. For purposes of this subsection, a public body may not count an abstention as a vote in favor of an action.

2. In a county whose population is ~~145,000~~ 52,000 or more, the provisions of subsection 5 of NRS 281A.420 do not apply to a public body that is required to be composed of elected officials only, unless before abstaining from the vote, the member of the public body receives and discloses the opinion of the legal counsel authorized by law to provide legal advice to the public body that the abstention is required pursuant to NRS 281A.420. The opinion of counsel must be in writing and set forth with specificity the factual circumstances and analysis leading to that conclusion.

Sec. 8. NRS 268.059 is hereby amended to read as follows:

268.059 1. Except as otherwise provided in NRS 268.048 to 268.058, inclusive, 268.064, 278.479 to 278.4965, inclusive, and subsection 4 of NRS 496.080, except as otherwise required by federal law, except as otherwise required pursuant to a cooperative agreement entered into pursuant to NRS 277.050 or 277.053 or an interlocal agreement in existence on October 1, 2004, except if the governing body is entering into a joint development agreement for real property owned by the city to which the governing body is a party, except for a lease of residential property with a term of 1 year or less, except for the sale or lease of real property to a public utility, as defined in NRS 704.020, to be used for a public purpose, except for the sale or lease of real property to the State or another governmental entity and except for the sale or lease of real property larger than 1 acre which is approved by the voters at a primary or general election, primary or general city election or special election, the governing body shall, when offering any real property for sale or lease:

(a) Except as otherwise provided in this paragraph and paragraph (h) of subsection 1 of NRS 268.061, obtain two independent appraisals of the real property before selling or leasing it. If the governing body holds a public hearing on the matter of the



1 fair market value of the real property, one independent appraisal of
2 the real property is sufficient before selling or leasing it. The
3 appraisal or appraisals, as applicable, must be based on the zoning
4 of the real property as set forth in the master plan for the city and
5 must have been prepared not more than 6 months before the date on
6 which real property is offered for sale or lease.

7 (b) Select the one independent appraiser or two independent
8 appraisers, as applicable, from the list of appraisers established
9 pursuant to subsection 2.

10 (c) Verify the qualifications of each appraiser selected pursuant
11 to paragraph (b). The determination of the governing body as to the
12 qualifications of the appraiser is conclusive.

13 2. The governing body shall adopt by ordinance the procedures
14 for creating or amending a list of appraisers qualified to conduct
15 appraisals of real property offered for sale or lease by the governing
16 body. The list must:

17 (a) Contain the names of all persons qualified to act as a general
18 appraiser in the same county as the real property that may be
19 appraised; and

20 (b) Be organized at random and rotated from time to time.

21 3. An appraiser chosen pursuant to subsection 1 must provide a
22 disclosure statement which includes, without limitation, all sources
23 of income of the appraiser that may constitute a conflict of interest
24 and any relationship of the appraiser with the property owner or the
25 owner of an adjoining property.

26 4. An appraiser shall not perform an appraisal on any real
27 property offered for sale or lease by the governing body if:

28 (a) The appraiser has an interest in the real property or an
29 adjoining property;

30 (b) The real property is located in a city in a county whose
31 population is ~~145,000~~ 52,000 or more and any person who is related
32 to the appraiser has an interest in the real property or an adjoining
33 property and the relationship between the appraiser and the person is
34 within the third degree of consanguinity or affinity; or

35 (c) The real property is located in a city in a county whose
36 population is less than ~~145,000~~ 52,000 and any person who is
37 related to the appraiser has an interest in the real property or an
38 adjoining property and the relationship between the appraiser and
39 the person is within the second degree of consanguinity or affinity.

40 5. If real property is sold or leased in violation of the
41 provisions of this section:

42 (a) The sale or lease is void; and

43 (b) Any change to an ordinance or law governing the zoning or
44 use of the real property is void if the change takes place within 5
45 years after the date of the void sale or lease.



Sec. 9. NRS 278.02095 is hereby amended to read as follows:

278.02095 1. Except as otherwise provided in this section, in an ordinance relating to the zoning of land adopted or amended by a governing body, the definition of "single-family residence" must include a manufactured home.

2. Notwithstanding the provisions of subsection 1, a governing body shall adopt standards for the placement of a manufactured home that will not be affixed to a lot within a mobile home park which require that:

(a) The manufactured home:

(1) Be permanently affixed to a residential lot;

(2) Be manufactured within the 6 years immediately preceding the date on which it is affixed to the residential lot;

(3) Have exterior siding and roofing which is similar in color, material and appearance to the exterior siding and roofing primarily used on other single-family residential dwellings in the immediate vicinity of the manufactured home, as established by the governing body;

(4) Consist of more than one section; and

(5) Consist of at least 1,200 square feet of living area unless the governing body, by administrative variance or other expedited procedure established by the governing body, approves a lesser amount of square footage based on the size or configuration of the lot or the square footage of single-family residential dwellings in the immediate vicinity of the manufactured home; and

(b) If the manufactured home has an elevated foundation, the foundation is masked architecturally in a manner determined by the governing body.

➔ The governing body of a local government in a county whose population is less than ~~145,000~~ 52,000 may adopt standards that are less restrictive than the standards set forth in this subsection.

3. Standards adopted by a governing body pursuant to subsection 2 must be objective and documented clearly and must not be adopted to discourage or impede the construction or provision of affordable housing, including, without limitation, the use of manufactured homes for affordable housing.

4. Before a building department issues a permit to place a manufactured home on a lot pursuant to this section, other than a new manufactured home, the owner must surrender the certificate of ownership to the Housing Division of the Department of Business and Industry. The Division shall provide proof of such a surrender to the owner who must submit that proof to the building department.

5. The provisions of this section do not abrogate a recorded restrictive covenant prohibiting manufactured homes, nor do the provisions apply within the boundaries of a historic district



established pursuant to NRS 384.005 or 384.100. An application to place a manufactured home on a residential lot pursuant to this section constitutes an attestation by the owner of the lot that the placement complies with all covenants, conditions and restrictions placed on the lot and that the lot is not located within a historic district.

6. As used in this section:

(a) “Manufactured home” has the meaning ascribed to it in NRS 489.113.

(b) “New manufactured home” has the meaning ascribed to it in NRS 489.125.

Sec. 10. NRS 278.030 is hereby amended to read as follows:

278.030 1. The governing body of each city whose population is 25,000 or more and of each county whose population is ~~145,000~~ 52,000 or more shall create by ordinance a planning commission to consist of seven members.

2. Cities whose population is less than 25,000 and counties whose population is less than ~~145,000~~ 52,000 may create by ordinance a planning commission to consist of seven members. If the governing body of any city whose population is less than 25,000 or of any county whose population is less than ~~145,000~~ 52,000 deems the creation of a planning commission unnecessary or inadvisable, the governing body may, in lieu of creating a planning commission as provided in this subsection, perform all the functions and have all of the powers which would otherwise be granted to and be performed by the planning commission.

Sec. 11. NRS 293.464 is hereby amended to read as follows:

293.464 1. If a court of competent jurisdiction orders a county to extend the deadline for voting beyond the statutory deadline in a particular election, the county clerk shall, as soon as practicable after receiving notice of the court’s decision:

(a) Cause notice of the extended deadline to be published in a newspaper of general circulation in the county; and

(b) Transmit a notice of the extended deadline to each registered voter who received a mail ballot for the election and has not returned the mail ballot before the date on which the notice will be transmitted.

2. The notice required pursuant to paragraph (a) of subsection 1 must be published:

(a) In a county whose population is ~~147,500~~ 52,000 or more, on at least 3 successive days.

(b) In a county whose population is less than ~~147,500~~ 52,000, at least twice in successive issues of the newspaper.



Sec. 12. NRS 318.5121 is hereby amended to read as follows:

318.5121 1. The board of trustees shall adopt by resolution the procedures for creating and maintaining a list of appraisers qualified to conduct appraisals of real property offered for sale by the board. The list must:

(a) Contain the names of all persons qualified to act as a general appraiser in the same county as the real property that may be appraised; and

(b) Be organized at random and rotated from time to time.

2. An appraiser chosen pursuant to subsection 1 must provide a disclosure statement which includes, without limitation, all sources of income that may constitute a conflict of interest and any relationship with the real property owner or the owner of an adjoining real property.

3. An appraiser shall not perform an appraisal on any real property for sale by the board of trustees if:

(a) The appraiser has an interest in the real property or an adjoining property;

(b) The real property is located in a county whose population is ~~45,000~~ 52,000 or more and any person who is related to the appraiser has an interest in the real property or an adjoining property and the relationship between the appraiser and the person is within the third degree of consanguinity or affinity; or

(c) The real property is located in a county whose population is less than ~~45,000~~ 52,000 and any person who is related to the appraiser has an interest in the real property or an adjoining property and the relationship between the appraiser and the person is within the second degree of consanguinity or affinity.

Sec. 13. NRS 350.0125 is hereby amended to read as follows:

350.0125 1. The commission in a county whose population is less than ~~47,500~~ 52,000 may request technical assistance from the Department of Taxation to carry out the duties of the commission. Upon such a request, the Department of Taxation shall provide to that commission such technical assistance to the extent that resources are available.

2. The board of county commissioners of a county whose population is ~~47,500~~ 52,000 or more shall provide the commission in that county with such staff as is necessary to carry out the duties of the commission. The staff provided to the commission pursuant to this subsection shall provide such technical assistance to the commission as the commission requires, except the staff shall not render an opinion on the merits of any proposal or other matter before the commission.



Sec. 14. NRS 361.453 is hereby amended to read as follows:

361.453 1. Except as otherwise provided in this section and NRS 354.705, 354.723, 387.3288 and 450.760, the total ad valorem tax levy for all public purposes must not exceed \$3.64 on each \$100 of assessed valuation, or a lesser or greater amount fixed by the State Board of Examiners if the State Board of Examiners is directed by law to fix a lesser or greater amount for that fiscal year.

2. Any levy imposed by the Legislature for the repayment of bonded indebtedness or the operating expenses of the State of Nevada and any levy imposed by the board of county commissioners pursuant to NRS 387.195 that is in excess of 50 cents on each \$100 of assessed valuation of taxable property within the county must not be included in calculating the limitation set forth in subsection 1 on the total ad valorem tax levied within the boundaries of the county, city or unincorporated town, if, in a county whose population is less than ~~145,000~~, **52,000**, or in a city or unincorporated town located within that county:

(a) The combined tax rate certified by the Nevada Tax Commission was at least \$3.50 on each \$100 of assessed valuation on June 25, 1998;

(b) The governing body of that county, city or unincorporated town proposes to its registered voters an additional levy ad valorem above the total ad valorem tax levy for all public purposes set forth in subsection 1;

(c) The proposal specifies the amount of money to be derived, the purpose for which it is to be expended and the duration of the levy; and

(d) The proposal is approved by a majority of the voters voting on the question at a general election or a special election called for that purpose.

3. The duration of the additional levy ad valorem levied pursuant to subsection 2 must not exceed 5 years. The governing body of the county, city or unincorporated town may discontinue the levy before it expires and may not thereafter reimpose it in whole or in part without following the procedure required for its original imposition set forth in subsection 2.

4. A special election may be held pursuant to subsection 2 only if the governing body of the county, city or unincorporated town determines, by a unanimous vote, that an emergency exists. The determination made by the governing body is conclusive unless it is shown that the governing body acted with fraud or a gross abuse of discretion. 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 unexpected occurrence or combination of



occurrences which requires immediate action by the governing body of the county, city or unincorporated town to prevent or mitigate a substantial financial loss to the county, city or unincorporated town or to enable the governing body to provide an essential service to the residents of the county, city or unincorporated town.

Sec. 15. NRS 379.050 is hereby amended to read as follows:

379.050 1. Whenever a new county library is provided for in any county whose population is ~~45,000~~ 52,000 or more, the trustees of any district library in the county previously established may transfer all books, funds, equipment or other property in the possession of such trustees to the new library upon the demand of the trustees of the new library.

2. Whenever there are two or more county library districts in any county whose population is ~~45,000~~ 52,000 or more, the districts may merge into one county library district upon approval of the library trustees of the merging districts.

3. Whenever there is a city or a town library located adjacent to a county library district, the city or town library may:

(a) Merge with the county library district upon approval of the trustees of the merging library and district; or

(b) Subject to the limitations in NRS 379.0221, consolidate with the county library district.

4. All expenses incurred in making a transfer or merger must be paid out of the general fund of the new library.

Sec. 16. NRS 396.892 is hereby amended to read as follows:

396.892 1. Each student who receives a loan made pursuant to NRS 396.890 to 396.898, inclusive, shall repay the loan and accrued interest pursuant to the terms of the loan unless the student:

(a) Practices nursing in a rural area of Nevada or as an employee of the State for 6 months for each academic year for which he or she received a loan; or

(b) Practices nursing in any other area of Nevada for 1 year for each academic year for which he or she received a loan.

2. The Board of Regents may adopt regulations:

(a) Extending the time for completing the required practice beyond 5 years for persons who are granted extensions because of hardship; and

(b) Granting prorated credit towards repayment of a loan for time a person practices nursing as required, for cases in which the period for required practice is only partially completed,

➔ and such other regulations as are necessary to carry out the provisions of NRS 396.890 to 396.898, inclusive.

3. As used in this section, “practices nursing in a rural area” means that the person practices nursing in an area located in a county whose population is less than ~~47,500~~ 52,000 at least half of



1 the total time the person spends in the practice of nursing, and not
2 less than 20 hours per week.

3 **Sec. 17.** NRS 403.490 is hereby amended to read as follows:

4 403.490 1. To perform any work or construct any
5 superstructure under this chapter wherein an expenditure of
6 \$100,000 or more may be necessary, the board of county highway
7 commissioners shall cause definite plans of such work or
8 superstructure to be made, estimates of the amount of work to be
9 done and the probable cost thereof, together with a copy of the
10 specifications thereof.

11 2. Except as otherwise provided in subsection 3, upon receipt
12 of the plans, estimates and specifications for a project for which the
13 estimated cost is \$100,000 or more, the board of county highway
14 commissioners shall advertise for bids and let contracts in the
15 manner prescribed by chapter 332 or 338 of NRS, as applicable.

16 3. In a county whose population is less than ~~145,000,~~ 52,000,
17 if the estimated cost of a project is \$100,000 or more but less than
18 \$250,000, the board of county highway commissioners may hold a
19 hearing to determine, by majority vote of the board, if the project
20 can be performed by county employees or through the employment
21 of day labor under the supervision of the board and by the use of its
22 own machinery, tools and other equipment without advertising for
23 bids and letting contracts pursuant to subsection 2. Notice for such a
24 hearing must be provided not less than 15 days before the date of the
25 hearing and must be published pursuant to the provisions of NRS
26 238.010 to 238.080, inclusive. The board shall provide, in the notice
27 and at least 15 days before the hearing at the office of the board and
28 at the place of the hearing, the following information, without
29 limitation:

30 (a) A list of:

31 (1) All county employees, if any, including supervisors, who
32 will perform the work, including, without limitation, the
33 classification of each employee and an estimate of the direct and
34 indirect costs of the labor;

35 (2) The number of day laborers, if any, that will be employed
36 to perform the work; and

37 (3) All machinery, tools and other equipment of the county to
38 be used on the project.

39 (b) An estimate of:

40 (1) The direct and indirect costs of the labor of the county
41 employees who will perform the work, if any;

42 (2) The direct and indirect costs of the labor of any day
43 laborers who will be employed to perform the work pursuant to
44 chapter 338 of NRS;



(3) The cost of any administrative support that will be required for the performance of the work;

(4) The total cost of the project, including, without limitation, the fair market value or, if available, the actual cost of all materials, supplies, equipment and labor necessary for the project; and

(5) The amount of savings to be realized by having county employees or day laborers perform the work.

4. In cases of emergency the board of county highway commissioners may let contracts for repairs in the manner prescribed by chapter 332 of NRS.

5. Nothing in this section shall prevent any county from opening, building, improving or repairing any public road or highway in the county through the work of county employees or the employment of day labor, under the supervision of the board of county highway commissioners and by the use of its own machinery, tools and other equipment, without letting contracts to the lowest responsible bidder, if the probable cost of the work does not exceed \$100,000.

Sec. 18. NRS 444A.040 is hereby amended to read as follows:

444A.040 1. The board of county commissioners in a county whose population is 100,000 or more, or its designee, shall make available for use in that county a program for:

(a) The separation at the source of recyclable material from other solid waste originating from residential premises and public buildings where services for the collection of solid waste are provided, including, without limitation, the placement of recycling containers on the premises of apartment complexes and condominiums where those services are provided.

(b) The establishment of recycling centers for the collection and disposal of recyclable material where existing recycling centers do not carry out the purposes of the program.

(c) The disposal of hazardous household products which are capable of causing harmful physical effects if inhaled, absorbed or ingested. This program may be included as a part of any other program made available pursuant to this subsection.

(d) The encouragement of businesses to reduce solid waste and to separate at the source recyclable material from other solid waste. This program must, without limitation, make information regarding solid waste reduction and recycling opportunities available to a business at the time the business applies for or renews a business license.

2. The board of county commissioners of a county whose population is ~~145,000~~ 52,000 or more but less than 100,000, or its designee:



(a) May make available for use in that county a program for the separation at the source of recyclable material from other solid waste originating from residential premises and public buildings where services for the collection of solid waste are provided, including, without limitation, the placement of recycling containers on the premises of apartment complexes and condominiums where those services are provided.

(b) Shall make available for use in that county a program for:

(1) The establishment of recycling centers for the collection and disposal of recyclable material where existing recycling centers do not carry out the purposes of the program established pursuant to paragraph (a).

(2) The disposal of hazardous household products which are capable of causing harmful physical effects if inhaled, absorbed or ingested. This program may be included as a part of any other program made available pursuant to this subsection.

3. The board of county commissioners of a county whose population is less than ~~145,000~~ 52,000, or its designee, may make available for use in that county a program for:

(a) The separation at the source of recyclable material from other solid waste originating from residential premises and public buildings where services for the collection of solid waste are provided, including, without limitation, the placement of recycling containers on the premises of apartment complexes and condominiums where those services are provided.

(b) The establishment of recycling centers for the collection and disposal of recyclable material where existing recycling centers do not carry out the purposes of the program.

(c) The disposal of hazardous household products which are capable of causing harmful physical effects if inhaled, absorbed or ingested. This program may be included as a part of any other program made available pursuant to this subsection.

4. Any program made available pursuant to this section:

(a) Must not:

(1) Conflict with the standards adopted by the State Environmental Commission pursuant to NRS 444A.020; and

(2) Become effective until approved by the Department.

(b) May be based on the model plans adopted pursuant to NRS 444A.030.

5. The governing body of a municipality may adopt and carry out within the municipality such programs made available pursuant to this section as are deemed necessary and appropriate for that municipality.



6. Any municipality may, with the approval of the governing body of an adjoining municipality, participate in any program adopted by the adjoining municipality pursuant to subsection 5.

7. Persons residing on an Indian reservation or Indian colony may participate in any program adopted pursuant to subsection 5 by a municipality in which the reservation or colony is located if the governing body of the reservation or colony adopts an ordinance requesting such participation. Upon receipt of such a request, the governing body of the municipality shall make available to the residents of the reservation or colony those programs requested.

Sec. 19. NRS 455.125 is hereby amended to read as follows:

455.125 If an operator of a sewer main receives notice through an association for operators pursuant to paragraph (a) of subsection 1 of NRS 455.110:

1. For a proposed excavation or demolition, the operator of the sewer main shall provide the person responsible for the excavation or demolition with the operator's best available information regarding the location of the connection of the sewer service lateral to the sewer main. The operator shall convey the information to the person responsible for the excavation or demolition in such manner as is determined by the operator which may include any one or more of the following methods, without limitation:

(a) Identification of the location of the connection of the sewer service lateral to the sewer main;

(b) Providing copies of documents relating to the location of the sewer service lateral within 2 working days; or

(c) Placement of a triangular green marking along the sewer main or the edge of the public right-of-way, pointing toward the real property serviced by the sewer service lateral to indicate that the location of the sewer service lateral is unknown.

2. The operator of a sewer main shall make its best efforts to comply with paragraph (a) or (c) of subsection 1 within 2 working days. If an operator of a sewer main cannot complete the requirements of paragraph (a) or (c) of subsection 1 within 2 working days, then the operator and the person responsible for the excavation or demolition must mutually agree upon a reasonable amount of time within which the operator must comply.

3. A government, governmental agency or political subdivision of a government that operates a sewer main:

(a) Except as otherwise provided in subsection 4, in a county with a population of ~~145,000~~ 52,000 or more may not charge a person responsible for excavation or demolition in a public right-of-way for complying with this section.

(b) In a county with a population of less than ~~145,000~~ 52,000 may charge a person responsible for excavation or demolition in a



public right-of-way for complying with this section in an amount that does not exceed the actual costs for the operator for compliance with this section. Costs assessed pursuant to this paragraph are not subject to the provisions of NRS 354.59881 to 354.59889, inclusive.

4. A government, governmental agency or political subdivision that operates a sewer main in a county with a population of ~~45,000~~ 52,000 or more may charge a person responsible for excavation or demolition in a public right-of-way for complying with this section in an amount that does not exceed the actual costs for the operator for compliance with this section if:

(a) The sewer system of the operator services not more than 260 accounts; and

(b) There is no natural gas pipeline located within the service area of the operator of the sewer main.

➔ Costs assessed pursuant to this subsection are not subject to the provisions of NRS 354.59881 to 354.59889, inclusive.

5. If the operator of a sewer main has received the information required pursuant to NRS 455.131 or has otherwise identified the location of the sewer service lateral in the public right-of-way, then the operator of the sewer main shall be responsible thereafter to identify the location of the sewer service lateral from that information.

Sec. 20. NRS 463.750 is hereby amended to read as follows:

463.750 1. The Commission shall, with the advice and assistance of the Board, adopt regulations governing:

(a) The licensing and operation of interactive gaming; and

(b) The registration of service providers to perform any action described in paragraph (b) of subsection 6 of NRS 463.677.

2. The regulations adopted by the Commission pursuant to this section must:

(a) Establish the investigation fees for:

(1) A license to operate interactive gaming;

(2) A license for a manufacturer of interactive gaming systems;

(3) A license for an interactive gaming service provider to perform the actions described in paragraph (a) of subsection 6 of NRS 463.677; and

(4) Registration as a service provider to perform the actions described in paragraph (b) of subsection 6 of NRS 463.677.

(b) Provide that:

(1) A person must hold a license for a manufacturer of interactive gaming systems to supply or provide any interactive gaming system, including, without limitation, any piece of proprietary software or hardware;



(2) A person must hold a license for an interactive gaming service provider to perform the actions described in paragraph (a) of subsection 6 of NRS 463.677; and

(3) A person must be registered as a service provider to perform the actions described in paragraph (b) of subsection 6 of NRS 463.677.

(c) Except as otherwise provided in subsections 6 to 10, inclusive, set forth standards for the suitability of a person to be:

(1) Licensed as a manufacturer of interactive gaming systems;

(2) Licensed as an interactive gaming service provider as described in paragraph (a) of subsection 6 of NRS 463.677 that are as stringent as the standards for a nonrestricted license; or

(3) Registered as a service provider as described in paragraph (b) of subsection 6 of NRS 463.677 that are as stringent as the standards for a nonrestricted license.

(d) Set forth provisions governing:

(1) The initial fee for a license for an interactive gaming service provider as described in paragraph (a) of subsection 6 of NRS 463.677.

(2) The initial fee for registration as a service provider as described in paragraph (b) of subsection 6 of NRS 463.677.

(3) The fee for the renewal of such a license for such an interactive gaming service provider or registration as a service provider, as applicable, and any renewal requirements for such a license or registration, as applicable.

(4) Any portion of the license fee paid by a person licensed to operate interactive gaming, pursuant to subsection 1 of NRS 463.770, for which an interactive gaming service provider may be liable to the person licensed to operate interactive gaming.

(e) Provide that gross revenue received by an establishment from the operation of interactive gaming is subject to the same license fee provisions of NRS 463.370 as the games and gaming devices of the establishment, unless federal law otherwise provides for a similar fee or tax.

(f) Set forth standards for the location and security of the computer system and for approval of hardware and software used in connection with interactive gaming.

(g) Define “interactive gaming system,” “manufacturer of interactive gaming systems,” “operate interactive gaming” and “proprietary hardware and software” as the terms are used in this chapter.

3. Except as otherwise provided in subsections 4 and 5, the Commission shall not approve a license for an establishment to operate interactive gaming unless:



(a) In a county whose population is 700,000 or more, the establishment is a resort hotel that holds a nonrestricted license to operate games and gaming devices.

(b) In a county whose population is ~~145,000~~ 52,000 or more but less than 700,000, the establishment is a resort hotel that holds a nonrestricted license to operate games and gaming devices or the establishment:

(1) Holds a nonrestricted license for the operation of games and gaming devices;

(2) Has more than 120 rooms available for sleeping accommodations in the same county;

(3) Has at least one bar with permanent seating capacity for more than 30 patrons that serves alcoholic beverages sold by the drink for consumption on the premises;

(4) Has at least one restaurant with permanent seating capacity for more than 60 patrons that is open to the public 24 hours each day and 7 days each week; and

(5) Has a gaming area that is at least 18,000 square feet in area with at least 1,600 slot machines, 40 table games, and a sports book and race pool.

(c) In all other counties, the establishment is a resort hotel that holds a nonrestricted license to operate games and gaming devices or the establishment:

(1) Has held a nonrestricted license for the operation of games and gaming devices for at least 5 years before the date of its application for a license to operate interactive gaming;

(2) Meets the definition of group 1 licensee as set forth in the regulations of the Commission on the date of its application for a license to operate interactive gaming; and

(3) Operates either:

(I) More than 50 rooms for sleeping accommodations in connection therewith; or

(II) More than 50 gaming devices in connection therewith.

4. The Commission may:

(a) Issue a license to operate interactive gaming to an affiliate of an establishment if:

(1) The establishment satisfies the applicable requirements set forth in subsection 3;

(2) The affiliate is located in the same county as the establishment; and

(3) The establishment has held a nonrestricted license for at least 5 years before the date on which the application is filed; and

(b) Require an affiliate that receives a license pursuant to this subsection to comply with any applicable provision of this chapter.



1 5. The Commission may issue a license to operate interactive
2 gaming to an applicant that meets any qualifications established by
3 federal law regulating the licensure of interactive gaming.

4 6. Except as otherwise provided in subsections 7, 8 and 9:

5 (a) A covered person may not be found suitable for licensure
6 under this section within 5 years after February 21, 2013;

7 (b) A covered person may not be found suitable for licensure
8 under this section unless such covered person expressly submits to
9 the jurisdiction of the United States and of each state in which
10 patrons of interactive gaming operated by such covered person after
11 December 31, 2006, were located, and agrees to waive any statutes
12 of limitation, equitable remedies or laches that otherwise would
13 preclude prosecution for a violation of any provision of federal law
14 or the law of any state in connection with such operation of
15 interactive gaming after that date;

16 (c) A person may not be found suitable for licensure under this
17 section within 5 years after February 21, 2013, if such person uses a
18 covered asset for the operation of interactive gaming; and

19 (d) Use of a covered asset is grounds for revocation of an
20 interactive gaming license, or a finding of suitability, issued under
21 this section.

22 7. The Commission, upon recommendation of the Board, may
23 waive the requirements of subsection 6 if the Commission
24 determines that:

25 (a) In the case of a covered person described in paragraphs (a)
26 and (b) of subsection 1 of NRS 463.014645:

27 (1) The covered person did not violate, directly or indirectly,
28 any provision of federal law or the law of any state in connection
29 with the ownership and operation of, or provision of services to, an
30 interactive gaming facility that, after December 31, 2006, operated
31 interactive gaming involving patrons located in the United States;
32 and

33 (2) The assets to be used or that are being used by such
34 person were not used after that date in violation of any provision of
35 federal law or the law of any state;

36 (b) In the case of a covered person described in paragraph (c) of
37 subsection 1 of NRS 463.014645, the assets that the person will use
38 in connection with interactive gaming for which the covered person
39 applies for a finding of suitability were not used after December 31,
40 2006, in violation of any provision of federal law or the law of any
41 state; and

42 (c) In the case of a covered asset, the asset was not used after
43 December 31, 2006, in violation of any provision of federal law or
44 the law of any state, and the interactive gaming facility in
45 connection with which the asset was used was not used after that



1 date in violation of any provision of federal law or the law of any
2 state.

3 8. With respect to a person applying for a waiver pursuant to
4 subsection 7, the Commission shall afford the person an opportunity
5 to be heard and present relevant evidence. The Commission shall act
6 as finder of fact and is entitled to evaluate the credibility of
7 witnesses and persuasiveness of the evidence. The affirmative votes
8 of a majority of the whole Commission are required to grant or deny
9 such waiver. The Board shall make appropriate investigations to
10 determine any facts or recommendations that it deems necessary or
11 proper to aid the Commission in making determinations pursuant to
12 this subsection and subsection 7.

13 9. The Commission shall make a determination pursuant to
14 subsections 7 and 8 with respect to a covered person or covered
15 asset without regard to whether the conduct of the covered person or
16 the use of the covered asset was ever the subject of a criminal
17 proceeding for a violation of any provision of federal law or the law
18 of any state, or whether the person has been prosecuted and the
19 prosecution terminated in a manner other than with a conviction.

20 10. It is unlawful for any person, either as owner, lessee or
21 employee, whether for hire or not, either solely or in conjunction
22 with others, to operate interactive gaming:

23 (a) Until the Commission adopts regulations pursuant to this
24 section; and

25 (b) Unless the person first procures, and thereafter maintains in
26 effect, all appropriate licenses as required by the regulations adopted
27 by the Commission pursuant to this section.

28 11. A person who violates subsection 10 is guilty of a category
29 B felony and shall be punished by imprisonment in the state prison
30 for a minimum term of not less than 1 year and a maximum term of
31 not more than 10 years or by a fine of not more than \$50,000, or
32 both.

33 **Sec. 21.** NRS 647.060 is hereby amended to read as follows:

34 647.060 1. At the time of purchase by any junk dealer of any
35 hides or junk, the junk dealer shall require the person vending the
36 hides or junk to subscribe a statement containing the following
37 information:

38 (a) When, where and from whom the vendor obtained the
39 property.

40 (b) The vendor's age, residence, including the city or town, and
41 the street and number, if any, of the residence, and such other
42 information as is reasonably necessary to enable the residence to be
43 located.

44 (c) The name of the employer, if any, of the vendor and the
45 place of business or employment of the employer.



2. Except as otherwise provided in subsection 3, the junk dealer shall on the next business day:

(a) File the original statement subscribed by the vendor in the office of the sheriff of the county where the purchase was made; and

(b) If the purchase was made in a city or town, file a copy of the statement with the chief of police of that city or town.

3. In a county whose population is less than ~~147,500,~~ 52,000, the original statement may be filed in the office of the sheriff's deputy for transmission to the sheriff.

Sec. 22. The Legislature declares that in enacting this act it has reviewed each of the classifications by population amended by this act, has considered the suggestions of the several counties and of other interested persons in this State relating to whether any should be retained unchanged or amended differently, and has found that each of the sections in which a criterion of population has been changed should not under present conditions apply to a county larger or smaller, as the case may be, than the new criterion established.

Sec. 23. This act becomes effective upon passage and approval.

