Assembly Bill No. 540–Committee
on Government Affairs

CHAPTER..........

AN ACT relating to governmental administration; creating the Nevada Attainable Housing Account and setting forth the allowable uses of money in the Account; requiring an eligible entity to provide or secure certain matching funds as a condition of receiving money from the Account; requiring the Administrator of the Housing Division of the Department of Business and Industry to adopt annually an allocation plan for attainable housing; requiring the Division to submit a report to the Interim Finance Committee relating to the Account; creating and setting forth the duties of the Nevada Attainable Housing Council; renaming the position of Housing Advocate within the Division as the Housing Liaison; revising provisions relating to the statewide low-income housing database maintained by the Division; revising provisions relating to the Account for Affordable Housing; authorizing the Division to establish programs for the reporting of rental payments to credit reporting agencies; revising provisions governing the sale, lease or conveyance of certain real property by the governing body of a county or city; requiring the governing body of a county or city to adopt certain expedited processes relating to attainable housing; revising provisions relating to the tiers of affordable housing; revising provisions relating to certain reports submitted to the Division by certain local governments relating to affordable housing; requiring, under certain circumstances, the State Contractors' Board to issue licenses by endorsement or provisional licenses to certain persons to perform work on attainable housing projects in certain rural areas; requiring, under certain circumstances, the State Contractors' Board to waive certain fees relating to contractor's licenses in certain rural areas; requiring the issuance of certain bonds; making various other changes relating to housing; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law charges the Housing Division of the Department of Business and Industry with certain duties relating to low-income housing and affordable housing. (Chapter 319 of NRS) **Section 9** of this bill creates the Nevada Attainable Housing Account in the State General Fund, to be administered by the Division. **Section 10** of this bill authorizes the Division to distribute money in the Account to eligible entities for certain expenditures relating to attainable housing. **Section 50** of this bill appropriates $133,000,000 to the Account.

Section 11 of this bill requires the Administrator of the Division to adopt an annual allocation plan for disbursing money from the Account. **Section 50.5** of this bill requires the Division to include in the initial allocation plan adopted pursuant to **section 11** certain allocations of money from the Account for certain purposes authorized by **section 10**.

Section 22 of this bill exempts the Division from complying with the provisions of the Administrative Procedures Act in adopting the annual allocation plan.

Section 12 of this bill requires that an eligible entity provide or secure matching funds in an amount not less than the amount of the money awarded to the eligible entity from the Account.

Section 14.5 of this bill requires the Division to submit a report of certain information to the Interim Finance Committee at the last meeting of each fiscal year and the last meeting of each calendar year relating to the Account.

Section 15 of this bill: (1) creates the Nevada Attainable Housing Council to provide oversight and strategic guidance for the administration and allocation of the Account; and (2) sets forth the membership of the Council.

Section 16 of this bill requires the Division to establish procedures to ensure that any member of the Council discloses any direct or indirect financial interest in any attainable housing project or eligible entity that applies for or receives funding from the Account.

Section 17 of this bill requires the Council to: (1) review and comment on certain housing reports; and (2) provide recommendations to the Division regarding the allocation and use of money from the Account.

Existing law creates the position of Housing Advocate within the Division and establishes the duties for the position, which include providing information and assistance to persons who reside in affordable housing and manufactured housing. (NRS 319.141) **Section 17.3** of this bill renames the position of Housing Advocate as the Housing Liaison.

Existing law requires the Division to create and maintain a statewide low-income housing database. The database is required to include certain information relating to low-income housing, including compilations and analysis of demographic, economic and housing data from a variety of sources. (NRS 319.143) **Section 17.6** of this bill requires the inclusion of any survey conducted by the Division in the database. **Section 17.6** also revises the data that is required to be included in the database by: (1) changing the measure for determining the number of households in various population groups experiencing high housing costs from 50 percent to 30 percent of household income; (2) increasing from 2 years to 3 years the length of the planning period for identifying when subsidized units are forecast to convert to market-rate units; and (3) adding information regarding certain multi-family residential housing. **Section 17.6** further requires the Division, on or before December 31 of each year, to analyze the data in the database and prepare and post on its website a report of its analysis.

Existing law authorizes, with certain exceptions, the Division to: (1) establish certain funds or accounts; and (2) invest or deposit its money, but does not require the Division to keep any of its money in the State Treasury. (NRS 319.170) **Section 18** of this bill creates an additional exception to these provisions for the Account created by **section 9**.

Existing law creates the Account for Affordable Housing in the State General Fund, which is required to be administered by the Division, and prescribes the distribution and use of money in the Account. (NRS 319.500, 319.510) Under existing law, the costs to create and maintain the statewide low-income housing database are required to be paid from the Account up to a maximum of $175,000 per year. (NRS 319.143, 319.510) **Sections 17.6 and 18.5** of this bill: (1) require payment from the Account of the costs to prepare the new annual report required by **section 17.6**; and (2) change the maximum annual amount authorized from the Account for the payment of costs related to the database from the fixed amount of $175,000 to not more than 6 percent of the money deposited in the Account in each fiscal year.

Existing law also authorizes the Division to expend not more than $40,000 per year or an amount equal to 6 percent of money received pursuant to the federal HOME Investment Partnerships Act, whichever is greater, as reimbursement for administering the Account and that federal money. (NRS 319.510; 42 U.S.C. §§ 12701 et seq.) **Section 18.5**: (1) eliminates the authority of the Division to receive reimbursement from the Account for administering that federal money; and (2) changes the maximum amount authorized from the Account as reimbursement for administering the Account to not more than 6 percent of the money deposited in the Account in each fiscal year.

Existing law requires the Division to distribute a certain portion of the remaining money in the Account to the Division of Welfare and Supportive Services of the Department of Health and Human Services for a program to provide emergency assistance to needy families with children. (NRS 319.510) **Section 18.5** eliminates this required distribution to the Division for this program, but specifically authorizes the use of money in the Account for the same purpose. With the elimination of this distribution to the Division, all of the remaining money in the Account will effectively be distributed to the other authorized recipients in existing law, which are certain charitable organizations, housing authorities and local governments for the acquisition, construction and rehabilitation of affordable housing for eligible families, subject to certain requirements. One such eligibility requirement in existing law is that not less than 15 percent of the units acquired, constructed or rehabilitated be affordable to persons whose income is at or below the federally designated level signifying poverty. (NRS 319.510) **Section 18.5**: (1) changes the income level for that requirement to be at or below 30 percent of the median monthly gross household income for the applicable county; and (2) clarifies that the money is authorized to be distributed to one or more of the types of entities that are eligible recipients. **Section 18.5** also eliminates the eligibility requirement in existing law that a local government sponsor such a project.

Sections 2-8 of this bill define certain terms relating to the provisions of **sections 2-17**.

Sections 19 and 20 of this bill authorize the Division to establish a program for the reporting of rental payments to a credit reporting agency.

Existing law sets forth certain procedures for a board of county commissioners or governing body of a city to sell or lease real property. (NRS 244.281, 268.061) **Sections 23 and 26** of this bill require, before approving the sale or lease of real property for the development of attainable housing, in addition to other procedures, the board or governing body to evaluate the capacity and commitment of the developer to provide long-term benefits to the county in a manner that promotes transparency and does not interfere with equitable competition. **Sections 23 and 26** also require the developer to submit certain information to the board or governing body.

Existing law authorizes a nonprofit organization to submit to a board of county commissioners or governing body of a city an application for conveyance of certain property that is owned by the county or city, as applicable. The board or governing body may approve such an application if the nonprofit organization demonstrates that the organization or its assignee will use the property to develop affordable housing. (NRS 244.287, 268.058) **Sections 24 and 25** of this bill: (1) instead authorize the board or governing body to approve such an application for attainable housing; and (2) require an application to include certain information.

Existing law establishes three tiers of affordable housing for various purposes in existing law and defines "affordable housing" as housing that falls within any of the three tiers. (NRS 232.860, 244.189, 244.287, 268.058, 268.190, 278.0105, 279.385, 279A.020, 279B.020, 315.9625, 319.042) **Section 33** of this bill revises the term "affordable housing" to be "attainable housing."

Under existing law, the tiers are based on both household income and the costs of housing as a percentage of that income. With respect to household income: (1) "tier one affordable housing" is housing for a household which has a total monthly gross income that is equal to not more than 60 percent of the median monthly gross household income for the county in which the housing is located, which is commonly known as the area median household income; (2) "tier two affordable housing" is housing for a household which has a total monthly gross income that is equal to more than 60 percent but not more than 80 percent of the area median household income; and (3) "tier three affordable housing" is housing for a household which has a total monthly gross income that is equal to more than 80 percent but not more than 120 percent of the area median household income. In addition, with respect to the costs of housing, affordable housing under existing law is housing that costs not more than 30 percent of the total monthly gross household income of the household with an income at the maximum percentage of the area median household income for the tier. (NRS 278.01902, 278.01904, 278,01906) **Section 29.5** of this bill creates a new tier of affordable housing, to be known as "tier one affordable housing," that addresses housing for a household that has a total monthly gross income that is equal to not more than 30 percent of the area median household income. As a result of the creation of this new tier of affordable housing, **section 34** of this bill renames "tier one affordable housing" in existing law as "tier two affordable housing" and changes the percentage range for median income for that tier to more than 30 percent but not more than 60 percent of the area median household income. **Section 36** of this bill renames "tier two affordable housing" in existing law for which the percentage range for median income is more than 60 percent, but not more than 80 percent of the area median household income, as "tier three affordable housing." **Section 35** of this bill renames "tier three affordable housing" in existing law, for which the percentage range for median income is more than 80 percent but not more than 120 percent of the area median household income, as "tier four affordable housing."

Section 29 of this bill creates a new tier of affordable housing, to be known as "tier five affordable housing," that addresses housing for a household that has a total monthly gross income that is equal to not more than 120 percent but not more than 150 percent of the area median household income.

Section 37.5 of this bill makes a conforming change to reflect the changes in the tiers.

Existing law sets forth an approval process for the subdivision of land that requires a subdivider to submit a tentative map to the planning commission or governing body of a county or city, as applicable. (NRS 278.330) Existing law also requires the tentative map to be forwarded to certain state agencies and local governments for review. (NRS 278.335) **Section 31** of this bill requires each reviewing agency to adopt a process for the expedited review of and comment on a tentative map that includes attainable housing.

Existing law requires the governing body of each county and city, on or before July 1, 2024, to enact by ordinance an expedited process for the consideration and approval of projects for affordable housing. (Section 12 of Assembly Bill No. 213, chapter 200, Statutes of Nevada 2023, at p. 1171) **Section 30** of this bill requires the governing body of each county and the governing body of each city to adopt an expedited process for the consideration and approval of projects for attainable housing.

Section 32 of this bill applies the definitions of certain terms relating to planning and zoning and the newly defined terms in **sections 29 and 29.5** to **sections 29-31**.

Sections 34-36 of this bill, respectively, revise the definitions of "tier one affordable housing," "tier three affordable housing" and "tier two affordable housing" to provide that the costs of such housing may be offset by certain energy cost savings.

Existing law requires the governing body of certain cities and counties to adopt at least 6 of 12 specified measures in implementing a plan for maintaining and developing affordable housing, which may include a measure to reduce or subsidize impact fees, fees for the issuance of building permits and fees imposed for the purpose for which an enterprise fund was created. (NRS 278.235) **Section 37** of this bill authorizes that the governing body of such a county or city include a measure to also reimburse such fees.

Existing law requires the governing body of certain cities or counties to submit to the Division annual progress reports relating to affordable housing. (NRS 278.235) Existing law requires: (1) the inclusion of these reports in the statewide low-income housing database; and (2) the Division to compile and post these reports on its Internet website. (NRS 278.235, 319.143) **Section 37** moves the deadline for: (1) the submission of the reports to the Division from July 15 to March 15; and (2) the posting of the compilation of the reports by the Division from August 15 to April 15. The new deadlines apply starting in 2026, as **section 49.5** of this bill requires: (1) the governing body of a city or county to submit the 2025 report to the Division on or before July 15, 2025; and (2) the Division to compile the reports and post the compilation on the Internet website of the Division on or before August 15, 2025.

Existing law sets forth the requirements for obtaining a contractor's license from the State Contractors' Board. (Chapter 624 of NRS) **Section 39** of this bill requires, under certain circumstances, the Board to issue a contractor's license by endorsement to certain applicants who will perform work on an attainable housing project in certain rural areas.

Section 40 of this bill provides that, if the Director of the Department of Business and Industry determines that there is a shortage of skilled labor or licensed contractors in a rural area that is adversely impacting the availability of attainable housing for essential workers who are employed in the area, the Director may issue a declaration of such shortage for not more than 3 years. Upon such a declaration, the Board is required to implement a process to issue provisional contractors' licenses to certain applicants who will perform work on an attainable housing project in certain rural areas.

Sections 41 and 42 of this bill exempt the license by endorsement issued pursuant to **section 39** or a provisional license issued pursuant to **section 40** from certain licensing requirements and the expiration date that generally apply to contractors' licenses. **Sections 42-46** of this bill exempt applicants for a new contractor's license and existing licensed contractors in rural areas from any application, license or renewal fee or certain other fees relating to a contractor's license under circumstances where the Director of the Department of Business and Industry has issued a declaration of shortage pursuant to **section 40**.

Sections 48 and 49 of this bill require the Board to: (1) adopt regulations to carry out the provisions of **sections 39 and 40**, respectively, before January 1, 2026; and (2) submit a report to the Governor and Director of the Legislative Counsel Bureau that includes a recommendation as to whether the requirements to issue such licenses by endorsement and provisional licenses, as required by **sections 39 and 40**, should be continued, modified or terminated.

Section 49.7 of this bill requires the issuance of not more than $50,000,000 in general obligation bonds to provide certain loans for the development or construction of certain projects. **Section 37.2** makes a conforming change.

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

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

Section 1. Chapter 319 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 17, inclusive, of this act.

Sec. 2. ***As used in sections 2 to 17, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 8, inclusive, of this act have the meanings ascribed to them in those sections.***

Sec. 3. ***"Attainable housing" has the meaning ascribed to it in NRS 278.0105.***

Sec. 4. ***"Attainable housing project" means any project or program that receives a grant of money from the Nevada Attainable Housing Account pursuant to section 10 of this act.***

Sec. 5. ***"Council" means the Nevada Attainable Housing Council created by section 15 of this act.***

Sec. 6. ***"Eligible entity" means a person or entity that is eligible to receive money from the Nevada Attainable Housing Account in accordance with the allocation plan for attainable housing adopted by the Administrator pursuant to section 11 of this act. The term includes, without limitation:***

1. A state agency.

2. A local government.

3. A nonprofit organization.

4. A housing authority, as defined in NRS 315.021.

5. A tribal government or agency.

6. A housing counseling agency that is certified by the United States Department of Housing and Urban Development.

7. Any private entity that enters into a public-private partnership with the State or a local government to offer any of the following:

(a) Competitive loans, grants or rebates to support the development of attainable housing.

(b) Competitive loans, grants or rebates for the development of attainable housing projects that qualify for federal low-income housing tax credits, as defined in NRS 360.863.

(c) The acquisition of land for the development of attainable housing projects.

Sec. 7. *"Essential worker" means a person employed in:*

1. Health care;

2. Education;

3. Public safety;

4. Construction labor; or

5. Any other industry that is a critical sector of employment in this State, as determined by executive order of the Governor.

Sec. 8. *"Nevada Attainable Housing Account" or "Account" means the Nevada Attainable Housing Account created by section 9 of this act.*

Sec. 9. *1. The Nevada Attainable Housing Account is hereby created in the State General Fund. All money that is collected for the use of the Account from any source must be deposited in the Account.*

2. The money in the Nevada Attainable Housing Account must be used for the purposes described in section 10 of this act.

3. The Nevada Attainable Housing Account must be administered by the Division. The Division may apply for and accept any gift, grant, donation, bequest or other source of money for deposit in the Account.

4. The interest and income earned on money in the Nevada Attainable Housing Account, after deducting any applicable charges, must be credited to the Account.

5. Any money remaining in the Account at the end of the fiscal year must remain in the Account and does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.

Sec. 10. *1. Except as otherwise provided in this section, money in the Account may be distributed by the Division, in consultation with the Council, to eligible entities for expenditures relating to attainable housing, including, without limitation, for:*

(a) Competitive loans, grants or rebates to support the development of attainable housing;

(b) Competitive loans, grants or rebates for the development of attainable housing projects that qualify for federal low-income housing tax credits, as defined in NRS 360.863;

(c) Financial assistance for supportive housing;

(d) Programs for rental assistance or eviction diversion;

(e) The acquisition of land for the development of attainable housing projects;

(f) Programs that assist essential workers to purchase homes, including, without limitation, programs that provide down payment assistance, interest rate buydowns or other forms of direct financial support to essential workers for purchasing homes;

(g) Programs that provide down payment assistance, interest rate buydowns or other forms of direct financial support for purchasing homes to households that have a total monthly gross household income that is not more than 150 percent of the median monthly gross household income for the county in which the housing is located; and

(h) Incentives for local governments to increase the supply of attainable housing, including, without limitation:

(1) Incentives for local governments to expedite the approval of attainable housing projects;

(2) Reimbursing local governments for waiving or deferring the payment of fees or taxes for attainable housing projects that are affordable for households that have a total monthly gross income that is not more than 150 percent of the median monthly gross household income for the county in which the housing is located; or

(3) Taking any other action within the authority of the local government that increases the supply of attainable housing.

2. Any eligible entity that is a private entity that enters into a public-private partnership with the State or a local government may only receive money from the Account for the following:

(a) Competitive loans, grants or rebates to support the development of attainable housing;

(b) Competitive loans, grants or rebates for the development of attainable housing projects that qualify for federal low-income housing tax credits, as defined in NRS 360.863; or

(c) The acquisition of land for the development of attainable housing projects.

3. In awarding money from the Account, the Division, in consultation with the Council:

(a) Shall prioritize projects that demonstrate the highest potential impact on addressing the attainable housing needs of the State, including, without limitation, prioritizing the need for single-family homes that are affordable for households that have a

total monthly gross income that is not more than 150 percent of the median monthly gross household income for the county in which the housing is located; and

(b) May prioritize projects that:

(1) Request to purchase land owned by:

(I) The Federal Government at a discounted price for the creation of affordable housing pursuant to federal law, including, without limitation, the provisions of section 7(b) of the Southern Nevada Public Land Management Act of 1998, Public Law 105-263; or

(II) The State or a local government at a discounted rate for the creation of attainable housing;

(2) Utilize innovative strategies for expanding the supply of attainable housing; or

(3) Utilize cost-effective methods and efficient use of allocated resources.

4. Any eligible entity that receives any money from the Nevada Attainable Housing Account for an attainable housing project shall ensure that:

(a) Only households that meet the applicable income requirements for the attainable housing project rent or purchase, as applicable, the units of attainable housing;

(b) Each unit of attainable housing in the attainable housing project is used as the primary residence of the household that rents or purchases, as applicable, the unit; and

(c) No for-profit business entity purchases a unit of the attainable housing in the attainable housing project.

Sec. 11. ***1. For each calendar year, the Administrator shall adopt an allocation plan for disbursing money from the Nevada Attainable Housing Account for attainable housing. A disbursement of money from the Account must comply with the allocation plan for the calendar year in which the disbursement is made.***

2. The allocation plan adopted pursuant to subsection 1 must, without limitation, set forth:

(a) The application and eligibility requirements for an eligible entity to apply for and receive money from the Nevada Attainable Housing Account, including, without limitation, requirements for an eligible entity to demonstrate:

(1) The necessary expertise and capacity to properly carry out the proposed attainable housing project for which the eligible entity receives money from the Account;

(2) The extent to which the proposed attainable housing project maximizes the use of money from the Account by obtaining additional financial support from federal, local, private or other sources; and

(3) The long-term sustainability of the proposed attainable housing project and its potential to contribute to community stability, foster economic development and increase access to attainable housing.

(b) Any requirements for an eligible entity that receives money from the Nevada Attainable Housing Account to demonstrate compliance with any condition upon the receipt of money from the Account.

3. Before adopting a proposed allocation plan pursuant to subsection 1, the Administrator must:

(a) Hold at least one public hearing on the proposed allocation plan that complies with the provisions set forth in chapter 241 of NRS; and

(b) Make the proposed allocation plan available on the Internet website of the Division at least 14 days before the first public hearing held pursuant to paragraph (a).

Sec. 12. *An eligible entity must provide or secure matching funds in an amount that is not less than the amount of money awarded to the eligible entity from the Account. Such matching funds may come from, without limitation, private investment, contributions from local governments or federal money.*

Secs. 13 and 14. (Deleted by amendment.)

Sec. 14.5. *1. The Division shall submit a report to the Interim Finance Committee for consideration at the last meeting of each fiscal year and the last meeting of each calendar year relating to the Nevada Attainable Housing Account.*

2. The report required pursuant to subsection 1 must include, without limitation:

(a) The amount and purpose of all money awarded from the Account during the reporting period broken down by eligible entity and authorized use, as described in section 10 of this act;

(b) The number and the income levels of all households that were assisted by money awarded from the Account during the reporting period;

(c) The number of new attainable housing units that were built in part with money from the Account during the reporting period;

(d) The number of parcels purchased in part with money from the Account for the purposes of attainable housing projects, broken down by geographic area of the State;

(e) The number of households and demographic information of recipients of rental assistance from programs for rental assistance or eviction diversion that receive money from the Account;

(f) The average amount of time for processing an application for rental assistance from a program for rental assistance or eviction diversion that received money from the Account;

(g) A description of the outcomes resulting from early intervention efforts, including, without limitation, whether eviction proceedings were reduced as a result of the program for rental assistance or eviction diversion;

(h) Recommendations for improvements or adjustments to programs for rental assistance or eviction diversion, based on the performance data of the programs;

(i) Any other information that the Division determines is necessary to include in the report; and

(j) Any other information requested by the Interim Finance Committee.

Sec. 15. ***1. The Nevada Attainable Housing Council is hereby created to provide oversight and strategic guidance for the administration and allocation of the Nevada Attainable Housing Account.***

2. The Nevada Attainable Housing Council consists of:

(a) The Director of the Department of Business and Industry or his or her designee, who is chair of the Council;

(b) The Administrator of the Division or his or her designee;

(c) One member appointed by the Majority Leader of the Senate;

(d) One member appointed by the Minority Leader of the Senate;

(e) One member appointed by the Minority Leader of the Assembly;

(f) One member appointed by the Speaker of the Assembly; and

(g) One member appointed by the Governor.

3. Of the members appointed pursuant to paragraphs (c) to (g), inclusive, of subsection 2:

(a) One member must have expertise in banking and the financing of housing projects;

(b) One member must represent the builders and developers of housing projects;

(c) One member must have expertise in the multifamily housing industry;

(d) One member must represent a low-income housing organization; and

(e) One member must represent the general public.

4. Each person who is required to appoint a member pursuant to subsection 2 must make his or her appointment from a list of persons recommended by the Division. To the extent practicable, the membership of the Council must represent the geographic diversity of this State.

5. Each appointed member of the Council serves a term of 2 years and may be reappointed for additional terms of 2 years in the same manner as the original appointments.

6. Any vacancy occurring in the appointed membership of the Council must be filled in the same manner as the original appointment for the remainder of the unexpired term.

7. Each appointed member of the Council:

(a) Serves without compensation; and

(b) While engaged in the business of the Council, is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

8. The Department of Business and Industry shall provide the Council with administrative support.

Sec. 16. *The Division shall establish procedures to ensure that any member of the Council discloses any direct or indirect financial interest in an attainable housing project or eligible entity. Such procedures must be consistent with the provisions of chapter 281A of NRS and any regulation adopted by the Nevada Commission on Ethics pursuant to that chapter.*

Sec. 17. *The Nevada Attainable Housing Council shall:*

1. Review and comment on:

(a) The annual housing progress report compiled by the Division pursuant to NRS 278.235;

(b) The reports compiled by the Division pursuant to NRS 278.237; and

(c) The report concerning housing prepared by the Advisory Committee on Housing pursuant to NRS 319.174; and

2. Provide recommendations to the Division regarding the allocation and use of money from the Nevada Attainable Housing Account pursuant to the allocation plan adopted pursuant to section 11 of this act.

Sec. 17.3. NRS 319.141 is hereby amended to read as follows:

319.141 1. The Housing ~~[Advocate]~~ ***Liaison*** is hereby created within the Division.

2. The Administrator shall appoint a person to serve in the position of Housing ~~[Advocate.]~~ ***Liaison.*** The Housing ~~[Advocate]~~ ***Liaison*** is in the unclassified service of the State and serves at the pleasure of the Administrator.

3. The person so appointed pursuant to subsection 2 must be knowledgeable about affordable housing and manufactured housing.

4. The Housing ~~[Advocate]~~ ***Liaison*** shall:

(a) Respond to written and telephonic inquiries received from residents who reside in affordable housing and manufactured housing and provide assistance to such residents in understanding their rights and responsibilities;

(b) Conduct community outreach and provide information concerning housing to residents who reside in affordable housing and manufactured housing;

(c) Identify and investigate complaints of residents of affordable housing and manufactured housing that relate to their housing and provide assistance to such residents to resolve the complaints;

(d) Establish and maintain a system to collect and maintain information pertaining to written and telephonic inquiries received by the Division; and

(e) ~~[Any]~~ ***Perform any*** other duties specified by the Administrator.

5. The Administrator may remove the Housing ~~[Advocate]~~ ***Liaison*** from the office for any reason not prohibited by law.

Sec. 17.6. NRS 319.143 is hereby amended to read as follows:

319.143 1. The Division shall create and maintain a statewide low-income housing database.

2. The database must include, without limitation, the compilation ~~[and analysis]~~ of demographic, economic and housing data from a variety of sources, including, without limitation, reports submitted pursuant to NRS 278.235 ~~[, that:]~~ ***and any survey conducted by the Division, relating to the information that must be included in the report required by subsection 3.***

3. On or before December 31 of each year, the Division shall:

(a) ~~[Provides for an annual assessment of]~~ ***Analyze the data in the database and prepare a report which must:***

(1) Assess the affordable housing market at the city and county level, including data relating to housing units, age of housing, rental rates and rental vacancy rates, new home sales and resale of homes, new construction permits, mobile homes, lots available for mobile homes and conversions of multifamily condominiums;

~~[(b) Addresses]~~

(2) Address the housing needs of various population groups in Nevada, such as households that rent, homeowners, elderly households, veterans, persons with disabilities or special needs, homeless persons, recovering persons with a substance use disorder, persons suffering from mental health ailments and victims of domestic violence, with each group distinguished to show the percentage of the population group at different income levels, and a determination of the number of households within each special-needs group experiencing housing costs greater than ~~[50]~~ ***30*** percent of their income, overcrowding or substandard housing;

~~[(c) Contains]~~

(3) Contain an estimate of the number and condition of subsidized and other low-income housing units at the county level and the identification of any subsidized units that are forecast to convert to market-rate units within a ~~[2-year]~~ ***3-year*** planning period;

~~[(d) Provides]~~

(4) Provide a demographic and economic overview by local and county jurisdiction, if feasible, for the population of Nevada, including age, race and ethnicity, household size, migration, current and forecast employment, household income and a summary relating to the effects of demographics and economic factors on housing demand;

~~[(e) Provides]~~

(5) Provide the number of housing units available to a victim of domestic violence from any housing authority, as defined in NRS 315.021, and from participation in the program of housing assistance pursuant to section 8 of the United States Housing Act of 1937, 42 U.S.C. § 1437f; and

~~[(f) Provides]~~

(6) Provide the number of terminations of victims of domestic violence in this State from the program of housing assistance pursuant to section 8 of the United States Housing Act of 1937, 42 U.S.C. § 1437f.

~~[3. The costs of creating and maintaining the database:~~

~~(a) Must be paid from the Account for Affordable Housing created by NRS 319.500; and]~~

(b) ~~[May not exceed $175,000 per year.]~~ ***Post the report on the Internet website of the Division.***

4. If an owner of multifamily residential housing that is offered for rent or lease in this State and is:

(a) Accessible to persons with disabilities; and

(b) ~~[Affordable]~~ ***Attainable*** housing, as defined in NRS 278.0105,

➥ has received any loan, grant or contribution for the multifamily residential housing from the Federal Government or the State, the owner shall, not less than quarterly, report to the Division ***for inclusion in the database*** information concerning each unit of the multifamily residential housing that is available and suitable for use by a person with a disability.

5. The Division shall adopt regulations to carry out the provisions of subsection 4.

Sec. 18. NRS 319.170 is hereby amended to read as follows:

319.170 Except as otherwise provided in NRS 319.169 and 319.500 ~~[,]~~ ***and section 9 of this act,*** the Division may:

1. Establish such funds or accounts as may be necessary or desirable for furtherance of the purposes of this chapter.

2. Invest or deposit its money, subject to any agreement with bondholders or noteholders, and is not required to keep any of its money in the State Treasury. The provisions of chapters 355 and 356 of NRS do not apply to such investments or deposits.

Sec. 18.5. NRS 319.510 is hereby amended to read as follows:

319.510 1. Except as otherwise provided in subsection 2, money deposited in the Account for Affordable Housing must be used:

(a) For the acquisition, construction or rehabilitation of affordable housing for eligible families by public or private nonprofit charitable organizations, housing authorities or local governments through loans, grants or subsidies;

(b) To provide technical and financial assistance to public or private nonprofit charitable organizations, housing authorities and local governments for the acquisition, construction or rehabilitation of affordable housing for eligible families;

(c) To provide funding for projects of public or private nonprofit charitable organizations, housing authorities or local governments that provide assistance to or guarantee the payment of rent or deposits as security for rent for eligible families, including homeless persons;

(d) To reimburse the Division for the costs of administering the Account;

(e) To assist eligible persons by supplementing their monthly rent for the manufactured home lots, as defined by NRS 118B.016, on which their manufactured homes, as defined by NRS 118B.015, are located; ~~[and]~~

(f) ***To pay the costs of creating and maintaining the statewide low-income housing database and preparing the annual report required by NRS 319.143;***

(g) To assist families that have children and whose income is at or below the federally designated level signifying poverty; and

(h) In any other manner consistent with this section to assist eligible families in obtaining or keeping affordable housing, including use as the State's contribution to facilitate the receipt of related federal money.

2. **[**~~Except as otherwise provided in this subsection, the~~**]** ***The*** Division may expend ***each fiscal year not more than:***

(a) Six percent of the money **[**~~from~~**]** ***deposited in*** the Account as reimbursement for the necessary costs of efficiently administering the Account ***.*** **[**~~and any money received pursuant to 42 U.S.C. §§ 12701 et seq. In no case may the Division expend more than \$40,000 per year or an amount equal to 6 percent of any money made available to the State pursuant to 42 U.S.C. §§ 12701 et seq., whichever is greater. In addition, the Division may expend not more than \$175,000 per year from~~**]**

(b) Six percent of the money deposited in the Account to create and maintain the statewide low-income housing database ***and prepare the annual report*** required by NRS 319.143. **[**~~The Division may expend not more than \$75,000 per year~~**]**

(c) Seventy-five thousand dollars of the money deposited in the Account pursuant to NRS 375.070 for the purpose set forth in paragraph (e) of subsection 1. **[**~~Of the~~**]**

3. The remaining money allocated from the Account **[**~~:~~**]** ***after the expenditures made pursuant to subsections 1 and 2***

[~~(a) Except as otherwise provided in subsection 3, 15 percent must be distributed to the Division of Welfare and Supportive Services of the Department of Health and Human Services for use in its program developed pursuant to 45 C.F.R. § 233.120, as that section existed on December 4, 1997, to provide emergency assistance to needy families with children, subject to the following:~~

~~(1) The Division of Welfare and Supportive Services shall adopt regulations governing the use of the money that are consistent with the provisions of this section.~~

~~(2) The money must be used solely for activities relating to affordable housing that are consistent with the provisions of this section.~~

~~(3) The money must be made available to families that have children and whose income is at or below the federally designated level signifying poverty.~~

~~(4) All money provided by the Federal Government to match the money distributed to the Division of Welfare and Supportive Services pursuant to this section must be expended for activities consistent with the provisions of this section.~~

~~(b) Eighty-five percent]~~ must be distributed to public or private nonprofit charitable organizations, housing authorities ~~[and]~~ ***or*** local governments for the acquisition, construction and rehabilitation of affordable housing for eligible families, subject to the following:

~~[(1)]~~ ***(a)*** Priority may be given to those projects that provide a preference for:

~~[(I)]~~ ***(1)*** Women who are veterans;

~~[(II)]~~ ***(2)*** Women who were previously incarcerated;

~~[(III)]~~ ***(3)*** Survivors of domestic violence;

~~[(IV)]~~ ***(4)*** Elderly women who do not have stable or adequate living arrangements; and

~~[(V)]~~ ***(5)*** Unmarried persons with primary physical custody of a child.

~~[(2)]~~ ***(b)*** Priority must be given to those projects that qualify for the federal tax credit relating to low-income housing.

~~[(3)]~~ ***(c)*** Priority must be given to those projects that anticipate receiving federal money to match the state money distributed to them.

~~[(4)]~~ ***(d)*** Priority must be given to those projects that have the commitment of a local government to provide assistance to them.

~~[(5)]~~ ***(e)*** All money must be used to benefit families whose income does not exceed 120 percent of the median income for families residing in the same county, as defined by the United States Department of Housing and Urban Development.

~~[(6)]~~ ***(f)*** Not less than 15 percent of the units acquired, constructed or rehabilitated must be affordable to persons whose income is at or below ~~[the federally designated level signifying poverty.]~~ ***30 percent of the median monthly gross household income for the county in which the housing is located.*** For the purposes of this subparagraph, a unit is affordable if a family does not have to pay more than 30 percent of its gross income for housing costs, including both utility and mortgage or rental costs.

~~[(7) To be eligible to receive money pursuant to this paragraph, a project must be sponsored by a local government.~~

~~3. The Division may, pursuant to contract and in lieu of distributing money to the Division of Welfare and Supportive Services pursuant to paragraph (a) of subsection 2, distribute any~~

~~amount of that money to private or public nonprofit entities for use consistent with the provisions of this section.]~~

Sec. 19. Chapter 118A of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Housing Division of the Department of Business and Industry may establish a program for the reporting of rental payments to a credit reporting agency. Any such program must be offered at no cost to a landlord or tenant.

2. The Division may not require any landlord or tenant to participate in such a program. A landlord shall not require any tenant to participate in the program or subject a tenant to any penalty or consequence for not participating in the program.

3. The Division may:

(a) Establish requirements for any landlord or tenant to voluntarily participate in the program, including, without limitation, any safeguard necessary to ensure that participation in the program is voluntary and that tenants are not subject to any adverse action for participating or not participating in the program.

(b) Provide guidelines for the use of an independent third-party vendor to manage the collection and reporting of rental payments. The Division shall maintain and publish a list of third-party vendors that are approved by the Division to manage the reporting of rental payments pursuant to the program.

4. The Division may adopt any regulation necessary to carry out the provisions of this section, including, without limitation:

(a) Criteria for approving an independent third-party vendor to manage the collection and reporting of rental payments;

(b) Requirements for tenants to be notified and provide proper consent to participate in the program; and

(c) Procedures for resolving any dispute relating to the reporting of rental payments pursuant to the program.

Sec. 20. Chapter 118B of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division may establish a program for the reporting of rental payments to a credit reporting agency. Any such program must be offered at no cost to a landlord or tenant.

2. The Division may not require any landlord or tenant to participate in such a program. A landlord shall not require any tenant to participate in the program or subject a tenant to any penalty or consequence for not participating in the program.

3. The Division may:

(a) Establish requirements for any landlord or tenant to voluntarily participate in the program, including, without limitation, any safeguard necessary to ensure that participation in the program is voluntary and that tenants are not subject to any adverse action for participating or not participating in the program.

(b) Provide guidelines for the use of an independent third-party vendor to manage the collection and reporting of rental payments. The Division shall maintain and publish a list of third-party vendors that are approved by the Division to manage the reporting of rental payments pursuant to the program.

4. The Division may adopt any regulations necessary to carry out the provisions of this section, including, without limitation:

(a) Criteria for approving an independent third-party vendor to manage the collection and reporting of rental payments;

(b) Requirements for tenants to be notified and provide proper consent to participate in the program; and

(c) Procedures for resolving any dispute relating to the reporting of rental payments pursuant to the program.

Sec. 21. (Deleted by amendment.)

Sec. 22. NRS 233B.039 is hereby amended to read as follows:

233B.039 1. The following agencies are entirely exempted from the requirements of this chapter:

(a) The Governor.

(b) Except as otherwise provided in subsection 7 and NRS 209.221 and 209.2473, the Department of Corrections.

(c) The Nevada System of Higher Education.

(d) The Office of the Military.

(e) The Nevada Gaming Control Board.

(f) Except as otherwise provided in NRS 368A.140 and 463.765, the Nevada Gaming Commission.

(g) Except as otherwise provided in NRS 425.620, the Division of Welfare and Supportive Services of the Department of Health and Human Services.

(h) Except as otherwise provided in NRS 422.390, the Division of Health Care Financing and Policy of the Department of Health and Human Services.

(i) Except as otherwise provided in NRS 533.365, the Office of the State Engineer.

(j) The Division of Industrial Relations of the Department of Business and Industry acting to enforce the provisions of NRS 618.375.

(k) The Administrator of the Division of Industrial Relations of the Department of Business and Industry in establishing and adjusting the schedule of fees and charges for accident benefits pursuant to subsection 2 of NRS 616C.260.

(l) The Board to Review Claims in adopting resolutions to carry out its duties pursuant to NRS 445C.310.

(m) The Silver State Health Insurance Exchange.

(n) The Administrator of the Housing Division of the Department of Business and Industry in adopting the allocation plan pursuant to section 11 of this act.

2. Except as otherwise provided in subsection 5 and NRS 391.323, the Department of Education, the Board of the Public Employees' Benefits Program and the Commission on Professional Standards in Education are subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

3. The special provisions of:

(a) Chapter 612 of NRS for the adoption of an emergency regulation or the distribution of regulations by and the judicial review of decisions of the Employment Security Division of the Department of Employment, Training and Rehabilitation;

(b) Chapters 616A to 617, inclusive, of NRS for the determination of contested claims;

(c) Chapter 91 of NRS for the judicial review of decisions of the Administrator of the Securities Division of the Office of the Secretary of State; and

(d) NRS 90.800 for the use of summary orders in contested cases,

➥ prevail over the general provisions of this chapter.

4. The provisions of NRS 233B.122, 233B.124, 233B.125 and 233B.126 do not apply to the Department of Health and Human Services in the adjudication of contested cases involving the issuance of letters of approval for health facilities and agencies.

5. The provisions of this chapter do not apply to:

(a) Any order for immediate action, including, but not limited to, quarantine and the treatment or cleansing of infected or infested animals, objects or premises, made under the authority of the State Board of Agriculture, the State Board of Health, or any other agency of this State in the discharge of a responsibility for the preservation of human or animal health or for insect or pest control;

(b) An extraordinary regulation of the State Board of Pharmacy adopted pursuant to NRS 453.2184;

(c) A regulation adopted by the State Board of Education pursuant to NRS 388.255 or 394.1694;

(d) The judicial review of decisions of the Public Utilities Commission of Nevada;

(e) The adoption, amendment or repeal of policies by the Rehabilitation Division of the Department of Employment, Training and Rehabilitation pursuant to NRS 426.561 or 615.178;

(f) The adoption or amendment of a rule or regulation to be included in the State Plan for Services for Victims of Crime by the Department of Health and Human Services pursuant to NRS 217.130;

(g) The adoption, amendment or repeal of rules governing the conduct of contests and exhibitions of unarmed combat by the Nevada Athletic Commission pursuant to NRS 467.075;

(h) The adoption, amendment or repeal of standards of content and performance for courses of study in public schools by the Council to Establish Academic Standards for Public Schools and the State Board of Education pursuant to NRS 389.520;

(i) The adoption, amendment or repeal of the statewide plan to allocate money from the Fund for a Resilient Nevada created by NRS 433.732 established by the Department of Health and Human Services pursuant to paragraph (b) of subsection 1 of NRS 433.734; or

(j) The adoption or amendment of a data request by the Commissioner of Insurance pursuant to NRS 687B.404.

6. The State Board of Parole Commissioners is subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

7. The Department of Corrections is subject to the provisions of this chapter for the purpose of adopting regulations relating to fiscal policy, correspondence with inmates and visitation with inmates of the Department of Corrections.

Sec. 23. NRS 244.281 is hereby amended to read as follows:

244.281 1. Except as otherwise provided in this ~~[subsection]~~ ***section*** and NRS 244.189, 244.276, 244.279, 244.2815, 244.2825, 244.2833, 244.2835, 244.284, 244.287, 244.290, 278.479 to 278.4965, inclusive, and subsection 3 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 or before October 1, 2004, except if the board of county commissioners is entering into a joint development agreement for real property owned by the county to which the board of county commissioners 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 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 or special election:

(a) When a board of county commissioners has determined by resolution that the sale or lease of any real property owned by the county will be for purposes other than to establish, align, realign, change, vacate or otherwise adjust any street, alley, avenue or other thoroughfare, or portion thereof, or flood control facility within the county and will be in the best interest of the county, it may:

(1) Sell the real property in the manner prescribed for the sale of real property in NRS 244.282.

(2) Lease the real property in the manner prescribed for the lease of real property in NRS 244.283.

(b) Before the board of county commissioners may sell or lease any real property as provided in paragraph (a), it shall:

(1) Post copies of the resolution described in paragraph (a) in three public places in the county; and

(2) Cause to be published at least once a week for 3 successive weeks, in a newspaper qualified under chapter 238 of NRS that is published in the county in which the real property is located, a notice setting forth:

(I) A description of the real property proposed to be sold or leased in such a manner as to identify it;

(II) The minimum price, if applicable, of the real property proposed to be sold or leased; and

(III) The places at which the resolution described in paragraph (a) has been posted pursuant to subparagraph (1), and any other places at which copies of that resolution may be obtained.

➥ If no qualified newspaper is published within the county in which the real property is located, the required notice must be published in some qualified newspaper printed in the State of Nevada and having a general circulation within that county.

(c) Except as otherwise provided in this paragraph and paragraph (h), if the board of county commissioners by its resolution further finds that the real property to be sold or leased is worth more than $1,000, the board shall select two or more disinterested, competent real estate appraisers pursuant to NRS 244.2795 to appraise the real property. If the board of county commissioners holds a public hearing on the matter of the fair market value of the property, one disinterested, competent appraisal of the real property is sufficient before selling or leasing it. Except for real property acquired pursuant to NRS 371.047, the board of county commissioners shall not sell or lease it for less than:

(1) If two independent appraisals were obtained, the average of the appraisals of the real property.

(2) If only one independent appraisal was obtained, the appraised value of the real property.

(d) If the real property is appraised at $1,000 or more, the board of county commissioners may:

(1) Lease the real property; or

(2) Sell the real property either for cash or for not less than 25 percent cash down and upon deferred payments over a period of not more than 10 years, secured by a mortgage or deed of trust, bearing such interest and upon such further terms as the board of county commissioners may specify.

(e) A board of county commissioners may sell or lease any real property owned by the county without complying with the provisions of NRS 244.282 or 244.283 to:

(1) A person who owns real property located adjacent to the real property to be sold or leased if the board has determined by resolution that the sale will be in the best interest of the county and the real property is a:

(I) Remnant that was separated from its original parcel due to the construction of a street, alley, avenue or other thoroughfare, or portion thereof, flood control facility or other public facility;

(II) Parcel that, as a result of its size, is too small to establish an economically viable use by anyone other than the person who owns real property adjacent to the real property for sale or lease; or

(III) Parcel which is subject to a deed restriction prohibiting the use of the real property by anyone other than the person who owns real property adjacent to the real property for sale or lease.

(2) The State or another governmental entity if:

(I) The sale or lease restricts the use of the real property to a public use; and

(II) The board adopts a resolution finding that the sale or lease will be in the best interest of the county.

(f) A board of county commissioners that disposes of real property pursuant to paragraph (d) is not required to offer to reconvey the real property to the person from whom the real property was received or acquired by donation or dedication.

(g) If real property that is offered for sale or lease pursuant to this section is not sold or leased at the initial offering of the contract for the sale or lease of the real property, the board of county commissioners may offer the real property for sale or lease a second time pursuant to this section. The board of county commissioners must obtain a new appraisal or appraisals, as applicable, of the real property pursuant to the provisions of NRS 244.2795 before offering the real property for sale or lease a second time if:

(1) There is a material change relating to the title, the zoning or an ordinance governing the use of the real property; or

(2) The appraisal or appraisals, as applicable, were prepared more than 6 months before the date on which the real property is offered for sale or lease the second time.

(h) If real property that is offered for sale or lease pursuant to this section is not sold or leased at the second offering of the contract for the sale or lease of the real property, the board of county commissioners may list the real property for sale or lease at the appraised value or average of the appraised value if two or more appraisals were obtained, as applicable, with a licensed real estate broker, provided that the broker or a person related to the broker within the first degree of consanguinity or affinity does not have an interest in the real property or an adjoining property. If the appraisal or appraisals, as applicable, were prepared more than 6 months before the date on which the real property is listed with a licensed real estate broker, the board of county commissioners must obtain one new appraisal of the real property pursuant to the provisions of NRS 244.2795 before listing the real property for sale or lease at the new appraised value.

2. ***Before approving the sale or lease of real property owned by the county for the development of attainable housing, in addition to complying with the provisions of subsection 1, the board of county commissioners shall evaluate the capacity and commitment of the developer to provide long-term benefits to the county in a manner that promotes transparency and does not interfere with equitable competition. The developer shall submit to the board of county commissioners:***

(a) Information that sets forth:

(1) The number of employees of the developer or any affiliate of the developer who are residents of this State; and

(2) The number of households in this State who live in attainable housing units that are owned or managed by the developer or any affiliate of the developer;

(b) A description of any previous project for which the developer received federal low-income housing tax credits, as defined in NRS 360.863, with documentation of compliance with any federal requirements; and

(c) A description of any previous project where the developer has obtained additional federal low-income housing tax credits, as defined in NRS 360.863, or alternative financing for the rehabilitation or resyndication of attainable housing. The description must include, without limitation, the name, location, number of units and cost per unit of the attainable housing.

3. 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.

~~[3.]~~ ***4.*** As used in this section ~~[, "flood]~~ ***:***

(a) "Attainable housing" has the meaning ascribed to it in NRS 278.0105.

(b) "Flood control facility" has the meaning ascribed to it in NRS 244.276.

Sec. 24. NRS 244.287 is hereby amended to read as follows:

244.287 1. A nonprofit organization may submit to a board of county commissioners an application for conveyance of property that is owned by the county if the property was:

(a) Received by donation for the use and benefit of the county pursuant to NRS 244.270.

(b) Purchased by the county pursuant to NRS 244.275.

2. Before the board of county commissioners makes a determination on such an application for conveyance, it shall hold at least one public hearing on the application. Notice of the time, place and specific purpose of the hearing must be:

(a) Published at least once in a newspaper of general circulation in the county.

(b) Mailed to all owners of record of real property which is located not more than 300 feet from the property that is proposed for conveyance.

(c) Posted in a conspicuous place on the property that is proposed for conveyance.

➥ The hearing must be held not fewer than 10 days but not more than 40 days after the notice is published, mailed and posted in accordance with this subsection.

3. The board of county commissioners may approve such an application for conveyance if the nonprofit organization demonstrates to the satisfaction of the board that the organization or its assignee will use the property to develop ~~[affordable]~~ ***attainable*** housing. ***An application must include, without limitation:***

(a) Information that sets forth:

(1) The number of employees of the nonprofit organization or its affiliates who are residents of this State; and

(2) The number of households in this State who live in attainable housing units that are owned or managed by the nonprofit organization or any affiliate of the nonprofit organization;

(b) A description of any previous project for which the nonprofit organization received federal low-income housing tax credits, as defined in NRS 360.863, with documentation of compliance with any federal requirements; and

(c) A description of any previous project where the nonprofit organization has obtained additional federal low-income housing tax credits, as defined in NRS 360.863, or alternative financing for the rehabilitation or resyndication of attainable housing. The description must include, without limitation, the name, location, number of units and cost per unit of the attainable housing.

4. If the board of county commissioners receives more than one application for conveyance of the property, the board must give priority to an application of a nonprofit organization that demonstrates to the satisfaction of the board that the organization or its assignee will use the property to develop ~~[affordable]~~ ***attainable*** housing for persons who are ***seniors or*** disabled ***.*** ~~[or elderly.~~

~~4.]~~ ***5.*** If the board of county commissioners approves an application for conveyance, it may convey the property to the nonprofit organization without consideration. Such a conveyance must not be in contravention of any condition in a gift or devise of the property to the county.

~~[5.]~~ ***6.*** As a condition to the conveyance of the property pursuant to subsection ~~[4,]~~ ***5,*** the board of county commissioners shall enter into an agreement with the nonprofit organization that requires the nonprofit organization or its assignee to use the property to provide ~~[affordable]~~ ***attainable*** housing for at least 50 years. If the nonprofit organization or its assignee fails to use the property to provide ~~[affordable]~~ ***attainable*** housing pursuant to the agreement, the board of county commissioners may take reasonable action to return the property to use as ~~[affordable]~~ ***attainable*** housing, including, without limitation:

(a) Repossessing the property from the nonprofit organization or its assignee.

(b) Transferring ownership of the property from the nonprofit organization or its assignee to another person or governmental entity that will use the property to provide ~~[affordable]~~ ***attainable*** housing.

~~[6.]~~ ***7.*** The agreement required by subsection ~~[5]~~ ***6*** must be recorded in the office of the county recorder of the county in which the property is located and must specify:

(a) The number of years for which the nonprofit organization or its assignee must use the property to provide ~~[affordable]~~ ***attainable*** housing; and

(b) The action that the board of county commissioners will take if the nonprofit organization or its assignee fails to use the property to provide ~~[affordable]~~ ***attainable*** housing pursuant to the agreement.

~~[7.]~~ ***8.*** A board of county commissioners that has conveyed property pursuant to subsection ~~[4]~~ ***5*** shall:

(a) Prepare annually a list which includes a description of all property that was conveyed to a nonprofit organization pursuant to this section; and

(b) Include the list in the annual audit of the county which is conducted pursuant to NRS 354.624.

~~[8.]~~ ***9.*** If, 5 years after the date of a conveyance pursuant to subsection ~~[4,]~~ ***5,*** a nonprofit organization or its assignee has not commenced construction of ~~[affordable]~~ ***attainable*** housing, or entered into such contracts as are necessary to commence the construction of ~~[affordable]~~ ***attainable*** housing, the property that was conveyed automatically reverts to the county.

~~[9.]~~ ***10.*** A board of county commissioners may subordinate the interest of the county in property conveyed pursuant to subsection ~~[4]~~ ***5*** to a first or subsequent holder of a mortgage on that property to the extent the board deems necessary to promote investment in the construction of ~~[affordable]~~ ***attainable*** housing.

~~[10.]~~ ***11.*** As used in this section, unless the context otherwise requires:

(a) ~~[“Affordable]~~ ***“Attainable*** housing” has the meaning ascribed to it in NRS 278.0105.

(b) “Nonprofit organization” means an organization that is recognized as exempt pursuant to 26 U.S.C. § 501(c)(3).

Sec. 25. NRS 268.058 is hereby amended to read as follows:

268.058 1. A nonprofit organization may submit to the governing body of a city an application for conveyance of property that is owned by the city if the property was purchased or received by the city pursuant to NRS 268.008.

2. Before the governing body makes a determination on such an application for conveyance, it shall hold at least one public hearing on the application. Notice of the time, place and specific purpose of the hearing must be:

(a) Published at least once in a newspaper of general circulation in the city.

(b) Mailed to all owners of record of real property which is located not more than 300 feet from the property that is proposed for conveyance.

(c) Posted in a conspicuous place on the property that is proposed for conveyance.

➥ The hearing must be held not fewer than 10 days but not more than 40 days after the notice is published, mailed and posted in accordance with this subsection.

3. The governing body may approve such an application for conveyance if the nonprofit organization demonstrates to the satisfaction of the governing body that the organization or its assignee will use the property to develop ~~[affordable]~~ ***attainable*** housing. ***An application must include, without limitation:***

(a) Information that sets forth:

(1) The number of employees of the nonprofit organization or its affiliates who are residents of this State; and

(2) The number of households in this State who live in attainable housing units that are owned or managed by the nonprofit organization or any affiliate of the nonprofit organization;

(b) A description of any previous project for which the nonprofit organization received federal low-income housing tax credits, as defined in NRS 360.863, with documentation of compliance with any federal requirements; and

(c) A description of any previous project where the nonprofit organization has obtained additional federal low-income housing tax credits, as defined in NRS 360.863, or alternative financing for the rehabilitation or resyndication of attainable housing. The description must include, without limitation, the name, location, number of units and cost per unit of the attainable housing.

4. If the governing body receives more than one application for conveyance of the property, the governing body must give priority to an application of a nonprofit organization that demonstrates to the satisfaction of the governing body that the organization or its

assignee will use the property to develop ~~[affordable]~~ ***attainable*** housing for persons who are ***seniors or*** disabled ***.*** ~~[or elderly.~~
~~4.]~~ ***5.*** If the governing body approves an application for conveyance, it may convey the property to the nonprofit organization without consideration. Such a conveyance must not be in contravention of any condition in a gift or devise of the property to the city.

~~[5.]~~ ***6.*** As a condition to the conveyance of the property pursuant to subsection ~~[4,]~~ ***5,*** the governing body shall enter into an agreement with the nonprofit organization that requires the nonprofit organization or its assignee to use the property to provide ~~[affordable]~~ ***attainable*** housing for at least 50 years. If the nonprofit organization or its assignee fails to use the property to provide ~~[affordable]~~ ***attainable*** housing pursuant to the agreement, the governing body may take reasonable action to return the property to use as ~~[affordable]~~ ***attainable*** housing, including, without limitation:

(a) Repossessing the property from the nonprofit organization or its assignee.

(b) Transferring ownership of the property from the nonprofit organization or its assignee to another person or governmental entity that will use the property to provide ~~[affordable]~~ ***attainable*** housing.

~~[6.]~~ ***7.*** The agreement required by subsection ~~[5]~~ ***6*** must be recorded in the office of the county recorder of the county in which the property is located and must specify:

(a) The number of years for which the nonprofit organization or its assignee must use the property to provide ~~[affordable]~~ ***attainable*** housing; and

(b) The action that the governing body will take if the nonprofit organization or its assignee fails to use the property to provide ~~[affordable]~~ ***attainable*** housing pursuant to the agreement.

~~[7.]~~ ***8.*** A governing body that has conveyed property pursuant to subsection ~~[4]~~ ***5*** shall:

(a) Prepare annually a list which includes a description of all property conveyed to a nonprofit organization pursuant to this section; and

(b) Include the list in the annual audit of the city which is conducted pursuant to NRS 354.624.

~~[8.]~~ ***9.*** If, 5 years after the date of a conveyance pursuant to subsection ~~[4,]~~ ***5,*** a nonprofit organization or its assignee has not commenced construction of ~~[affordable]~~ ***attainable*** housing, or entered into such contracts as are necessary to commence the construction of ~~[affordable]~~ ***attainable*** housing, the property that was conveyed automatically reverts to the city.

~~[9.]~~ ***10.*** A governing body may subordinate the interest of the city in property conveyed pursuant to subsection ~~[4]~~ ***5*** to a first or subsequent holder of a mortgage on that property to the extent the governing body deems necessary to promote investment in the construction of ~~[affordable]~~ ***attainable*** housing.

~~[10.]~~ ***11.*** As used in this section, unless the context otherwise requires:

(a) ~~[“Affordable]~~ ***“Attainable*** housing” has the meaning ascribed to it in NRS 278.0105.

(b) “Nonprofit organization” means an organization that is recognized as exempt pursuant to 26 U.S.C. § 501(c)(3).

Sec. 26. NRS 268.061 is hereby amended to read as follows:

268.061 1. Except as otherwise provided in this ~~[subsection]~~ ***section*** and NRS 268.048 to 268.058, inclusive, 268.063, 268.064, 278.479 to 278.4965, inclusive, and subsection 4 of NRS 496.080, except as otherwise provided 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 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:

(a) If a governing body has determined by resolution that the sale or lease of any real property owned by the city will be in the best interest of the city, it may sell or lease the real property in the manner prescribed for the sale or lease of real property in NRS 268.062.

(b) Before the governing body may sell or lease any real property as provided in paragraph (a), it shall:

(1) Post copies of the resolution described in paragraph (a) in three public places in the city; and

(2) Cause to be published at least once a week for 3 successive weeks, in a newspaper qualified under chapter 238 of NRS that is published in the county in which the real property is located, a notice setting forth:

(I) A description of the real property proposed to be sold or leased in such a manner as to identify it;

(II) The minimum price, if applicable, of the real property proposed to be sold or leased; and

(III) The places at which the resolution described in paragraph (a) has been posted pursuant to subparagraph (1), and any other places at which copies of that resolution may be obtained.

➥ If no qualified newspaper is published within the county in which the real property is located, the required notice must be published in some qualified newspaper printed in the State of Nevada and having a general circulation within that county.

(c) If the governing body by its resolution finds additionally that the real property to be sold is worth more than $1,000, the governing body shall, as applicable, conduct an appraisal or appraisals pursuant to NRS 268.059 to determine the value of the real property. Except for real property acquired pursuant to NRS 371.047, the governing body shall not sell or lease it for less than:

(1) If two independent appraisals were obtained, the average of the appraisals of the real property.

(2) If only one independent appraisal was obtained, the appraised value of the real property.

(d) If the real property is appraised at $1,000 or more, the governing body may:

(1) Lease the real property; or

(2) Sell the real property for:

(I) Cash; or

(II) Not less than 25 percent cash down and upon deferred payments over a period of not more than 10 years, secured by a mortgage or deed of trust bearing such interest and upon such further terms as the governing body may specify.

(e) A governing body may sell or lease any real property owned by the city without complying with the provisions of this section and NRS 268.059 and 268.062 to:

(1) A person who owns real property located adjacent to the real property to be sold or leased if the governing body has determined by resolution that the sale or lease will be in the best interest of the city and the real property is a:

(I) Remnant that was separated from its original parcel due to the construction of a street, alley, avenue or other thoroughfare, or portion thereof, flood control facility or other public facility;

(II) Parcel that, as a result of its size, is too small to establish an economically viable use by anyone other than the person who owns real property adjacent to the real property offered for sale or lease; or

(III) Parcel which is subject to a deed restriction prohibiting the use of the real property by anyone other than the person who owns real property adjacent to the real property offered for sale or lease.

(2) The State or another governmental entity if:

(I) The sale or lease restricts the use of the real property to a public use; and

(II) The governing body adopts a resolution finding that the sale or lease will be in the best interest of the city.

(f) A governing body that disposes of real property pursuant to paragraph (e) is not required to offer to reconvey the real property to the person from whom the real property was received or acquired by donation or dedication.

(g) If real property that is offered for sale or lease pursuant to this section is not sold or leased at the initial offering of the contract for the sale or lease of the real property, the governing body may offer the real property for sale or lease a second time pursuant to this section. The governing body must obtain a new appraisal or appraisals, as applicable, of the real property pursuant to the provisions of NRS 268.059 before offering the real property for sale or lease a second time if:

(1) There is a material change relating to the title, zoning or an ordinance governing the use of the real property; or

(2) The appraisal or appraisals, as applicable, were prepared more than 6 months before the date on which the real property is offered for sale or lease the second time.

(h) If real property that is offered for sale or lease pursuant to this section is not sold or leased at the second offering of the contract for the sale or lease of the real property, the governing body may list the real property for sale or lease at the appraised value or average of the appraised value if two or more appraisals were obtained, as applicable, with a licensed real estate broker, provided that the broker or a person related to the broker within the first degree of consanguinity or affinity does not have an interest in the real property or an adjoining property. If the appraisal or appraisals, as applicable, were prepared more than 6 months before the date on which the real property is listed with a licensed real estate broker, the governing body must obtain one new appraisal of the real property pursuant to the provisions of NRS 268.059 before listing the real property for sale or lease at the new appraised value.

2. ***Before approving the sale or lease of real property owned by the city for the development of attainable housing, as defined in NRS 278.0105, in addition to complying with the provisions of***

subsection 1, the governing body shall evaluate the capacity and commitment of the developer to provide long-term benefits to the city in a manner that promotes transparency and does not interfere with equitable competition. The developer shall submit to the governing body:

(a) Information that sets forth:

(1) The number of employees of the developer or any affiliate of the developer who are residents of this State; and

(2) The number of households in this State who live in attainable housing units that are owned or managed by the developer or any affiliate of the developer;

(b) A description of any previous project for which the developer received federal low-income housing tax credits, as defined in NRS 360.863, with documentation of compliance with any federal requirements; and

(c) A description of any previous project where the developer has obtained additional federal low-income housing tax credits, as defined in NRS 360.863, or alternative financing for the rehabilitation or resyndication of attainable housing. The description must include, without limitation, the name, location, number of units and cost per unit of the attainable housing.

3. 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. 27. (Deleted by amendment.)

Sec. 28. Chapter 278 of NRS is hereby amended by adding thereto the provisions set forth as sections 29 to 31, inclusive, of this act.

Sec. 29. ***1. "Tier five affordable housing" means housing for a household:***

(a) Which has a total monthly gross income that is equal to more than 120 percent but not more than 150 percent of the median monthly gross household income for the county in which the housing is located; and

(b) Which costs not more than 30 percent of the total monthly gross household income of a household whose income equals 150 percent of the median monthly gross household income for the county in which the housing is located, including the cost of utilities.

2. For purposes of this section:

(a) Median monthly gross household income must be determined based upon the estimates of the United States Department of Housing and Urban Development of the most current median gross family income for the county in which the housing is located; and

(b) The cost of housing for a household determined pursuant to paragraph (b) of subsection 1 may be offset by cost savings to the household of energy efficiency measures.

Sec. 29.5. *1. "Tier one affordable housing" means housing for a household:*

(a) Which has a total monthly gross income that is equal to not more than 30 percent of the median monthly gross household income for the county in which the housing is located; and

(b) Which costs not more than 30 percent of the total monthly gross household income of a household whose income equals 30 percent of the median monthly gross household income for the county in which the housing is located, including the cost of utilities.

2. For purposes of this section:

(a) Median monthly gross household income must be determined based upon the estimates of the United States Department of Housing and Urban Development of the most current median gross family income for the county in which the housing is located; and

(b) The cost of housing for a household determined pursuant to paragraph (b) of subsection 1 may be offset by cost savings to the household of energy efficiency measures.

Sec. 30. *1. Each governing body of a county or city shall enact by ordinance:*

(a) An expedited process for the consideration and approval of projects for attainable housing in the county or city, as applicable. Such expedited process must prioritize, to the extent practicable, the processing of projects for attainable housing in the county or city, as applicable, over all other projects and allow deviation from the current process for the consideration and approval of projects for attainable housing. Any such deviation includes, without limitation, authorizing the administrative approval for any applications relating to attainable housing projects by a person authorized by the governing body.

(b) Incentives for the development of projects for attainable housing in the county or city, as applicable, that encourage the use of the expedited process required pursuant to paragraph (a).

2. As used in this section, "attainable housing" has the meaning ascribed to it in NRS 278.0105.

Sec. 31. *1. Each reviewing agency shall adopt a process for the expedited review of and comment on a tentative map pursuant to NRS 278.330 to 278.3485, inclusive, that prioritizes the review of and comment on tentative maps that include attainable housing.*

2. The expedited process adopted pursuant to subsection 1 must, without limitation, comply with the applicable provisions of NRS 278.330 to 278.3485, inclusive.

3. If the reviewing agency is not able to use the expedited process adopted pursuant to subsection 1 for the expedited review of and comment on a tentative map, the reviewing agency must:

(a) Document the specific reasons why the use of the expedited process is not possible, including, without limitation, any deficiency with the tentative map;

(b) Notify the subdivider of the specific reasons documented pursuant to paragraph (a) and provide the subdivider with an estimated date on which the reviewing agency will complete its review of and comment on the tentative map; and

(c) Complete the review of and comment on a tentative map as soon as possible and not later than any deadline set forth in NRS 278.330 to 278.3485, inclusive, for the reviewing agency to review and comment on a tentative map not subject to the expedited process.

4. As used in this section, "reviewing agency" means any state agency, local government or quasi-governmental entity that is required to review tentative maps pursuant to NRS 278.330 to 278.3485, inclusive. The term includes, without limitation:

(a) The Division of Water Resources of the State Department of Conservation and Natural Resources;

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

(c) The Public Utilities Commission of Nevada and any utility, person or other entity that is regulated by the Commission;

(d) The Department of Wildlife;

(e) The Board of Wildlife Commissioners;

(f) A district board of health;

(g) A public water system;

(h) A planning commission;

(i) An irrigation district;

(j) The governing body of a county;

(k) The governing body of a city;

(l) The board of trustees of a school district; and

(m) The board of trustees of a general improvement district.

Sec. 32. NRS 278.010 is hereby amended to read as follows:

278.010 As used in NRS 278.010 to 278.630, inclusive, ***and sections 29 to 31, inclusive, of this act,*** unless the context otherwise requires, the words and terms defined in NRS 278.0103 to 278.0195, inclusive, ***and sections 29 and 29.5 of this act*** have the meanings ascribed to them in those sections.

Sec. 33. NRS 278.0105 is hereby amended to read as follows:

278.0105 ~~[“Affordable]~~ ***“Attainable*** housing” means tier one affordable housing, tier two affordable housing ***,*** ~~[or]~~ tier three affordable housing ~~[.]~~ ***, tier four affordable housing or tier five affordable housing.***

Sec. 34. NRS 278.01902 is hereby amended to read as follows:

278.01902 1. “Tier ~~[one]~~ ***two*** affordable housing” means housing for a household:

(a) Which has a total monthly gross income that is equal to ***more than 30 percent but*** not more than 60 percent of the median monthly gross household income for the county in which the housing is located; and

(b) Which costs not more than 30 percent of the total monthly gross household income of a household whose income equals 60 percent of the median monthly gross household income for the county in which the housing is located, including the cost of utilities.

2. For purposes of this section ~~[, median]~~ ***:***

(a) Median gross household income must be determined based upon the estimates of the United States Department of Housing and Urban Development of the most current median gross family income for the county in which the housing is located ~~[.]~~ ***; and***

(b) The costs of housing for a household determined pursuant to paragraph (b) of subsection 1 may be offset by the cost savings to the household of energy efficiency measures.

Sec. 35. NRS 278.01904 is hereby amended to read as follows:

278.01904 1. “Tier ~~[three]~~ ***four*** affordable housing” means housing for a household:

(a) Which has a total monthly gross income that is equal to more than 80 percent but not more than 120 percent of the median monthly gross household income for the county in which the housing is located; and

(b) Which costs not more than 30 percent of the total monthly gross household income of a household whose income equals 120 percent of the median monthly gross household income for the county in which the housing is located, including the cost of utilities.

2. For purposes of this section ~~[, median]~~ ***:***

(a) Median gross household income must be determined based upon the estimates of the United States Department of Housing and Urban Development of the most current median gross family income for the county in which the housing is located ~~[.]~~ ***; and***

(b) The costs of housing for a household determined pursuant to paragraph (b) of subsection 1 may be offset by the cost savings to the household of energy efficiency measures.

Sec. 36. NRS 278.01906 is hereby amended to read as follows:

278.01906 1. "Tier ~~[two]~~ ***three*** affordable housing" means housing for a household:

(a) Which has a total monthly gross income that is equal to more than 60 percent but not more than 80 percent of the median monthly gross household income for the county in which the housing is located; and

(b) Which costs not more than 30 percent of the total monthly gross household income of a household whose income equals 80 percent of the median monthly gross household income for the county in which the housing is located, including the cost of utilities.

2. For purposes of this section ~~[, median]~~ ***:***

(a) Median gross household income must be determined based upon the estimates of the United States Department of Housing and Urban Development of the most current median gross family income for the county in which the housing is located ~~[.]~~ ***; and***

(b) The costs of housing for a household determined pursuant to paragraph (b) of subsection 1 may be offset by the cost savings to the household of energy efficiency measures.

Sec. 37. NRS 278.235 is hereby amended to read as follows:

278.235 1. If the governing body of a city or county is required to include the housing element in its master plan pursuant to NRS 278.150, the governing body, in carrying out the plan for maintaining and developing ~~[affordable]~~ ***attainable*** housing to meet the housing needs of the community, which is required to be included in the housing element pursuant to subparagraph (8) of paragraph (c) of subsection 1 of NRS 278.160, shall adopt at least six of the following measures:

(a) Reducing ***,*** ~~[or]~~ subsidizing ***or reimbursing,*** in whole or in part impact fees, fees for the issuance of building permits collected pursuant to NRS 278.580 and fees imposed for the purpose for which an enterprise fund was created.

(b) Selling land owned by the city or county, as applicable, to developers exclusively for the development of ~~[affordable]~~ ***attainable*** housing at not more than 10 percent of the appraised value of the land, and requiring that any such savings, subsidy or reduction in price be passed on to the purchaser of housing in such a development. Nothing in this paragraph authorizes a city or county to obtain land pursuant to the power of eminent domain for the purposes set forth in this paragraph.

(c) Donating land owned by the city or county to a nonprofit organization to be used for ~~[affordable]~~ ***attainable*** housing.

(d) Leasing land by the city or county to be used for ~~[affordable]~~ ***attainable*** housing.

(e) Requesting to purchase land owned by the Federal Government at a discounted price for the creation of ~~[affordable]~~ ***attainable*** housing pursuant to the provisions of section 7(b) of the Southern Nevada Public Land Management Act of 1998, Public Law 105-263.

(f) Establishing a trust fund for ~~[affordable]~~ ***attainable*** housing that must be used for the acquisition, construction or rehabilitation of ~~[affordable]~~ ***attainable*** housing.

(g) Establishing a process that expedites the approval of plans and specifications relating to maintaining and developing ~~[affordable]~~ ***attainable*** housing.

(h) Providing money, support or density bonuses for ~~[affordable]~~ ***attainable*** housing developments that are financed, wholly or in part, with low-income housing tax credits, private activity bonds or money from a governmental entity for ~~[affordable]~~ ***attainable*** housing, including, without limitation, money received pursuant to 12 U.S.C. § 1701q and 42 U.S.C. § 8013.

(i) Providing financial incentives or density bonuses to promote appropriate transit-oriented or multi-story housing developments that would include an ~~[affordable]~~ ***attainable*** housing component.

(j) Offering density bonuses or other incentives to encourage the development of ~~[affordable]~~ ***attainable*** housing.

(k) Providing direct financial assistance to qualified applicants for the purchase or rental of ~~[affordable]~~ ***attainable*** housing.

(l) Providing money for supportive services necessary to enable persons with supportive housing needs to reside in ~~[affordable]~~ ***attainable*** housing in accordance with a need for supportive housing identified in the 5-year consolidated plan adopted by the United States Department of Housing and Urban Development for the city or county pursuant to 42 U.S.C. § 12705 and described in 24 C.F.R. Part 91.

2. A governing body may reduce ***,*** ~~[or]~~ subsidize ***or reimburse*** impact fees, fees for the issuance of building permits or fees imposed for the purpose for which an enterprise fund was created to assist in maintaining or developing a project for ~~[affordable]~~ ***attainable*** housing, pursuant to paragraph (a) of subsection 1, only if:

(a) ~~[When the incomes of all the residents of the project for affordable housing are averaged, the housing would be affordable on average for a family with a total gross income that does not exceed 60 percent of the median gross income for the county concerned based upon the estimates of the United States Department of Housing and Urban Development of the most current median gross family income for the county.~~

~~(b) The governing body has adopted an ordinance that establishes the criteria that a project for affordable housing must satisfy to receive assistance in maintaining or developing the project for affordable housing. Such criteria must be designed to put into effect all relevant elements of the master plan adopted by the governing body pursuant to NRS 278.150.~~

~~(c) The project for affordable housing satisfies the criteria set forth in the ordinance adopted pursuant to paragraph (b).~~

~~(d)]~~ The governing body makes a determination that reducing ***,*** ~~[or]~~ subsidizing ***or reimbursing*** such fees will not impair adversely the ability of the governing body to pay, when due, all interest and principal on any outstanding bonds or any other obligations for which revenue from such fees was pledged.

~~[(e)]~~ ***(b)*** The governing body holds a public hearing concerning the effect of the reduction ***,*** ~~[or]~~ subsidization ***or reimbursement*** of such fees on the economic viability of the general fund of the city or county, as applicable, and, if applicable, the economic viability of any affected enterprise fund.

3. On or before ~~[July]~~ ***March*** 15 of each year, the governing body shall submit to the Housing Division of the Department of Business and Industry a report, in the form prescribed by the Housing Division, of how the measures adopted pursuant to subsection 1 assisted the city or county in maintaining and developing ~~[affordable]~~ ***attainable*** housing to meet the needs of the community for the preceding year. The report must include an analysis of the need for ~~[affordable]~~ ***attainable*** housing within the city or county that exists at the end of the reporting period. The governing body shall cooperate with the Housing Division to ensure

that the information contained in the report is appropriate for inclusion in, and can be effectively incorporated into, the statewide low-income housing database created pursuant to NRS 319.143.

4. On or before ~~[August]~~ ***April*** 15 of each year, the Housing Division shall compile the reports submitted pursuant to subsection 3 and post the compilation on the Internet website of the Housing Division.

Sec. 37.2. NRS 349.294 is hereby amended to read as follows:

349.294 All moneys received from the issuance of any securities herein authorized shall be used solely for the purpose or purposes for which issued and to defray wholly or in part the cost of the project thereby delineated ~~[.]~~ ***, including, without limitation, any proceeds received from the general obligation bonds issued pursuant to section 49.7 of this act.*** Any accrued interest and any premium shall be applied to the cost of the project or to the payment of the interest on or the principal of the securities, or both interest and principal, or shall be deposited in a reserve therefor, or any combination thereof, as the Commission may determine.

Sec. 37.5. 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, 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 ~~[.]~~ ***, tier three affordable housing and tier four 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 *, **tier three affordable housing and tier four 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.]~~ ***section 29.5 of this act.***

(b) "Tier two affordable housing" has the meaning ascribed to it in NRS ~~[278.01906.]~~ ***278.01902.***

(c) "Tier three affordable housing" has the meaning ascribed to it in NRS 278.01906.

(d) "Tier four affordable housing" has the meaning ascribed to it in NRS 278.01904.

Sec. 38. Chapter 624 of NRS is hereby amended by adding thereto the provisions set forth as sections 39 and 40 of this act.

Sec. 39. ***1. The Board shall issue a contractor's license by endorsement to an applicant who:***

(a) Submits to the Board proof of a contractual agreement to perform work on an attainable housing project in a rural area for which a contractor's license is required;

(b) Holds a valid and unrestricted contractor's license in the District of Columbia or any state or territory of the United States and the Board determines that the qualifications for that contractor's license are substantially similar to the requirements for the issuance of a contractor's license in this State;

(c) Has held the contractor's license described in paragraph (a) for at least 4 consecutive years;

(d) Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory of the United States in which the applicant currently holds or has held a contractor's license;

(e) Does not have pending any disciplinary action concerning his or her contractor's license in the District of Columbia or any state or territory of the United States;

(f) Submits to the Board a complete set of his or her fingerprints and written permission authorizing the regulatory body to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check; and

(g) Submits to the Board the statement required by NRS 425.520.

2. The Board shall approve or deny an application for a contractor's license by endorsement submitted pursuant to this section not more than 60 days after the receipt of a completed application, including, without limitation, evidence that the applicant meets the requirements set forth in subsection 1.

3. The Board shall not charge any fee in connection with a contractor's license by endorsement issued pursuant to this section.

4. Before issuing a contractor's license by endorsement pursuant to this section, the Board shall require that the applicant comply with the requirements set forth in NRS 624.256 and 624.270.

5. A person who obtains a contractor's license by endorsement pursuant to this section:

(a) May only perform work relating to an attainable housing project in a rural area of the State; and

(b) Shall not perform any other work in this State unless the person obtains a contractor's license in this State.

6. Notwithstanding the provisions of subsections 4 and 7 of NRS 624.3015, a person who meets the requirements of paragraphs (b) to (e), inclusive, of subsection 1, may submit a bid on an attainable housing project or enter into a contractual agreement to perform work on an attainable housing project in a rural area for which a contractor's license is required.

7. An applicant for a contractor's license by endorsement shall not perform any work on an attainable housing project until the Board has issued the applicant the contractor's license by endorsement.

8. A contractor's license by endorsement issued pursuant to this section expires on December 31, 2029.

9. The Board shall adopt any regulation necessary to carry out the provisions of this section.

10. As used in this section:

(a) "Attainable housing project" has the meaning ascribed to it in section 4 of this act.

(b) "Rural area" means:

(1) Any county whose population is less than 100,000;

(2) Any city in a county whose population is less than 100,000; or

(3) Any city whose population is less than 60,000 in a county whose population is 100,000 or more.

Sec. 40. *1. Notwithstanding any provision of law to the contrary, if the Director of the Department of Business and Industry determines that there is a shortage of skilled labor or licensed contractors in a rural area of this State that is adversely impacting the availability of attainable housing for essential workers who are employed in the rural area, the Director may issue a declaration of such shortage. No declaration of shortage may be in effect for more than 3 years.*

2. Upon the issuance of a declaration pursuant to subsection 1, the Board shall implement a process to issue provisional contractors' licenses to any applicant who:

(a) Submits to the Board proof of a contractual agreement to perform work on an attainable housing project in a rural area for which a contractor's license is required;

(b) Successfully passes an examination prescribed by the Board relating to Nevada-specific construction standards or otherwise demonstrates knowledge and experience of Nevada-specific construction standards;

(c) Holds a valid and unrestricted contractor's license in the District of Columbia or any state or territory of the United States and the Board determines that the qualifications for that contractor's license are substantially similar to the requirements for the issuance of a contractor's license in this State;

(d) Has held the contractor's license described in paragraph (a) for at least 3 consecutive years;

(e) Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory of the United States in which the applicant currently holds or has held a contractor's license;

(f) Does not have pending any disciplinary action concerning his or her contractor's license in the District of Columbia or any state or territory of the United States;

(g) Submits to the Board a complete set of his or her fingerprints and written permission authorizing the regulatory body to forward the fingerprints to the Central Repository for

Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check; and

(h) Submits to the Board the statement required by NRS 425.520.

3. The Board shall not charge any fee in connection with a provisional contractor's license issued pursuant to this section.

4. The Board shall approve or deny an application for a provisional contractor's license submitted pursuant to this section not more than 60 days after the receipt of a completed application, including, without limitation, evidence that the applicant meets the requirements set forth in subsection 2.

5. Before issuing a provisional contractor's license pursuant to this section, the Board shall require that the applicant complies with the requirements set forth in NRS 624.256 and 624.270.

6. A person who obtains a provisional contractor's license pursuant to this section:

(a) May only perform work relating to an attainable housing project in the rural area of the State described in the declaration issued by the Director of the Department of Business and Industry pursuant to subsection 1; and

(b) Shall not perform any other work in this State for which a contractor's license is required unless the person obtains a contractor's license in this State.

7. Notwithstanding the provisions of subsections 4 and 7 of NRS 624.3015, a person who meets the requirements of paragraphs (b) to (e), inclusive, of subsection 1, may submit a bid on an attainable housing project or enter into a contractual agreement to perform work on an attainable housing project in a rural area for which a contractor's license is required.

8. An applicant for a contractor's license by endorsement shall not perform any work on an attainable housing project until the Board has issued the applicant the contractor's license by endorsement.

9. A provisional contractor's license issued pursuant to this section expires on December 31, 2029.

10. The Board shall adopt any regulation necessary to carry out the provisions of this section.

11. As used in this section:

(a) "Attainable housing" has the meaning ascribed to it in NRS 278.0105.

(b) "Attainable housing project" has the meaning ascribed to it in section 4 of this act.

(c) "Essential worker" has the meaning ascribed to it in section 7 of this act.

(d) "Rural area" means:

(1) Any county whose population is less than 100,000;

(2) Any city in a county whose population is less than 100,000; or

(3) Any city whose population is less than 60,000 in a county whose population is 100,000 or more.

Sec. 41. NRS 624.240 is hereby amended to read as follows:

624.240 1. ~~[Under]~~ ***Except as otherwise provided in section 39 or 40 of this act, under*** reasonable regulations adopted by the Board, the Board may investigate, classify and qualify applicants for contractors' licenses by written or oral examinations, or both, and may issue contractors' licenses to qualified applicants. The examinations may, in the discretion of the Board, be given in specific classifications only.

2. If a natural person passes the technical examination given by the Board on or after July 1, 1985, to qualify for a classification established pursuant to this chapter, demonstrates to the Board the degree of experience and knowledge required in the regulations of the Board, and is granted a license, the person is qualified for a master's license, if issued by any political subdivision, in the classification for which the examination was given, if the examination required the person to demonstrate his or her knowledge and ability to:

(a) Utilize and understand;

(b) Direct and supervise work in compliance with; and

(c) Perform and apply any calculations required to ensure that work performed is in compliance with,

➥ the applicable codes, standards and regulations.

3. If a natural person qualified for a license before July 1, 1985, in accordance with NRS 624.260 in a trade for which a master's license is required by any political subdivision, and if the license is active on or after July 1, 1985, and if the person so qualified wishes to obtain a master's license, the person must pass either the appropriate examination given by the Board on or after July 1, 1985, in accordance with NRS 624.260 and the regulations of the Board, or the examination given by the political subdivision in the trade for which a master's license is required.

Sec. 42. NRS 624.250 is hereby amended to read as follows:

624.250 1. To obtain or renew a license, an applicant must submit to the Board an application in writing containing:

(a) The statement that the applicant desires the issuance of a license under the terms of this chapter.

(b) The street address or other physical location of the applicant's place of business.

(c) The name of a person physically located in this State for service of process on the applicant.

(d) The street address or other physical location in this State and, if different, the mailing address, for service of process on the applicant.

(e) Except as otherwise provided in paragraph (f) or (g), the names and physical and mailing addresses of any owners, partners, officers, directors, members and managerial personnel of the applicant.

(f) If the applicant is a corporation, the names and physical and mailing addresses of the president, secretary, treasurer, any officers responsible for contracting activities in this State, any officers responsible for renewing the license of the applicant, any persons used by the applicant to qualify pursuant to NRS 624.260 and any other persons required by the Board.

(g) If the applicant is a limited-liability company, the names and physical and mailing addresses of any managers or members with managing authority, any managers or members responsible for contracting activities in this State, any managers or members responsible for renewing the license of the applicant, any persons used by the applicant to qualify pursuant to NRS 624.260 and any other persons required by the Board.

(h) Any information requested by the Board to ascertain the background, financial responsibility, experience, knowledge and qualifications of the applicant.

(i) All information required to complete the application.

2. The application must be:

(a) Made on a form prescribed by the Board in accordance with the rules and regulations adopted by the Board.

(b) ~~[Accompanied]~~ ***Except as otherwise provided in this paragraph, accompanied*** by the application fee fixed by this chapter. ***If the Director of the Department of Business and Industry issues a declaration of shortage pursuant to section 40 of this act, the Board shall not charge any application fee in connection with obtaining or renewing any contractor's license in a rural area until the declaration of shortage is no longer in effect.***

3. The Board shall include on an application form for the issuance or renewal of a license, a method for allowing an applicant to make a monetary contribution to the Construction Education Account created pursuant to NRS 624.580. The application form must state in a clear and conspicuous manner that a contribution to the Construction Education Account is voluntary and is in addition to any fees required for licensure. If the Board receives a contribution from an applicant, the Board shall deposit the contribution with the State Treasurer for credit to the Construction Education Account.

4. ~~[Before]~~ ***Except as otherwise provided in this subsection, before*** issuing a license to any applicant, the Board shall require the applicant to pay the license fee fixed by this chapter and, if applicable, any assessment required pursuant to NRS 624.470. ***If the Director of the Department of Business and Industry issues a declaration of shortage pursuant to section 40 of this act, the Board shall not charge any license fee to an applicant in a rural area until the declaration of shortage is no longer in effect.***

5. As used in this section, "rural area" has the meaning ascribed to it in section 40 of this act.

Sec. 43. NRS 624.253 is hereby amended to read as follows:

624.253 1. A licensee may make application for classification and be classified in one or more classifications if the licensee meets the qualifications prescribed by the Board for such additional classification or classifications.

2. ~~[An]~~ ***Except as otherwise provided in this subsection, an*** additional application and license fee may be charged for qualifying or classifying a licensee in additional classifications. ***If the Director of the Department of Business and Industry issues a declaration of shortage pursuant to section 40 of this act, the Board shall not charge any additional application and license fee for qualifying or classifying a licensee in additional classifications in a rural area until the declaration of shortage is no longer in effect.***

3. As used in this section, "rural area" has the meaning ascribed to it in section 40 of this act.

Sec. 44. NRS 624.265 is hereby amended to read as follows:

624.265 1. An applicant for a contractor's license or a licensed contractor, each officer, director, partner and associate thereof, and any person who qualifies on behalf of the applicant pursuant to subsection 2 of NRS 624.260 must possess good character. Lack of character may be established by showing that the applicant or licensed contractor, any officer, director, partner or associate thereof, or any person who qualifies on behalf of the applicant has:

(a) Committed any act which would be grounds for the denial, suspension or revocation of a contractor's license;

(b) A bad reputation for honesty and integrity;

(c) Entered a plea of guilty, guilty but mentally ill or nolo contendere to, been found guilty or guilty but mentally ill of, or been convicted, in this State or any other jurisdiction, of a crime arising out of, in connection with or related to the activities of such person in such a manner as to demonstrate his or her unfitness to act as a contractor, and the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal; or

(d) Had a license revoked or suspended for reasons that would preclude the granting or renewal of a license for which the application has been made.

2. Upon the request of the Board, an applicant for a contractor's license, any officer, director, partner or associate of the applicant and any person who qualifies on behalf of the applicant pursuant to subsection 2 of NRS 624.260 must submit to the Board completed fingerprint cards and a form authorizing an investigation of the applicant's background and the submission of the fingerprints to the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation. The fingerprint cards and authorization form submitted must be those that are provided to the applicant by the Board. The applicant's fingerprints may be taken by an agent of the Board or an agency of law enforcement.

3. Except as otherwise provided in NRS 239.0115, the Board shall keep the results of the investigation confidential and not subject to inspection by the general public.

4. The Board shall establish by regulation the fee for processing the fingerprints to be paid by the applicant. ~~[The]~~ ***Except as otherwise provided in this subsection, the*** fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. ***If the Director of the Department of Business and Industry issues a declaration of shortage pursuant to section 40 of this act, the Board shall not charge a fee for processing the fingerprints of an applicant for a contractor's license in a rural area or any officer, director, partner or associate of the applicant or any person who qualifies on behalf of the applicant until the declaration of shortage is no longer in effect.***

5. The Board may obtain records of a law enforcement agency or any other agency that maintains records of criminal history, including, without limitation, records of:

(a) Arrests;
(b) Guilty and guilty but mentally ill pleas;
(c) Sentencing;
(d) Probation;
(e) Parole;
(f) Bail;
(g) Complaints; and
(h) Final dispositions,

➥ for the investigation of a licensee or an applicant for a contractor's license.

6. As used in this section, "rural area" has the meaning ascribed to it in section 40 of this act.

Sec. 45. NRS 624.281 is hereby amended to read as follows:

624.281 1. ~~[If]~~ ***Except as otherwise provided in this section, if*** an applicant wishes to have a license issued in an expedited manner, the applicant must pay a fee for an application equal to two times the amount of the fee regularly paid for an application pursuant to subsection 1 of NRS 624.280.

2. ~~[The]~~ ***Except as otherwise provided in this section, the*** applicant must pay one-half of the fee required pursuant to subsection 1 when submitting the application and the other one-half of the fee when the Board issues the license.

3. ~~[In]~~ ***Except as otherwise provided in this section, in*** addition to the fee required pursuant to subsection 1, the applicant shall reimburse the Board for the actual costs and expenses incurred by the Board in processing the application.

4. ***If the Director of the Department of Business and Industry issues a declaration of shortage pursuant to section 40 of this act, the Board shall not charge an applicant in a rural area any fee pursuant to subsection 1 or for the costs and expenses incurred by the Board, as described in subsection 3, in processing the application until the declaration of shortage is no longer in effect.***

5. The Board shall adopt regulations prescribing the procedures for making an application pursuant to this section.

6. As used in this section, "rural area" has the meaning ascribed to it in section 40 of this act.

Sec. 46. NRS 624.283 is hereby amended to read as follows:

624.283 1. ~~[Each]~~ ***Except as otherwise provided in sections 39 and 40 of this act, each*** license issued under the provisions of this chapter expires 2 years after the date on which it is issued, except that the Board may by regulation prescribe shorter or longer periods and prorated fees to establish a system of staggered biennial renewals. Any license which is not renewed on or before the date for renewal is automatically suspended.

2. Except as otherwise provided in subsection 5, a license may be renewed by submitting to the Board:

(a) An application for renewal;

(b) ~~[The]~~ ***Except as otherwise provided in subsection 7, the*** fee for renewal fixed by the Board;

(c) Any assessment required pursuant to NRS 624.470 if the holder of the license is a residential contractor as defined in NRS 624.450; and

(d) All information required to complete the renewal.

3. The Board may require a licensee to demonstrate financial responsibility at any time through the submission of:

(a) A financial statement that is:

(1) Prepared by an independent certified public accountant; or

(2) Submitted on a form or in a format prescribed by the Board together with an affidavit which verifies the accuracy of the financial statement; and

(b) If the licensee performs residential construction, such additional documentation as the Board deems appropriate.

4. Except as otherwise provided in subsection 5, if a license is automatically suspended pursuant to subsection 1, the licensee may have the license reinstated upon filing an application for renewal within 6 months after the date of suspension and paying, in addition to the fee for renewal, a fee for reinstatement fixed by the Board, if the licensee is otherwise in good standing and there are no complaints pending against the licensee. If the licensee is otherwise not in good standing or there is a complaint pending, the Board shall require the licensee to provide a current financial statement prepared by an independent certified public accountant or establish other conditions for reinstatement. An application for renewal must be accompanied by all information required to complete the renewal. A license which is not reinstated within 6 months after it is automatically suspended may be cancelled by the Board, and a new license may be issued only upon application for an original contractor’s license.

5. If a license is automatically suspended pursuant to subsection 1 while the licensee was on active duty as a member of the Armed Forces of the United States, a reserve component thereof or the National Guard, the licensee may submit an application to the

Board requesting the reinstatement of his or her license without the imposition of any penalty, punishment or disciplinary action authorized by the provisions of this chapter. The Board may reinstate the license if:

(a) The application for reinstatement is submitted while the licensee is serving in the Armed Forces of the United States, a reserve component thereof or the National Guard; and

(b) Except as otherwise provided in subsection 6, the application for reinstatement is accompanied by an affidavit setting forth the dates of service of the licensee and the fee for renewal fixed by the Board pursuant to subsection 2.

6. The Board may waive the fee for renewal of a license for a licensee specified in subsection 5 if:

(a) The license was valid at the time the licensee was called to active duty in the Armed Forces of the United States, a reserve component thereof or the National Guard; and

(b) The licensee provides written documentation satisfactory to the Board substantiating his or her claim of service on active duty in the Armed Forces of the United States, a reserve component thereof or the National Guard.

7. If the Director of the Department of Business and Industry issues a declaration of shortage pursuant to section 40 of this act, the Board shall not charge an applicant for renewal in a rural area or an applicant for reinstatement in a rural area whose license was automatically suspended pursuant to subsection 1 any fee for renewal or reinstatement until the declaration of shortage is no longer in effect.

8. As used in this section, "rural area" has the meaning ascribed to it in section 40 of this act.

Sec. 47. Section 9 of this act is hereby amended to read as follows:

Sec. 9. 1. The Nevada Attainable Housing Account is hereby created in the State General Fund. All money that is collected for the use of the Account from any source must be deposited in the Account.

2. The money in the Nevada Attainable Housing Account must be used for the purposes described in section 10 of this act.

3. The Nevada Attainable Housing Account must be administered by the Division. The Division may apply for and accept any gift, grant, donation, bequest or other source of money for deposit in the Account.

4. The interest and income earned on money in the Nevada Attainable Housing Account, after deducting any applicable charges, must be credited to the Account.

5. ~~[Any]~~ ***Except as otherwise provided in subsection 6, any*** money remaining in the Account at the end of the fiscal year must remain in the Account and does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.

6. At the end of each fiscal year, any money in the Account that exceeds $133,000,000 must be transferred to the State General Fund.

Sec. 48. 1. The State Contractors' Board shall adopt any regulation necessary to carry out the provisions of section 39 of this act before January 1, 2026.

2. On or before December 31, 2028, the Board shall submit a report to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the 85th Session of the Legislature that, without limitation:

(a) Evaluates the impact in rural areas on workforce mobility, local businesses and economic development that can be attributed to the issuance of contractor's licenses by endorsement pursuant to section 39 of this act; and

(b) Provides recommendations relating to whether the requirement for the Board to issue contractor's licenses by endorsement pursuant to section 39 of this act should be continued, modified or terminated.

Sec. 49. 1. The State Contractors' Board shall adopt any regulation necessary to carry out the provisions of section 40 of this act before January 1, 2026.

2. On or before December 31, 2028, the Board shall submit a report to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the 85th Session of the Legislature that, without limitation:

(a) Evaluates the impact in rural areas on attainable housing, local businesses and economic development that can be attributed to the issuance of provisional contractor's licenses pursuant to section 40 of this act; and

(b) Provides recommendations relating to whether the requirement for the Board to issue provisional contractor's licenses pursuant to section 40 of this act should be continued, modified or terminated.

Sec. 49.5. 1. Each governing body of a city or county shall submit to the Housing Division of the Department of Business and

Industry the report required pursuant to subsection 3 of NRS 278.235, as that section existed on June 30, 2025, on or before July 15, 2025.

2. On or before August 15, 2025, the Housing Division shall compile the reports required pursuant to subsection 1 and post the compilation on the Internet website of the Housing Division, as required pursuant to NRS 278.235, as that section existed on June 30, 2025.

3. As used in this section, "governing body" has the meaning ascribed to it in NRS 278.015.

Sec. 49.7. 1. The State Board of Finance shall issue general obligation bonds of the State of Nevada in the face amount of not more than $50,000,000 in the 2025-2027 biennium, the proceeds of which must be deposited in the Nevada Attainable Housing Infrastructure Account created by subsection 2 and used by the Housing Division of the Department of Business and Industry to make loans for the development or construction of a project:

(a) That will serve attainable housing that is located in a special improvement district or special assessment district; and

(b) For which not less than 85 percent of the total cost of developing or constructing the infrastructure will be paid from assessments levied within the district, or by the applicant, or any combination thereof.

2. The Nevada Attainable Housing Infrastructure Account is hereby created in the State General Fund. All money that is collected for the use of the Account from any source must be deposited in the Account. The Account must be administered by the Housing Division.

3. The proceeds of any bonds issued pursuant to subsection 1 that are deposited in the Nevada Attainable Housing Infrastructure Account must be used for the purposes set forth in subsection 1.

4. Interest and income earned on money in the Nevada Attainable Housing Infrastructure Account, after deducting any applicable charges, must be credited to the Account.

5. Any money remaining in the Nevada Attainable Housing Infrastructure Account at the end of the fiscal year must remain in the Account and does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.

6. The Housing Division shall adopt regulations to carry out its duties set forth in subsection 1 and for the administration of the Nevada Attainable Housing Infrastructure Account, but such

regulations must not authorize the use of any proceeds from the bonds issued pursuant to subsection 1 for forgivable loans.

7. Each calendar year, if the uncommitted balance in the Nevada Attainable Housing Infrastructure Account exceeds $1,000,000, the Administrator of the Housing Division shall create an allocation plan for disbursing the money in the Account. The allocation plan must prioritize projects that are committed to longer periods of affordability and that serve households that have a total monthly gross income that is more than 80 percent but not more than 120 percent of the median monthly gross household income for the county in which the attainable housing is located.

8. Before adopting a proposed allocation plan pursuant to subsection 7, the Administrator of the Housing Division must:

(a) Hold at least one public hearing on the proposed allocation plan that complies with the provisions set forth in chapter 241 of NRS; and

(b) Make the proposed allocation plan available on the Internet website of the Housing Division at least 14 days before the first public hearing held pursuant to paragraph (a).

9. The adoption of an allocation plan pursuant to subsection 7 must comply with the regulations adopted pursuant to subsection 6 but is not subject to the requirements of chapter 233B of NRS.

10. A disbursement of money from the Nevada Attainable Housing Infrastructure Account pursuant to this section must be in the form of a loan and must comply with the allocation plan for the calendar year in which the disbursement is made. Any project that receives a loan must serve households whose income does not exceed the income levels established in the allocation plan for that calendar year and must remain affordable for a period of not less than 20 years or a longer period, as established by regulation or contract.

11. The Housing Division shall submit an annual report to the Interim Finance Committee that sets forth:

(a) For each loan made from the Nevada Attainable Housing Infrastructure Account during the reporting period:

(1) The amount and purpose of the loan;

(2) The location and description of the project for which the loan was made; and

(3) The number and the income levels of all households that are or will be served by the project;

(b) Any other information that the Housing Division determines is necessary to include in the report; and

(c) Any other information requested by the Interim Finance Committee.

12. A governing body, an applicant, any contractor who is awarded or enters into an agreement to perform the construction work on a project, and any subcontractor who performs any portion of the construction work on the project shall comply with the provisions of NRS 338.013 to 338.090, inclusive, in the same manner as if the governing body had undertaken the project or awarded the contract, only with respect to construction work funded through a special improvement district or special assessment district.

13. As used in this section:

(a) "Attainable housing" has the meaning ascribed to it in section 3 of this act.

(b) "Applicant" means the owners of all of the assessable property within a proposed special improvement district or special assessment district who have entered into a written agreement with a governing body pursuant to subsection 1 of NRS 271.710.

(c) "Governing body" has the meaning ascribed to it in NRS 271.115.

(d) "Proceeds" means amounts received from the sale of an issue of the general obligation bonds and any accrued interest thereon.

(e) "Project" has the meaning ascribed to it in NRS 271.175.

Sec. 50. There is hereby appropriated from the State General Fund to the Nevada Attainable Housing Account created by section 9 of this act the sum of $133,000,000.

Sec. 50.5. 1. Notwithstanding any other provision of this act, the Housing Division of the Department of Business and Industry shall include in the initial allocation plan adopted pursuant to section 11 of this act the following allocations of money from the Nevada Attainable Housing Account:

(a) The amount of $83,000,000 to be distributed to eligible entities for any combination of the following:

(1) Competitive loans, grants or rebates to support the development of attainable housing;

(2) Competitive loans, grants or rebates for the development of attainable housing projects that qualify for federal low-income housing tax credits, as defined in NRS 360.863; and

(3) The acquisition of land for the development of attainable housing projects;

(b) The amount of $25,000,000 to be distributed to eligible entities for programs that assist essential workers to purchase homes, including, without limitation, programs that provide down payment assistance, interest rate buydowns or other forms of direct financial support to essential workers for purchasing homes;

(c) The amount of $25,000,000 to be distributed to eligible entities for incentives for local governments to increase the supply of attainable housing, including, without limitation:

(1) Incentives for local governments to expedite the approval of attainable housing projects;

(2) Reimbursing local governments for waiving or deferring the payment of fees or taxes for attainable housing projects that are affordable for households that have a total monthly gross income that is not more than 150 percent of the median monthly gross household income for the county in which the housing is located; or

(3) Taking any other action within the authority of the local government that increases the supply of attainable housing.

2. The provisions of section 12 of this act apply to any eligible entity that receives a disbursement of money from the Nevada Attainable Housing Account pursuant to this section.

3. The Division shall include in the reports required pursuant to section 14.5 of this act information about the disbursements of money from the Nevada Attainable Housing Account required pursuant to this section.

4. As used in this section:

(a) "Attainable housing" has the meaning ascribed to it in section 3 of this act.

(b) "Attainable housing project" has the meaning ascribed to it in section 4 of this act.

(c) "Eligible entity" has the meaning ascribed to it in section 6 of this act.

(d) "Essential worker" has the meaning ascribed to it in section 7 of this act.

(e) "Nevada Attainable Housing Account" means the Account created by section 9 of this act.

Sec. 50.6. The Legislative Counsel shall, in preparing supplements to the Nevada Administrative Code, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

Sec. 50.8. 1. Any administrative regulations adopted by an officer or an agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remain in force until amended by the officer or agency to which the responsibility for the adoption of the regulations has been transferred.

2. Any contracts or other agreements entered into by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency are binding upon the officer or agency to which the responsibility for the administration of the provisions of the contract or other agreement has been transferred. Such contracts and other agreements may be enforced by the officer or agency to which the responsibility for the enforcement of the provisions of the contract or other agreement has been transferred.

3. Any action taken by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remains in effect as if taken by the officer or agency to which the responsibility for the enforcement of such actions has been transferred.

Sec. 51. The provisions of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 52. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 53. 1. This section and sections 51 and 52 of this act become effective upon passage and approval.

2. Sections 1 to 46, inclusive, 48, 49, 49.5, 49.7, 50.5, 50.6 and 50.8 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, 2025, for all other purposes.

3. Section 50 of this act becomes effective on July 1, 2025.

4. Sections 39 to 46, inclusive, of this act expire by limitation on December 31, 2029.

5. Section 47 of this act becomes effective on January 1, 2030.

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