

SENATE BILL No. 27—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DIVISION OF MUSEUMS
AND HISTORY OF THE DEPARTMENT OF
TOURISM AND CULTURAL AFFAIRS)

PREFILED NOVEMBER 12, 2024

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to museums.
(BDR 33-281)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

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

AN ACT relating to museums; changing the name of the Nevada State Museum to the Nevada State Museum Carson City; revising the powers and duties of the Board of Museums and History; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes certain museums and historical societies as institutions of the Division of Museums and History of the Department of Tourism and Cultural Affairs. (NRS 381.004) **Section 1** of this bill revises the name of one such museum by changing the name of the Nevada State Museum to the Nevada State Museum Carson City. **Sections 4-11** of this bill make conforming changes to reflect the change in name.

Existing law creates the Board of Museums and History and prescribes certain powers and duties of the Board relating to the functions of the Division. (NRS 381.002, 381.0045) **Section 2** of this bill requires the Board to establish policies and charges for certain services provided by the Division and its institutions. Existing law requires the Administrator of the Division to authorize or require a museum director to: (1) establish certain programs deemed proper and necessary by the Administrator and the Board; and (2) house, preserve, care for and display or exhibit property received by an institution administered by the museum director. (NRS 381.0063) **Section 3** of this bill removes the authority of the Board to make determinations regarding such programs and eliminates the requirement that actions related to property received by an institution be subject to the sole discretion of the Board.



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

1 **Section 1.** NRS 381.004 is hereby amended to read as follows:

2 381.004 1. The Division of Museums and History is hereby
3 created in the Department.

4 2. The Division consists of the Office of the Administrator and
5 a state system of museums consisting of the following museums and
6 historical societies, which are hereby established as institutions of
7 the Division:

8 (a) The Nevada State Museum ~~in~~ **Carson City;**

9 (b) The Lost City Museum;

10 (c) The Nevada State Museum Las Vegas;

11 (d) The Nevada Historical Society;

12 (e) The East Ely Depot Museum;

13 (f) The Nevada State Railroad Museum in Carson City; and

14 (g) The Nevada State Railroad Museum in Boulder City.

15 3. Each institution shall, in accordance with the duties assigned
16 to it by the Administrator, collect, preserve and interpret the history,
17 prehistory and natural history of this State.

18 **Sec. 2.** NRS 381.0045 is hereby amended to read as follows:

19 381.0045 The Board shall establish:

20 1. Categories of memberships in the institutions and the fees to
21 be charged for the memberships.

22 2. Fees for admission to the institutions. Children under the age
23 of 18 years must be admitted free of charge.

24 3. Fees for train rides provided by an institution.

25 4. Policies and charges for the incidental use, rental and lease
26 of the buildings, equipment, fixtures and other property of the
27 Division and its institutions.

28 ***5. Policies and charges for services provided by the Division***
29 ***and its institutions, including, without limitation, storage,***
30 ***curation, repair and conducting studies.***

31 **Sec. 3.** NRS 381.0063 is hereby amended to read as follows:

32 381.0063 1. The Administrator shall, in accordance with any
33 directive received from the Director pursuant to NRS 232.005,
34 authorize or require each museum director to perform such duties
35 set forth in subsections 2 and 3 as are necessary for the operation of
36 the institution administered by the museum director, after giving
37 consideration to:

38 (a) The size and complexity of the programs the museum
39 director is required to administer;

40 (b) The number of personnel needed to carry out those
41 programs;

42 (c) Requirements for accreditation; and



(d) Such other factors as are relevant to the needs of the institution and the Division.

2. The Administrator may authorize or require a museum director to:

(a) Oversee duties related to the auditing and approval of all bills, claims and accounts of the institution administered by the museum director.

(b) Receive, collect, exchange, preserve, house, care for, document, interpret, display and exhibit, particularly, but not exclusively, respecting the State of Nevada:

(1) Samples of the useful and fine arts, sciences and industries, relics, memorabilia, products, works, records, rare and valuable articles and objects, including, without limitation, drawings, etchings, lithographs, photographs, paintings, statuary, sculpture, fabrics, furniture, implements, machines, geological and mineral specimens, precious, semiprecious and commercial minerals, metals, earths, gems and stones.

(2) Books, papers, records and documents of historic, artistic, literary or industrial value or interest by reason of rarity, representative character or otherwise.

(c) Collect, gather and prepare the natural history of Nevada and the Great Basin.

(d) Establish such programs in history, archeology, anthropology, paleontology, mineralogy, ethnology, ornithology and such other programs as in the judgment of the ~~{Board and}~~ Administrator may be proper and necessary to carry out the objects and purposes appropriate to the institution administered by the museum director.

(e) Receive and collect property from any appropriate agency of the State of Nevada, or from accessions, gifts, exchanges, loans or purchases from any other agencies, persons or sources.

(f) House and preserve, care for and display or exhibit property received by an institution. This paragraph does not prevent the permanent or temporary retention, placement, housing or exhibition of a portion of the property in other places or locations in or outside of the State. ~~{at the sole discretion of the Board.}~~

(g) Make and obtain plans and specifications and let and supervise contracts for work or have the work done on force account or day labor, supplying material or labor, or otherwise.

(h) Receive, accept and obtain by exchange in the name of the State of Nevada all property loaned to the institution administered by the museum director for preservation, care, display or exhibit, or decline and reject the property in his or her discretion, and undertake to be responsible for all property loaned to the institution or make just payment of any reasonable costs or rentals therefor.



(i) Apply for and expend all gifts and grants that the institution administered by the museum director is authorized to accept in accordance with the terms and conditions of the gift or grant.

(j) Govern, manage and control the exhibit and display of all property and things of the institution administered by the museum director at other exhibits, expositions, world's fairs and places of public or private exhibition. Any property of the State of Nevada that may be placed on display or on exhibition at any world's fair or exposition must be taken into custody by the Administrator at the conclusion of the world's fair or exposition and placed and kept in the institution, subject to being removed and again exhibited at the discretion of the Administrator or a person designated by the Administrator.

(k) Negotiate and consult with and agree with other institutions, departments, officers and persons or corporations of and in the State of Nevada and elsewhere respecting quarters for and the preservation, care, transportation, storage, custody, documentation, interpretation, display and exhibit of articles and things controlled by the institutions and respecting the terms and cost, the manner, time, place and extent, and the return thereof.

(l) Trade, exchange and transfer exhibits and duplicates when the Administrator deems it proper. Such transactions shall not be deemed sales.

(m) Establish the qualifications for life, honorary, annual, sustaining and such other memberships as are established by the Board pursuant to NRS 381.0045.

(n) Adopt rules for the internal operations of the institution administered by the museum director, including, without limitation, the operation of equipment of the institution.

(o) Establish procedures that enable the accessibility of the exhibits in an institution administered by the museum director for persons who are blind or visually impaired, including, without limitation, by providing audio guides, audio descriptive displays, tactile displays and experiences, dedicated tours for persons who are blind or visually impaired, Braille signage and descriptions, temporary lighting and adapted educational classes.

3. The Administrator shall require a museum director to serve as, or to designate an employee to serve as, ex officio State Paleontologist. The State Paleontologist shall, within the limits of available time, money and staff:

(a) Systematically inventory the paleontological resources within the State of Nevada;

(b) Compile a database of fossil resources within this State;



(c) Coordinate and promote paleontological research activities within this State, including, without limitation, regulating and issuing permits to engage in such activities;

(d) Disseminate and assist other persons in disseminating information gained from research conducted by the State Paleontologist; and

(e) Display and promote, and assist other persons in displaying and promoting, the paleontological resources of this State to enhance education, culture and tourism within this State.

4. The enumeration of the powers and duties that may be assigned to a museum director pursuant to this section is not exclusive of other general objects and purposes appropriate to a public museum.

5. The provisions of this section do not prohibit the Administrator from making such administrative and organizational changes as are necessary for the efficient operation of the Division and its institutions and to ensure that an institution properly carries out the duties and responsibilities assigned to that institution.

Sec. 4. NRS 381.0068 is hereby amended to read as follows:

381.0068 Notwithstanding any provision of this chapter to the contrary:

1. A person is not required to obtain a permit pursuant to NRS 381.196 if the person has obtained a permit pursuant to federal law for the same purpose; and

2. The Administrator, Museum Director of the Nevada State Museum **Carson City** or the museum director of an institution are not required to provide notice to, consult with or return items to an Indian tribe as required pursuant to this chapter if the Administrator, Museum Director of the Nevada State Museum **Carson City** or the museum director **H** of the institution, as applicable, provides such notice to, consults with or returns items to the Indian tribe in accordance with the repatriation process required pursuant to federal law.

Sec. 5. NRS 381.0069 is hereby amended to read as follows:

381.0069 1. The Museum Director of the Nevada State Museum **Carson City** shall adopt regulations as necessary to carry out the provisions of NRS 381.0066 to 381.0069, inclusive, and 381.195 to 381.227, inclusive, including, without limitation, regulations which set forth the process for repatriation of prehistoric native Indian human remains and funerary objects.

2. Any regulations adopted pursuant to this section must be developed in consultation with Indian tribes and incorporate the values, beliefs and traditions of the Indian tribes as determined and conveyed by the members of the Indian tribes during the consultation with the Museum Director.



Sec. 6. NRS 381.195 is hereby amended to read as follows:

381.195 As used in NRS 381.195 to 381.227, inclusive:

1. "Historic" means from the middle of the 18th century until 50 years before the current year.

2. "Historic site" means a site, landmark or monument of historical significance pertaining to the history of the settlement of Nevada, or Indian campgrounds, shelters, petroglyphs, pictographs and burials.

3. "Museum Director" means the Museum Director of the Nevada State Museum **H Carson City.**

4. "Prehistoric" means before the middle of the 18th century.

5. "Prehistoric site" means any archeological or paleontological site, ruin, deposit, fossilized footprints and other impressions, petroglyphs and pictographs, habitation caves, rock shelters, natural caves, burial ground or sites of religious or cultural importance to an Indian tribe.

Sec. 7. NRS 381.207 is hereby amended to read as follows:

381.207 1. The holder of a permit described in NRS 381.197, except as otherwise provided in subsections 2 and 3, who does work upon aboriginal mounds and earthworks, ancient burial grounds, prehistoric sites, deposits of fossil bones or other archeological and vertebrate paleontological features within the State shall give to the State 50 percent of all articles, implements and materials found or discovered of which the holder retained possession after completion of the process set forth in subsection 4, to be deposited with the Nevada State Museum **H Carson City,** for exhibition or other use within the State as determined by the Museum Director. The Museum Director may accept less than 50 percent of such items. Upon receipt of items pursuant to this subsection, the Museum Director shall notify the Office of Historic Preservation.

2. The holder of a permit described in NRS 381.197 who does any such work within the State under the authority and direction of the Nevada Historical Society, the Nevada State Museum Las Vegas, or an institution or political subdivision of the State shall give 50 percent of all articles, implements and materials found or discovered of which the holder retained possession after completion of the process set forth in subsection 4, to the Society, institution or political subdivision. The holder of the permit may retain the other 50 percent.

3. If the Nevada Historical Society, the Nevada State Museum Las Vegas, or an institution or political subdivision of the State is the holder of the permit, it may retain all articles, implements and materials found or discovered of which it retained possession after completion of the process set forth in subsection 4.



4. If any of the articles, implements or materials found or discovered are prehistoric native Indian human remains or funerary objects, the Museum Director shall:

(a) Provide notice to and consult with each applicable Indian tribe in accordance with NRS 381.0066;

(b) Determine which Indian tribe has the closest cultural affiliation to the prehistoric native Indian human remains or funerary objects in accordance with NRS 381.0067; and

(c) Return any prehistoric native Indian human remains or funerary objects discovered to the closest culturally affiliated Indian tribe in accordance with the repatriation process adopted pursuant to NRS 381.0069, if a request for repatriation is made.

5. Whenever the Office of Historic Preservation acquires articles, implements and materials under the provisions of this section, they must be transferred to the Museum Director for exhibition or other use within the State as determined by the Museum Director.

Sec. 8. NRS 120A.610 is hereby amended to read as follows:

120A.610 1. Except as otherwise provided in subsections 5 to 9, inclusive, all abandoned property other than money delivered to the Administrator under this chapter must, within 2 years after the delivery, be sold by the Administrator to the highest bidder at public sale in whatever manner affords, in his or her judgment, the most favorable market for the property. The Administrator may decline the highest bid and reoffer the property for sale if the Administrator considers the bid to be insufficient.

2. At least 21 days before a sale held under this section, the Administrator shall provide notice to the public of the sale by posting notice of the sale:

(a) At the principal office of the Administrator;

(b) At not less than three other prominent places within this State;

(c) On the website of the Administrator; and

(d) By press release.

3. The Administrator may provide additional notice of a sale held under this section at any time and in any manner that the Administrator selects.

4. The purchaser of property at any sale conducted by the Administrator pursuant to this chapter takes the property free of all claims of the owner or previous holder and of all persons claiming through or under them. The Administrator shall execute all documents necessary to complete the transfer of ownership.

5. Except as otherwise provided in subsection 6, the Administrator need not offer any property for sale if the Administrator considers that the probable cost of the sale will



1 exceed the proceeds of the sale. The Administrator may destroy or
2 otherwise dispose of such property or may transfer it to:

3 (a) The Nevada State Museum Las Vegas, the Nevada State
4 Museum **Carson City** or the Nevada Historical Society, upon its
5 written request, if the property has, in the opinion of the requesting
6 institution, historical, artistic or literary value and is worthy of
7 preservation; or

8 (b) A genealogical library, upon its written request, if the
9 property has genealogical value and is not wanted by the Nevada
10 State Museum Las Vegas, the Nevada State Museum **Carson City** or
11 the Nevada Historical Society.

12 ➤ An action may not be maintained by any person against the
13 holder of the property because of that transfer, disposal or
14 destruction.

15 6. The Administrator shall transfer property to the Department
16 of Veterans Services, upon its written request, if the property has
17 military value.

18 7. Securities delivered to the Administrator pursuant to this
19 chapter may be sold by the Administrator at any time after the
20 delivery. Securities listed on an established stock exchange must be
21 sold at the prevailing price for that security on the exchange at the
22 time of sale. Other securities not listed on an established stock
23 exchange may be sold:

24 (a) Over the counter at the prevailing price for that security at
25 the time of sale; or

26 (b) By any other method the Administrator deems acceptable.

27 8. The Administrator shall hold property that was removed
28 from a safe-deposit box or other safekeeping repository for 1 year
29 after the date of the delivery of the property to the Administrator,
30 unless that property is a will or a codicil to a will, in which case the
31 Administrator shall hold the property for 10 years after the date of
32 the delivery of the property to the Administrator. If no claims are
33 filed for the property within that period and the Administrator
34 determines that the probable cost of the sale of the property will
35 exceed the proceeds of the sale, it may be destroyed.

36 9. All proceeds received by the Administrator from abandoned
37 gift certificates must be accounted for separately in the Abandoned
38 Property Trust Account in the State General Fund. At the end of
39 each fiscal year, before any other money in the Abandoned Property
40 Trust Account is transferred pursuant to NRS 120A.620, the balance
41 in the subaccount created pursuant to this subsection, less any costs,
42 service charges or claims chargeable to the subaccount, must be
43 transferred to the State Education Fund.



Sec. 9. NRS 331.130 is hereby amended to read as follows:

331.130 1. At all times the maintenance of the Capitol Building is under the supervision of the Administrator, and it must be kept clean, orderly and presentable as befitting public property.

2. The former Assembly, Senate and Supreme Court chambers on the second floor of the Capitol Building are under the management of the Museum Director of the Nevada State Museum **Carson City** for the purpose of establishing and maintaining a Government Museum. The remainder of the second floor of the Capitol Building is under the management of the Administrator.

Sec. 10. NRS 331.133 is hereby amended to read as follows:

331.133 The Museum Director of the Nevada State Museum **Carson City** shall:

1. Prepare and present exhibits in the Government Museum.

2. Conduct, in an appropriate manner, tours of the Government Museum.

3. In cooperation with other state agencies and departments, provide for the security of the Government Museum.

Sec. 11. NRS 417.090 is hereby amended to read as follows:

417.090 1. The Director shall:

(a) Assist veterans, and those presently serving in the Armed Forces of the United States who are residents of the State of Nevada, their spouses, domestic partners, widows, widowers, children, dependents, administrators, executors and personal representatives, in preparing, submitting and presenting any claim against the United States, or any state, for insurance, pension, disability compensation, vocational training, education, rehabilitation or any other benefit to which they may be entitled under the laws of the United States or of any of the states, and assist them in obtaining any aid or benefit to which they may be entitled under the laws of the United States or of any of the states.

(b) Aid, assist, encourage and cooperate with every service organization recognized nationally or in this State insofar as the activities of such organizations are for the benefit of veterans, servicemen and servicewomen and the spouses, domestic partners, widows, widowers, children, dependents, administrators, executors or personal representatives of such veterans, servicemen and servicewomen.

(c) Give aid, assistance and counsel to each and every problem, question and situation, individual as well as collective, affecting any veteran, serviceman or servicewoman, or their dependents, or any group of veterans, servicemen and servicewomen, when in their opinion such comes within the scope of this chapter.

(d) Coordinate activities of veterans' organizations.



(e) Serve as a clearinghouse and disseminate information relating to veterans' benefits.

(f) Conduct any studies which will assist veterans to obtain compensation, insurance, pension, disability compensation, vocational training, education, rehabilitation or any other benefit to which veterans may be entitled under the laws of the United States or of any state.

(g) Aid, assist and cooperate with the office of coordinator of services for veterans created in a county pursuant to NRS 244.401.

(h) Take possession of any abandoned or unclaimed artifacts or other property that has military or historical value for safekeeping. The Director may:

(1) Transfer such an artifact or other property to:

(I) The Nevada State Museum **Carson City** or the Nevada Historical Society, upon its written request, if the artifact or other property has, in the opinion of the requesting institution, historical value and is worthy of preservation; or

(II) Any other governmental agency or nonprofit entity, including, without limitation, a veterans' organization and the United States Department of Veterans Affairs, upon its written request, if the artifact or other property was not requested by the Nevada State Museum **Carson City** or the Nevada Historical Society; or

(2) Destroy or otherwise dispose of the artifact or other property.

➡ An action may not be maintained by any person against the holder or former holder of an artifact or other property because of the transfer, destruction or other disposal of the artifact or other property pursuant to this paragraph.

(i) Develop plans and programs to assist veterans who have suffered sexual trauma while on active duty or during military training.

(j) Create and maintain a statewide database of information relating to veterans to assist the Department in identifying and communicating with veterans and connecting veterans with benefits and opportunities for which they are eligible.

(k) Create and maintain a registry of governmental agencies and private entities that provide services and resources to veterans, service members and their families and publish a digital copy of the registry on the Internet website maintained by the Department.

(l) Ensure that each generation of veterans is recognized annually through a ceremony, information campaign or other form of public acknowledgment.

(m) Establish, operate and maintain veterans' cemeteries in this State, and may, within the limits of legislative authorization, employ



1 personnel and purchase equipment and supplies necessary for the
2 operation and maintenance of the cemeteries.

3 (n) Establish, manage, maintain and operate veterans' homes in
4 this State, and may, within the limits of legislative authorization,
5 employ personnel and purchase equipment and supplies necessary
6 for the operation and maintenance of veterans' homes.

7 (o) If the board of county commissioners of any county makes
8 the request required pursuant to subsection 2 of NRS 244.401,
9 provide to the coordinator of services for veterans in the county
10 training and certification as a veterans service officer.

11 (p) If training and certification is requested pursuant to
12 paragraph (o), submit an application, on behalf of the coordinator of
13 services for veterans, to the United States Department of Veterans
14 Affairs for accreditation or official recognition as a veterans service
15 officer.

16 (q) Serve as the primary public advocate for Nevada veterans.

17 (r) Ensure that each person who participates as an advocate for
18 veterans in this State in a volunteer program sponsored by the
19 Department is:

20 (1) Offered the opportunity to participate in annual training;
21 and

22 (2) If requested by the volunteer, provided mentorship.

23 (s) Provide quarterly training to each veterans service officer
24 employed by the Department regarding the benefits, services,
25 programs and assistance available to veterans.

26 (t) Additionally offer the quarterly training described in
27 paragraph (s) to representatives of veterans service organizations
28 who are accredited by the United States Department of Veterans
29 Affairs.

30 (u) Connect veterans experiencing homelessness to housing and
31 organizations that provide support in housing and other related areas
32 to decrease homelessness among veterans.

33 (v) Create, coordinate and support programs and resources for
34 the prevention of suicide among veterans, including, without
35 limitation, programs and resources to increase knowledge of how to
36 recognize the signs of a potentially suicidal veteran and resources to
37 which veterans who are potentially suicidal may be referred.

38 2. The Director shall:

39 (a) Establish an internal policy for guidance to employees of the
40 Department regarding the transfer, destruction or other disposal of
41 artifacts and other property pursuant to paragraph (h) of subsection
42 1; and

43 (b) Post the policy on the Internet website maintained by the
44 Department.



Sec. 12. 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. 13. 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. 14. This act becomes effective on July 1, 2025.

