ASSEMBLY BILL NO. 93–COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF NYE COUNTY)

PREFILED NOVEMBER 18, 2026

Referred to Committee on Government Affairs

SUMMARY—Establishes requirements for governing bodies of counties and cities relating to development agreements. (BDR 22-594)

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

CONTAINS UNFUNDED MANDATE (§ 1)
(REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to local governments; establishing requirements for the governing body of a county or city that plans to enter into certain development agreements to notify, consult and enter into an agreement with certain local governments; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the governing body of a county or city to enter into an agreement concerning the development of land with one or more persons who hold a legal or equitable interest in the land. (NRS 278.0201-278.0207) Existing law also authorizes the governing body of a county or city to negotiate, independently or in conjunction with an interlocal agreement for an area which is largely undeveloped land and which is likely to become developed, a master development agreement to carry out a plan for infrastructure in an area which is undeveloped land and which is likely to become developed. (NRS 278.02591, 278.02598) **Section 1** of this bill requires the governing body of a county or city which plans to enter into an agreement concerning the development of land or a master development agreement to determine whether the agreement or master development agreement will have a significant impact on an adjoining county, city or town. If the governing body determines that there will be a significant impact, **section 1** requires the governing body to: (1) notify the affected local government; (2) allow the affected local

government the opportunity to participate in the development of the agreement or master development agreement; (3) for a master development agreement, establish an analysis of the cost to construct infrastructure in conjunction with the affected local government; and (4) enter into an agreement with the affected local government to equitably allocate the costs of certain infrastructure and services and coordinate the management of impacts directly resulting from the agreement or master development agreement.

Section 3 of this bill provides that the governing body of a county or city must comply with the requirements of **section 1** before it may approve an agreement.

Existing law authorizes the governing body of a county or city to establish, independently or in conjunction with another governing body, an analysis of the cost to construct infrastructure in an area which is undeveloped land and which is likely to become developed. (NRS 278.02591) **Section 5** of this bill provides that the requirement in **section 1** for a governing body to establish this analysis in conjunction with an affected local government is an exception to this authorization.

Section 2 of this bill applies the definitions in existing law relating to planning and zoning to the provisions of **section 1**.

Section 4 of this bill applies the provisions of existing law relating to actions and proceedings for judicial relief, or review from any final action, decision or order of any governing body, commission or board to the provisions of **section 1**.

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

Section 1. Chapter 278 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Before a governing body may enter into an agreement concerning the development of land pursuant to NRS 278.0201 or a master development agreement pursuant to NRS 278.02598, the governing body shall determine whether the agreement or master development agreement may have significant impacts on an adjoining county, city or town.

2. If the governing body determines that the agreement or master development agreement may have significant impacts on an adjacent county, city or town, the governing body must, before approving the agreement or master development agreement:

(a) Notify the affected local government of the proposed agreement or master development agreement;

(b) Allow the affected local government a meaningful opportunity to participate in the development of the agreement or master development agreement;

(c) If the governing body is entering into a master development agreement, establish the analysis of the cost to construct infrastructure described in NRS 278.02591 in conjunction with the affected local government; and

(d) Enter into an agreement with the affected local government to:

(1) Equitably allocate any costs for the development, creation, construction, expansion or improvement of any infrastructure or public services, including, without limitation, housing, transportation infrastructure and facilities, educational facilities, facilities for water and sewer services, facilities for flood control, facilities and services related to public safety, health and criminal justice and social services that the affected local government reasonably expects to incur as a direct result of the agreement or master development agreement; and

(2) Coordinate the management of all impacts that the governing body and affected local government expect as a direct result of the agreement or master development agreement.

3. As used in this section:

(a) "Affected local government" means an adjoining county, city or town that a governing body determines will be significantly impacted by an agreement concerning the development of land or master development agreement.

(b) "Master development agreement" has the meaning ascribed to it in NRS 278.02598.

Sec. 2. NRS 278.010 is hereby amended to read as follows:

278.010 As used in NRS 278.010 to 278.630, inclusive, ***and section 1 of this act,*** unless the context otherwise requires, the words and terms defined in NRS 278.0103 to 278.0195, inclusive, have the meanings ascribed to them in those sections.

Sec. 3. NRS 278.0203 is hereby amended to read as follows:

278.0203 1. The governing body may, if it finds that the provisions of the agreement are consistent with the master plan ~~[,]~~ ***and subject to the requirements of section 1 of this act,*** approve the agreement by ordinance.

2. Within a reasonable time after approval of the agreement, the clerk of the governing body shall cause the original agreement to be recorded with the county recorder or the recorder of Carson City. Upon recordation, the agreement binds all parties and their successors in interest for the duration of the agreement.

Sec. 4. NRS 278.0235 is hereby amended to read as follows:

278.0235 1. No action or proceeding may be commenced for the purpose of seeking judicial relief or review from or with respect to any final action, decision or order of any governing body, commission or board authorized by NRS 278.010 to 278.630, inclusive, ***and section 1 of this act,*** unless the action or proceeding is commenced within 25 days after the date of filing of notice of the final action, decision or order with the clerk or secretary of the governing body, commission or board.

2. A petitioner or cross-petitioner who is seeking judicial review must serve and file a memorandum of points and authorities within 40 days after an action is commenced.

3. The respondent or cross-petitioners shall serve and file a reply memorandum of points and authorities within 30 days after the service of the memorandum of points and authorities.

4. The petition or cross-petitioner may serve and file a reply memorandum of points and authorities within 30 days after service of the reply memorandum.

5. Within 7 days after the expiration of the time within which the petitioner is required to reply, any party may request a hearing. Unless a request for hearing has been filed, the matter shall be deemed submitted.

6. All memoranda of points and authorities filed in proceedings involving petitions for judicial review must be in the form provided for appellate briefs in Rule 28 of the Nevada Rules of Appellate Procedure.

7. The court, for good cause, may extend the times allowed in this section for filing memoranda.

Sec. 5. NRS 278.02591 is hereby amended to read as follows:

278.02591 1. ~~[A]~~ ***Except as otherwise provided in section 1 of this act, a*** governing body may establish, independently or in conjunction with another governing body, an analysis of the cost to construct infrastructure in an area which is undeveloped land and which is likely to become developed.

2. The analysis of the cost to construct infrastructure in an area that is undeveloped land must include, without limitation:

(a) A precise description of the area, either in the form of a legal description or by reference to roadways, lakes and waterways, railroads or similar landmarks, and township, county or city boundaries;

(b) An estimate of the expected total population of the area when the land becomes fully developed;

(c) An assessment of the infrastructure that will be necessary to support the area when it becomes fully developed according to the master plan adopted by the governing body pursuant to NRS 278.220; and

(d) A plan for the development of the infrastructure which includes, without limitation:

(1) Any minimum requirements for the development of infrastructure that have been determined by the regional planning coalition;

(2) A plan to meet the anticipated needs of the area for police and fire protection, parks, roads, regional transportation and flood control facilities when the land becomes fully developed;

(3) An estimate of the date on which each phase of the development will occur;

(4) The manner in which the plan for the development of the infrastructure will be implemented; and

(5) An economic analysis of the cost to plan and develop fully the infrastructure for the area.

3. The governing body may, if it finds that the analysis of the projected need for infrastructure is consistent with the master plan, approve the analysis by ordinance.

Sec. 6. 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. 7. This act becomes effective on July 1, 2027.

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