SENATE BILL NO. 39–SENATOR DALY

PREFILED NOVEMBER 9, 2026

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to public works. (BDR 28-193)

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

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

AN ACT relating to public works; authorizing an action seeking an alternate writ of mandamus to require a public body to award certain contracts and authorizing a court to award attorney's fees and costs to a party that prevails on such an alternate writ of mandamus; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prescribes general procedures and requirements for contracts for a public work. (Chapter 338 of NRS) **Section 1** of this bill authorizes a party found by a court of competent jurisdiction to have legal standing to bring an action in district court against a public body to obtain an alternate writ of mandamus requiring the public body to award a contract pursuant to the provisions of existing law relating to public works if: (1) the public body attempts to award certain contracts in compliance with certain provisions of law relating to public procurement; and (2) the work to be performed pursuant to the contract is not directly related to the normal operation of the public body or the normal maintenance of its property. **Section 1** also authorizes a district court to award reasonable attorney's fees and costs to a party that prevails on such an alternate writ of mandamus.

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

Section 1. Chapter 338 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A party found by a court of competent jurisdiction to have legal standing may bring an action against a public body in district court to obtain an alternate writ of mandamus requiring the public body to award a contract pursuant to the applicable provisions of this chapter if:

(a) The public body attempts to award a contract in compliance with chapter 332 or 333 of NRS, as described in subsection 1 of NRS 338.011; and

(b) The work to be performed pursuant to the contract is not directly related to the normal operation of the public body or the normal maintenance of its property.

2. The district court may award reasonable attorney's fees and costs to the prevailing party in an action filed pursuant to subsection 1.

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