
SENATE BILL NO. 347—SENATOR DONATE

MARCH 21, 2023

JOINT SPONSOR: ASSEMBLYMAN WATTS

Referred to Committee on Education

SUMMARY—Revises provisions relating to higher education.
(BDR 34-119)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 higher education; deconsolidating the Nevada System of Higher Education; separating the University of Nevada from the System; creating a board of trustees for each state college and community college; creating the Nevada Office of Higher Education Administrative Services; providing for the appointment of the Director and employees of the Office and each board of trustees; establishing the powers and duties of each board of trustees; establishing the composition of the University of Nevada and the System; revising the powers and duties of the Board of Regents of the University; revising provisions relating to the duties and responsibilities of certain officers within the University and the System; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Article 11 of the Nevada Constitution, which is known as the Education
2 Article, requires the Nevada Legislature to provide for the establishment of a State
3 University that is controlled by a Board of Regents whose duties are prescribed by
4 law. (Nev. Const. Art. 11, § 4) Existing law provides that the universities, state
5 colleges, community colleges, administrative services, research facilities and
6 departments within the Public Service Division, administered under the direction of
7 the Board of Regents of the University of Nevada, is collectively known as the
8 Nevada System of Higher Education. (NRS 396.020) This bill generally
9 deconsolidates the Nevada System of Higher Education by: (1) separating the



10 universities which constitute the University of Nevada from the System; (2)
11 establishing an individual board of trustees for each state college and community
12 college in this State; and (3) creating the Nevada Office of Higher Education
13 Administrative Services to take over certain functions of the System and to provide
14 certain support to the University and the System.

15 **Sections 54-56** of this bill provide that the State University, known as the
16 University of Nevada and administered by the Board of Regents, consists of
17 campuses known as the University of Nevada, Reno, the University of Nevada, Las
18 Vegas and the Desert Research Institute and any research facilities established
19 within those campuses, in addition to the Public Service Division. **Sections 51-53**
20 of this bill: (1) create a board of trustees for each state college and community
21 college within the System; (2) provide for the appointment by the Governor of the
22 members of each board; and (3) establish the powers and duties of each board.
23 **Sections 46-50** of this bill: (1) create the Nevada Office of Higher Education
24 Administrative Services, which consists of a Director, a Deputy Director and
25 certain divisions; (2) require the Governor to appoint the members of the Office and
26 fix the salary of the Director; and (3) require the Office to provide certain
27 administrative and technical support to the Board of Regents, individual boards of
28 trustees of each state college and community college and the presidents of each
29 institution within the University or System. **Section 56** provides that the Nevada
30 System of Higher Education consists of the state colleges, community colleges and
31 administrative services. **Section 54** defines the term "higher education governing
32 body" to mean the Board of Regents of the University of Nevada and each board of
33 trustees of a state college or community college.

34 **Sections 1-43 and 57-234** of this bill amend various provisions of existing law
35 specifically related to education consistent with the provisions of this bill which:
36 (1) transfer the direction and control of state colleges and community colleges from
37 the Board of Regents to individual boards of trustees for the state and community
38 colleges; and (2) transfer certain other powers and duties to the Office, including,
39 without limitation, provisions relating to certain education loans and scholarships.
40 **Sections 235-463** of this bill similarly amend other provisions of existing law not
41 specifically related to education. **Section 465** of this bill provides for the
42 appointment of certain members to various boards, councils or commissions,
43 consistent with the provisions of this bill, by the Governor, the Chief Justice of the
44 Nevada Supreme Court and the Director of the Office. **Section 466** of this bill
45 requires the Office and each higher education governing body to cooperate in
46 carrying out the provisions of this bill. **Section 467** of this bill provides that any
47 contract, lease or other agreement entered into by the System or the Board of
48 Regents before July 1, 2024, and in effect after July 1, 2024, shall be deemed a
49 contract, lease or agreement entered into with the University, System, Office or
50 higher education governing body, as applicable, consistent with the provisions of
51 this bill.

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

1 **Section 1.** NRS 385.021 is hereby amended to read as follows:
2 385.021 1. The State Board of Education is hereby created.
3 The State Board consists of the following voting members:
4 (a) One member elected by the registered voters of each
5 congressional district described in the shapefile adopted by
6 NRS 304.095;



- 1 (b) One member appointed by the Governor;
2 (c) One member appointed by the Governor, nominated by the
3 Majority Leader of the Senate; and
4 (d) One member appointed by the Governor, nominated by the
5 Speaker of the Assembly.

6 2. In addition to the voting members described in subsection 1,
7 the State Board consists of the following ~~four~~ *five* nonvoting
8 members:

9 (a) One member appointed by the Governor who is a member of
10 a board of trustees of a school district, nominated by the Nevada
11 Association of School Boards;

12 (b) One member appointed by the Governor who is the
13 superintendent of schools of a school district, nominated by the
14 Nevada Association of School Superintendents;

15 (c) ~~One member~~ *Two members* appointed by the Governor
16 ~~who~~, *one of whom* represents the Nevada System of Higher
17 Education, nominated by *the Director of the Nevada Office of*
18 *Higher Education Administrative Services, and one of whom*
19 *represents the University of Nevada, nominated by* the Board of
20 Regents of the University of Nevada; and

21 (d) One member appointed by the Governor who is a pupil
22 enrolled in a public school in this State, nominated by the Nevada
23 Association of Student Councils or its successor organization and in
24 consultation with the Nevada Youth Legislature. After the initial
25 term, the term of the member appointed pursuant to this paragraph
26 commences on June 1 and expires on May 31 of the following year.

27 3. Each member of the State Board elected pursuant to
28 paragraph (a) of subsection 1 must be a qualified elector of the
29 district from which that member is elected.

30 4. Each member appointed pursuant to paragraphs (b), (c) and
31 (d) of subsection 1 and each member appointed pursuant to
32 subsection 2 must be a resident of this State.

33 5. Except as otherwise provided in paragraphs (a) and (c) of
34 subsection 2, a person who is elected to serve as an officer of this
35 State or any political subdivision thereof or a person appointed to
36 serve for the unexpired term of such an office may not serve or
37 continue to serve on the State Board.

38 6. The Governor shall ensure that the members appointed
39 pursuant to paragraphs (b), (c) and (d) of subsection 1 represent the
40 geographic diversity of this State and that:

41 (a) One member is a teacher at a public school selected from a
42 list of three candidates provided by the Nevada State Education
43 Association.

44 (b) One member is the parent or legal guardian of a pupil
45 enrolled in a public school.



1 (c) One member is a person active in a private business or
2 industry of this State.

3 7. After the initial terms, each member:

4 (a) Elected pursuant to paragraph (a) of subsection 1 serves a
5 term of 4 years. A member may be elected to serve not more than
6 three terms but may be appointed to serve pursuant to paragraph (b),
7 (c) or (d) of subsection 1 or subsection 2 after service as an elected
8 member, notwithstanding the number of terms the member served as
9 an elected member.

10 (b) Appointed pursuant to paragraphs (b), (c) and (d) of
11 subsection 1 serves a term of 2 years, except that each member
12 continues to serve until a successor is appointed. A member may be
13 reappointed for additional terms of 2 years in the same manner as
14 the original appointment.

15 (c) Appointed pursuant to subsection 2 serves a term of 1 year.
16 A member may be reappointed for additional terms of 1 year in the
17 same manner as the original appointment.

18 8. If a vacancy occurs during the term of:

19 (a) A member who was elected pursuant to paragraph (a) of
20 subsection 1, the Governor shall appoint a member to fill the
21 vacancy until the next general election, at which election a member
22 must be chosen for the balance of the unexpired term. The appointee
23 must be a qualified elector of the district where the vacancy occurs.

24 (b) A voting member appointed pursuant to paragraph (b), (c) or
25 (d) of subsection 1 or a nonvoting member appointed pursuant to
26 subsection 2, the vacancy must be filled in the same manner as the
27 original appointment for the remainder of the unexpired term.

28 **Sec. 2.** NRS 385.106 is hereby amended to read as follows:

29 385.106 1. The Superintendent of Public Instruction may
30 administer the Higher Education Student Loan Program and may
31 consult with any public officer or private person in the State who
32 may have an interest in higher education or in the Program. The
33 Superintendent of Public Instruction shall notify the State Board at
34 least 30 days in advance if the Superintendent intends to stop
35 administering the Program.

36 2. After receiving notice from the Superintendent of Public
37 Instruction that he or she intends to stop administering the Program,
38 but before the Superintendent actually stops administering it, the
39 State Board, with the concurrence of the Governor, shall designate
40 another public agency or private nonprofit organization to
41 administer the Program in a manner which ensures continued access
42 to the Program by postsecondary schools in this State, including *the*
43 *University of Nevada and* all of the institutions of the Nevada
44 System of Higher Education. The designation may authorize
45 assumption of any reserves or liability accruing to an agency or



1 organization engaged in administering the Program or the guarantee
2 of student loans.

3 3. If the Superintendent of Public Instruction administers the
4 Program, the State Board may:

5 (a) Negotiate and accept federal and other money appropriated
6 and available to insure loans for student educational purposes under
7 the Program.

8 (b) Negotiate and enter into such agreements with other agencies
9 as it deems proper for the administration and conduct of the
10 Program.

11 (c) Accept gifts, grants and contributions from any source that
12 will facilitate and assist the higher education of Nevada residents.

13 **Sec. 3.** NRS 385.111 is hereby amended to read as follows:

14 385.111 1. The State Board shall prepare a plan to improve
15 the achievement of pupils enrolled in the public schools in this
16 State. The plan:

17 (a) Must be prepared in consultation with:

18 (1) Employees of the Department;

19 (2) At least one employee of a school district in a county
20 whose population is 100,000 or more, appointed by the Nevada
21 Association of School Boards;

22 (3) At least one employee of a school district in a county
23 whose population is less than 100,000, appointed by the Nevada
24 Association of School Boards; and

25 (4) At least one representative of the Statewide Council for
26 the Coordination of the Regional Training Programs created by NRS
27 391A.130, appointed by the Council; and

28 (b) May be prepared in consultation with:

29 (1) Representatives of institutions of higher education;

30 (2) Representatives of regional educational laboratories;

31 (3) Representatives of outside consultant groups;

32 (4) Representatives of the regional training programs for the
33 professional development of teachers and administrators created by
34 NRS 391A.120;

35 (5) The Legislative Bureau of Educational Accountability
36 and Program Evaluation; and

37 (6) Other persons who the State Board determines are
38 appropriate.

39 2. On or before March 31 of each year, the State Board shall
40 submit the plan or the revised plan, as applicable, to the:

41 (a) Governor;

42 (b) Joint Interim Standing Committee on Education;

43 (c) Legislative Bureau of Educational Accountability and
44 Program Evaluation;



1 (d) ~~[Board of Regents of the University of Nevada;]~~ Nevada
2 Office of Higher Education Administrative Services and each
3 higher education governing body;

4 (e) Board of trustees of each school district; and

5 (f) Governing body of each charter school.

6 3. As used in this section, "higher education governing body"
7 has the meaning ascribed to it in NRS 396.005.

8 Sec. 4. NRS 385.620 is hereby amended to read as follows:

9 385.620 The Advisory Council shall:

10 1. Review the policy of parental involvement adopted by the
11 State Board and the policy of parental involvement and family
12 engagement adopted by the board of trustees of each school district
13 pursuant to NRS 392.457;

14 2. Review the information relating to communication with and
15 participation, involvement and engagement of parents and families
16 that is included in the annual report of accountability for each school
17 district pursuant to NRS 385A.320 and similar information in the
18 annual report of accountability prepared by the State Public Charter
19 School Authority and *the University of Nevada or* a college ~~for~~
20 ~~university]~~ within the Nevada System of Higher Education that
21 sponsors a charter school pursuant to subsection 3 of
22 NRS 385A.070;

23 3. Review any effective practices carried out in individual
24 school districts to increase parental involvement and family
25 engagement and determine the feasibility of carrying out those
26 practices on a statewide basis;

27 4. Review any effective practices carried out in other states to
28 increase parental involvement and family engagement and
29 determine the feasibility of carrying out those practices in this State;

30 5. Identify methods to communicate effectively and provide
31 outreach to parents, legal guardians and families of pupils who have
32 limited time to become involved in the education of their children
33 for various reasons, including, without limitation, work schedules,
34 single-parent homes and other family obligations;

35 6. Identify the manner in which the level of parental
36 involvement and family engagement affects the performance,
37 attendance and discipline of pupils;

38 7. Identify methods to communicate effectively with and
39 provide outreach to parents, legal guardians and families of pupils
40 who are English learners;

41 8. Determine the necessity for the appointment of a statewide
42 parental involvement and family engagement coordinator or a
43 parental involvement and family engagement coordinator in each
44 school district, or both;



1 9. Work in collaboration with the Office of Parental
2 Involvement and Family Engagement created by NRS 385.630 to
3 carry out the duties prescribed in NRS 385.635; and

4 10. On or before February 1 of each year, submit a report to the
5 Director of the Legislative Counsel Bureau for transmission to the
6 Legislature in odd-numbered years and to the Legislative
7 Commission in even-numbered years, describing the activities of the
8 Advisory Council and any recommendations for legislation.

9 **Sec. 5.** NRS 385A.070 is hereby amended to read as follows:

10 385A.070 1. The board of trustees of each school district in
11 this State, in cooperation with associations recognized by the State
12 Board as representing licensed educational personnel in the district,
13 shall adopt a program providing for the accountability of the school
14 district to the residents of the district and to the State Board for the
15 quality of the schools and the educational achievement of the pupils
16 in the district, including, without limitation, pupils enrolled in
17 charter schools sponsored by the school district. The board of
18 trustees of each school district shall report the information required
19 by NRS 385A.070 to 385A.320, inclusive, for each charter school
20 sponsored by the school district. The information for charter schools
21 must be reported separately.

22 2. The board of trustees of each school district shall, on or
23 before December 31 of each year, prepare for the immediately
24 preceding school year a single annual report of accountability
25 concerning the educational goals and objectives of the school
26 district, the information prescribed by NRS 385A.070 to 385A.320,
27 inclusive, and such other information as is directed by the
28 Superintendent of Public Instruction. A separate reporting for a
29 group of pupils must not be made pursuant to NRS 385A.070 to
30 385A.320, inclusive, if the number of pupils in that group is
31 insufficient to yield statistically reliable information or the results
32 would reveal personally identifiable information about an individual
33 pupil. The Department shall use the mechanism approved by the
34 United States Department of Education for the statewide system of
35 accountability for public schools for determining the minimum
36 number of pupils that must be in a group for that group to yield
37 statistically reliable information.

38 3. The State Public Charter School Authority and *the*
39 *University of Nevada and* each college ~~[or university]~~ within the
40 Nevada System of Higher Education that sponsors a charter school
41 shall, on or before December 31 of each year, prepare for the
42 immediately preceding school year an annual report of
43 accountability of the charter schools sponsored by the State Public
44 Charter School Authority or institution, as applicable, concerning
45 the accountability information prescribed by the Department



1 pursuant to this section. The Department, in consultation with the
2 State Public Charter School Authority and *the University of Nevada*
3 *and* each college ~~{or-university}~~ within the Nevada System of
4 Higher Education that sponsors a charter school, shall prescribe by
5 regulation the information that must be prepared by the State Public
6 Charter School Authority and institution, as applicable, which must
7 include, without limitation, the information contained in subsection
8 2 and NRS 385A.070 to 385A.320, inclusive, as applicable to
9 charter schools. The Department shall provide for public
10 dissemination of the annual report of accountability prepared
11 pursuant to this section by posting a copy of the report on the
12 Internet website maintained by the Department.

13 4. The annual report of accountability prepared pursuant to this
14 section must be presented in an understandable and uniform format
15 and, to the extent practicable, provided in a language that parents
16 can understand.

17 **Sec. 6.** NRS 385A.080 is hereby amended to read as follows:

18 385A.080 1. The Superintendent of Public Instruction shall:

19 (a) Prescribe forms for the reports required pursuant to NRS
20 385A.070 and provide the forms to the respective school districts,
21 the State Public Charter School Authority and *the University of*
22 *Nevada and* each college ~~{or-university}~~ within the Nevada System
23 of Higher Education that sponsors a charter school.

24 (b) Provide statistical information and technical assistance to the
25 school districts, the State Public Charter School Authority *and the*
26 *University of Nevada* and each college ~~{or-university}~~ within the
27 Nevada System of Higher Education that sponsors a charter school
28 to ensure that the reports provide comparable information with
29 respect to each school in each district, each charter school and
30 among the districts and charter schools throughout this State.

31 (c) Consult with a representative of the:

- 32 (1) Nevada State Education Association;
- 33 (2) Nevada Association of School Boards;
- 34 (3) Nevada Association of School Administrators;
- 35 (4) Nevada Parent Teacher Association;
- 36 (5) Budget Division of the Office of Finance;
- 37 (6) Legislative Counsel Bureau; and
- 38 (7) Charter School Association of Nevada,

39 ↪ concerning the program adopted pursuant to subsection 1 of NRS
40 385A.070 and consider any advice or recommendations submitted
41 by the representatives with respect to the program.

42 2. The Superintendent of Public Instruction may consult with
43 representatives of parent groups other than the Nevada Parent
44 Teacher Association concerning the program adopted pursuant to
45 subsection 1 of NRS 385A.070 and consider any advice or



1 recommendations submitted by the representatives with respect to
2 the program.

3 **Sec. 7.** NRS 385A.090 is hereby amended to read as follows:

4 385A.090 1. On or before September 30 of each year:

5 (a) The board of trustees of each school district, the State Public
6 Charter School Authority and *the University of Nevada and* each
7 college ~~{or-university}~~ within the Nevada System of Higher
8 Education that sponsors a charter school shall provide written notice
9 that the report required pursuant to NRS 385A.070 is available on
10 the Internet website maintained by the school district, State Public
11 Charter School Authority or institution, if any, or otherwise provide
12 written notice of the availability of the report. The written notice
13 must be provided to the:

14 (1) Governor;

15 (2) State Board;

16 (3) Department;

17 (4) Committee;

18 (5) Bureau; and

19 (6) The Attorney General, with a specific reference to the
20 information that is reported pursuant to paragraph (e) of subsection
21 1 of NRS 385A.250.

22 (b) The board of trustees of each school district, the State Public
23 Charter School Authority and *the University of Nevada and* each
24 college ~~{or-university}~~ within the Nevada System of Higher
25 Education that sponsors a charter school shall provide for public
26 dissemination of the annual report of accountability prepared
27 pursuant to NRS 385A.070 by posting a copy of the report on the
28 Internet website maintained by the school district, the State Public
29 Charter School Authority or the institution, if any. If a school
30 district does not maintain a website, the district shall otherwise
31 provide for public dissemination of the annual report by providing a
32 copy of the report to the schools in the school district, including,
33 without limitation, each charter school sponsored by the district, the
34 residents of the district, and the parents and guardians of pupils
35 enrolled in schools in the district, including, without limitation, each
36 charter school sponsored by the district. If the State Public Charter
37 School Authority or the institution does not maintain a website, the
38 State Public Charter School Authority or the institution, as
39 applicable, shall otherwise provide for public dissemination of the
40 annual report by providing a copy of the report to each charter
41 school it sponsors and the parents and guardians of pupils enrolled
42 in each charter school it sponsors.

43 2. Upon the request of the Governor, the Attorney General, an
44 entity described in paragraph (a) of subsection 1 or a member of the
45 general public, the board of trustees of a school district, the State



1 Public Charter School Authority or *the University of Nevada* or a
2 college ~~for university~~ within the Nevada System of Higher
3 Education that sponsors a charter school, as applicable, shall provide
4 a portion or portions of the report required pursuant to
5 NRS 385A.070.

6 **Sec. 8.** NRS 385A.240 is hereby amended to read as follows:
7 385A.240 1. The annual report of accountability prepared
8 pursuant to NRS 385A.070 must include information on the
9 attendance, truancy and transiency of pupils, including, without
10 limitation:

11 (a) Records of the attendance and truancy of pupils in all grades,
12 including, without limitation:

13 (1) The average daily attendance of pupils, for each school in
14 the district and the district as a whole, including, without limitation,
15 each charter school sponsored by the district.

16 (2) For each elementary school, middle school and junior
17 high school in the district, including, without limitation, each charter
18 school sponsored by the district that provides instruction to pupils
19 enrolled in a grade level other than high school, information that
20 compares the attendance of the pupils enrolled in the school with the
21 attendance of pupils throughout the district and throughout this
22 State. The information required by this subparagraph must be
23 provided in consultation with the Department to ensure the accuracy
24 of the comparison.

25 (b) The number of pupils in each grade who are retained in the
26 same grade pursuant to NRS 392.033, 392.125 or 392.760, for each
27 school in the district and the district as a whole, including, without
28 limitation, each charter school sponsored by the district.

29 (c) The transiency rate of pupils for each school in the district
30 and the district as a whole, including, without limitation, each
31 charter school sponsored by the district. For the purposes of this
32 paragraph, a pupil is not transient if the pupil is transferred to a
33 different school within the school district as a result of a change in
34 the zone of attendance by the board of trustees of the school district
35 pursuant to NRS 388.040.

36 (d) The number of habitual truants reported for each school in
37 the district and for the district as a whole, including, without
38 limitation, the number who are:

39 (1) Reported to an attendance officer, a school police officer
40 or a local law enforcement agency pursuant to paragraph (a) of
41 subsection 2 of NRS 392.144;

42 (2) Referred to an advisory board to review school
43 attendance pursuant to paragraph (b) of subsection 2 of NRS
44 392.144; and



1 (3) Referred for the imposition of administrative sanctions
2 pursuant to paragraph (c) of subsection 2 of NRS 392.144.

3 2. The information included pursuant to subsection 1 must
4 allow such information to be disaggregated by:

5 (a) Pupils who are economically disadvantaged;

6 (b) Pupils from major racial and ethnic groups;

7 (c) Pupils with disabilities;

8 (d) Pupils who are English learners;

9 (e) Pupils who are migratory children;

10 (f) Gender;

11 (g) Pupils who are homeless;

12 (h) Pupils in foster care; and

13 (i) Pupils whose parent or guardian is a member of the Armed
14 Forces of the United States, a reserve component thereof or the
15 National Guard.

16 3. On or before September 30 of each year:

17 (a) The board of trustees of each school district shall submit to
18 each advisory board to review school attendance created in the
19 county pursuant to NRS 392.126 the information required by
20 paragraph (a) of subsection 1.

21 (b) The State Public Charter School Authority and *the*
22 *University of Nevada and* each college ~~[or university]~~ within the
23 Nevada System of Higher Education that sponsors a charter school
24 shall submit to each advisory board to review school attendance
25 created in a county pursuant to NRS 392.126 the information
26 regarding the records of the attendance and truancy of pupils
27 enrolled in the charter school located in that county, if any, in
28 accordance with the regulations prescribed by the Department
29 pursuant to subsection 3 of NRS 385A.070.

30 **Sec. 9.** NRS 385A.260 is hereby amended to read as follows:

31 385A.260 The annual report of accountability prepared
32 pursuant to NRS 385A.070 must include information on the
33 graduation and drop-out rates of pupils and the enrollment of pupils
34 in remedial courses in college, including, without limitation:

35 1. For each school in the district and the district as a whole,
36 including, without limitation, each charter school sponsored by the
37 district, the number and percentage of pupils who received:

38 (a) A standard high school diploma.

39 (b) An adult diploma.

40 (c) An adjusted diploma.

41 (d) An alternative diploma.

42 2. For each high school in the district, including, without
43 limitation, each charter school sponsored by the district that operates
44 as a high school, information that provides a comparison of the rate
45 of graduation of pupils enrolled in the high school with the rate of



1 graduation of pupils throughout the district and throughout this
2 State. The information required by this subsection must be provided
3 in consultation with the Department to ensure the accuracy of the
4 comparison.

5 3. The annual rate of pupils who drop out of school in grade 8
6 and a separate reporting of the annual rate of pupils who drop out of
7 school in grades 9 to 12, inclusive, for each such grade, for each
8 school in the district and for the district as a whole. The reporting
9 for pupils in grades 9 to 12, inclusive, excludes pupils who:

10 (a) Provide proof to the school district of successful completion
11 of the high school equivalency assessment selected by the State
12 Board pursuant to NRS 390.055.

13 (b) Are enrolled in courses that are approved by the Department
14 as meeting the requirements for an adult standard diploma.

15 (c) Withdraw from school to attend another school.

16 4. For each high school in the district, including, without
17 limitation, each charter school sponsored by the district, the
18 percentage of pupils who graduated from that high school or charter
19 school in the immediately preceding school year and enrolled in
20 remedial courses in reading, writing or mathematics at *the*
21 *University of Nevada or* a ~~university,~~ state college or community
22 college within the Nevada System of Higher Education.

23 **Sec. 10.** NRS 385A.400 is hereby amended to read as follows:

24 385A.400 1. The State Board shall, on or before January 15
25 of each year, prepare for the immediately preceding school year a
26 single annual report of accountability that includes, without
27 limitation the information prescribed by NRS 385A.400 to
28 385A.520, inclusive.

29 2. A separate reporting for a group of pupils must not be made
30 pursuant to NRS 385A.400 to 385A.520, inclusive, if the number of
31 pupils in that group is insufficient to yield statistically reliable
32 information or the results would reveal personally identifiable
33 information about an individual pupil. The Department shall use the
34 mechanism approved by the United States Department of Education
35 for the statewide system of accountability for public schools for
36 determining the minimum number of pupils that must be in a group
37 for that group to yield statistically reliable information.

38 3. The annual report of accountability must:

39 (a) Be prepared in a concise manner; and

40 (b) Be presented in an understandable and uniform format and,
41 to the extent practicable, provided in a language that parents can
42 understand.

43 4. On or before January 15 of each year, the State Board shall
44 provide for public dissemination of the annual report of



1 accountability by posting a copy of the report on the Internet
2 website maintained by the Department.

3 5. Upon the request of the Governor, the Attorney General, the
4 Committee, the Bureau, ~~the Board of Regents of the University of~~
5 ~~Nevada,~~ a higher education governing body, the Nevada Office of
6 Higher Education Administrative Services, the board of trustees of
7 a school district, the State Public Charter School Authority, the
8 University of Nevada, a college ~~for university~~ within the Nevada
9 System of Higher Education, the governing body of a charter school
10 or a member of the general public, the State Board shall provide a
11 portion or portions of the annual report of accountability.

12 6. As used in this section, "higher education governing body"
13 has the meaning ascribed to it in NRS 396.005.

14 **Sec. 11.** NRS 385A.470 is hereby amended to read as follows:

15 385A.470 The annual report of accountability prepared by the
16 State Board pursuant to NRS 385A.400 must include information on
17 the graduation and drop-out rates of pupils and the enrollment of
18 pupils in remedial courses in college, including, without limitation:

19 1. For each school district, including, without limitation, each
20 charter school in the district, and for this State as a whole, the
21 number and percentage of pupils who received:

- 22 (a) A standard high school diploma.
- 23 (b) An adult diploma.
- 24 (c) An adjusted diploma.
- 25 (d) An alternative diploma.

26 2. The annual rate of pupils who drop out of school in grade 8
27 and a separate reporting of the annual rate of pupils who drop out of
28 school in grades 9 to 12, inclusive, reported for each school district,
29 including, without limitation, each charter school in the district, and
30 for this State as a whole. The reporting for pupils in grades 9 to 12,
31 inclusive, excludes pupils who:

- 32 (a) Provide proof to the school district of successful completion
33 of the high school equivalency assessment selected by the State
34 Board pursuant to NRS 390.055.
- 35 (b) Are enrolled in courses that are approved by the Department
36 as meeting the requirements for an adult standard diploma.
- 37 (c) Withdraw from school to attend another school.

38 3. The percentage of pupils who graduated from a high school
39 or charter school in the immediately preceding year and enrolled in
40 remedial courses in reading, writing or mathematics at the
41 University of Nevada or a ~~university,~~ state college or community
42 college within the Nevada System of Higher Education, reported for
43 each school district, including, without limitation, each charter
44 school in the district, and for this State as a whole.



1 **Sec. 12.** NRS 385A.670 is hereby amended to read as follows:
2 385A.670 1. On or before July 31 of each year, the
3 Department shall determine whether each public school is meeting
4 the school achievement targets and performance targets established
5 pursuant to the statewide system of accountability for public
6 schools.

7 2. The determination pursuant to subsection 1 for a public
8 school, including, without limitation, a charter school sponsored by
9 the board of trustees of the school district, must be made in
10 consultation with the board of trustees of the school district in which
11 the public school is located. If a charter school is sponsored by the
12 State Public Charter School Authority or *the University of Nevada*
13 *or* a college ~~for university~~ within the Nevada System of Higher
14 Education, the Department shall make a determination for the
15 charter school in consultation with the State Public Charter School
16 Authority or the institution within *the University of Nevada or* the
17 Nevada System of Higher Education that sponsors the charter
18 school, as applicable. The determination made for each school must
19 be based only upon the information and data for those pupils who
20 are enrolled in the school for a full academic year. On or before
21 July 31 of each year, the Department shall transmit:

22 (a) Except as otherwise provided in paragraph (b) or (c), the
23 determination made for each public school to the board of trustees
24 of the school district in which the public school is located.

25 (b) To the State Public Charter School Authority the
26 determination made for each charter school that is sponsored by the
27 State Public Charter School Authority.

28 (c) The determination made for the charter school to the
29 institution that sponsors the charter school if a charter school is
30 sponsored by *the University of Nevada or* a college ~~for university~~
31 within the Nevada System of Higher Education.

32 3. If the number of pupils in a particular group who are
33 enrolled in a public school is insufficient to yield statistically
34 reliable information:

35 (a) The Department shall not determine that the school has
36 failed to meet the performance targets established pursuant to the
37 statewide system of accountability for public schools based solely
38 upon that particular group.

39 (b) The pupils in such a group must be included in the overall
40 count of pupils enrolled in the school who took the examinations.

41 ➔ The Department shall use the mechanism approved by the United
42 States Department of Education for the statewide system of
43 accountability for public schools for determining the number of
44 pupils that must be in a group for that group to yield statistically
45 reliable information.



1 4. If an irregularity in testing administration or an irregularity
2 in testing security occurs at a school and the irregularity invalidates
3 the test scores of pupils, those test scores must be included in the
4 scores of pupils reported for the school, the attendance of those
5 pupils must be counted towards the total number of pupils who took
6 the examinations and the pupils must be included in the total
7 number of pupils who were required to take the examinations.

8 5. As used in this section:

9 (a) "Irregularity in testing administration" has the meaning
10 ascribed to it in NRS 390.255.

11 (b) "Irregularity in testing security" has the meaning ascribed to
12 it in NRS 390.260.

13 **Sec. 13.** NRS 385A.720 is hereby amended to read as follows:
14 385A.720 1. Except as otherwise provided in subsection 3:

15 (a) Based upon the information received from the Department
16 pursuant to NRS 385A.670, the board of trustees of each school
17 district shall, on or before August 15 of each year, issue a
18 preliminary rating for each public school in the school district in
19 accordance with the statewide system of accountability for public
20 schools, excluding charter schools sponsored by the State Public
21 Charter School Authority or *the University of Nevada or* a college
22 ~~for university~~ within the Nevada System of Higher Education.

23 (b) The board of trustees shall make preliminary ratings for all
24 charter schools that are sponsored by the board of trustees.

25 (c) The Department shall make preliminary ratings for all
26 charter schools sponsored by the State Public Charter School
27 Authority and all charter schools sponsored by *the University of*
28 *Nevada or* a college ~~for university~~ within the Nevada System of
29 Higher Education.

30 2. Except as otherwise provided in subsection 3:

31 (a) Before making a final rating for a school, the board of
32 trustees of the school district or the Department, as applicable, shall
33 provide the school an opportunity to review the data upon which the
34 preliminary rating is based and to present evidence.

35 (b) If the school is a public school of the school district or a
36 charter school sponsored by the board of trustees, the board of
37 trustees of the school district shall, in consultation with the
38 Department, make a final determination concerning the rating for
39 the school on September 15.

40 (c) If the school is a charter school sponsored by the State Public
41 Charter School Authority or *the University of Nevada or* a college
42 ~~for university~~ within the Nevada System of Higher Education, the
43 Department shall make a final determination concerning the rating
44 for the school on September 15.



1 3. The Department may temporarily waive or otherwise pause
2 the requirement to make ratings for public schools that comply with
3 20 U.S.C. § 6311(c) pursuant to this section if the United States
4 Department of Education grants a waiver from or otherwise pauses
5 the requirements of 20 U.S.C. § 6311(c).

6 4. On or before September 15 of each year, the Department
7 shall post on the Internet website maintained by the Department the
8 determinations and final ratings made for all schools in this State.

9 **Sec. 14.** NRS 385A.800 is hereby amended to read as follows:

10 385A.800 1. The Department shall establish and maintain an
11 automated system of accountability information for Nevada. The
12 system must:

13 (a) Have the capacity to provide and report information,
14 including, without limitation, the results of the achievement of
15 pupils:

16 (1) In the manner required by 20 U.S.C. §§ 6301 et seq., and
17 the regulations adopted pursuant thereto, and NRS 385A.070 and
18 385A.400; and

19 (2) In a separate reporting for each group of pupils identified
20 in the statewide system of accountability for public schools;

21 (b) Include a system of unique identification for each pupil:

22 (1) To ensure that individual pupils may be tracked over time
23 throughout this State;

24 (2) That, to the extent practicable, may be used for purposes
25 of identifying a pupil for both the public schools and the *University*
26 *of Nevada or* Nevada System of Higher Education, if that pupil
27 enrolls in the *University or* System after graduation from high
28 school; and

29 (3) Which must, to the extent money is available for this
30 purpose, include, without limitation, a unique identifier for each
31 pupil whose parent or guardian is a member of the Armed Forces of
32 the United States, a reserve component thereof or the National
33 Guard in a manner that will allow for the disaggregation of each
34 category;

35 (c) Have the capacity to provide longitudinal comparisons of the
36 academic achievement, rate of attendance and rate of graduation of
37 pupils over time throughout this State;

38 (d) Have the capacity to perform a variety of longitudinal
39 analyses of the results of individual pupils on assessments,
40 including, without limitation, the results of pupils by classroom and
41 by school;

42 (e) Have the capacity to identify which teachers are assigned to
43 individual pupils;

44 (f) Have the capacity to provide other information concerning
45 schools and school districts that is not linked to individual pupils,



1 including, without limitation, the ratings of schools and, if available,
2 school districts pursuant to the statewide system of accountability
3 for public schools and an identification of which schools, if any, are
4 persistently dangerous;

5 (g) Have the capacity to access financial accountability
6 information for each public school, including, without limitation,
7 each charter school, for each school district and for this State as a
8 whole; and

9 (h) Be designed to improve the ability of the Department, the
10 sponsors of charter schools, the school districts and the public
11 schools in this State, including, without limitation, charter schools,
12 to account for the pupils who are enrolled in the public schools,
13 including, without limitation, charter schools.

14 ↪ The information maintained pursuant to paragraphs (c), (d) and
15 (e) must be used for the purpose of improving the achievement of
16 pupils and improving classroom instruction.

17 2. The Department shall establish, to the extent authorized by
18 the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §
19 1232g, and any regulations adopted pursuant thereto, a mechanism
20 by which persons or entities, including, without limitation, state
21 officers who are members of the Executive or Legislative Branch,
22 administrators of public schools and school districts, teachers and
23 other educational personnel, and parents and guardians, will have
24 different types of access to the accountability information contained
25 within the automated system to the extent that such information is
26 necessary for the performance of a duty or to the extent that such
27 information may be made available to the general public without
28 posing a threat to the confidentiality of an individual pupil.

29 3. On or before December 31 of each year, the Department
30 shall share with the Interagency Council on Veterans Affairs
31 aggregate data collected pursuant to subsection 1 concerning each
32 pupil whose parent or guardian is a member of the Armed Forces of
33 the United States, a reserve component thereof or the National
34 Guard.

35 4. The Department may, to the extent authorized by the Family
36 Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g,
37 and any regulations adopted pursuant thereto, enter into an
38 agreement with *the University of Nevada or* the Nevada System of
39 Higher Education , *or both*, to provide access to data contained
40 within the automated system for research purposes.

41 **Sec. 15.** NRS 388.205 is hereby amended to read as follows:

42 388.205 1. The board of trustees of each school district shall
43 adopt a policy for each public school in the school district in which
44 ninth grade pupils are enrolled to develop a 4-year academic plan
45 for each of those pupils. Except as otherwise provided in



1 subsection 4, the policy must require each public school to provide
2 each pupil with an academic plan at the beginning of the pupil's
3 ninth grade year. The academic plan must set forth the specific
4 educational goals established pursuant to subsection 7 each year and
5 the steps that the pupil intends to take in order to achieve those
6 goals. The plan may include, without limitation, the designation of a
7 career pathway and enrollment in dual credit courses, career and
8 technical education courses, advanced placement courses and
9 honors courses.

10 2. The policy must ensure that each pupil enrolled in ninth
11 grade and the pupil's parent or legal guardian are provided with, to
12 the extent practicable, information regarding:

13 (a) The advanced placement courses, honors courses,
14 international baccalaureate courses, dual credit courses, career and
15 technical education courses, including, without limitation, career
16 and technical skills-building programs, and any other educational
17 programs, pathways or courses available to the pupil which will
18 assist the pupil in the advancement of his or her education;

19 (b) The requirements for graduation from high school with a
20 diploma and the types of diplomas available;

21 (c) The requirements for admission to *the University of Nevada*
22 *and* the Nevada System of Higher Education, including, without
23 limitation, the average score on the college and career readiness
24 assessment administered pursuant to NRS 390.610 of students
25 admitted to *the University of Nevada and* each community college
26 ~~[]~~ or state college ~~[or university]~~ in the Nevada System of Higher
27 Education, and the eligibility requirements for a Governor Guinn
28 Millennium Scholarship;

29 (d) The Free Application for Federal Student Aid and advice
30 concerning how to finance enrollment in an institution that provides
31 postsecondary and vocational education; and

32 (e) The charter schools within the school district.

33 3. The policy required by subsection 1 must require each pupil
34 enrolled in ninth grade and the pupil's parent or legal guardian to:

35 (a) Be notified of opportunities to work in consultation with a
36 school counselor to develop and review an academic plan for the
37 pupil;

38 (b) Sign the academic plan; and

39 (c) Review the academic plan at least once each school year in
40 consultation with a school counselor and revise the plan if
41 necessary.

42 4. If a pupil enrolls in a high school after ninth grade, an
43 academic plan must be developed for that pupil as soon as
44 reasonably practicable with appropriate modifications for the grade
45 level of the pupil.



1 5. If an academic plan for a pupil includes enrollment in a dual
2 credit course, the plan must address how the dual credit course will
3 enable the pupil to achieve his or her postgraduation goals.

4 6. An academic plan for a pupil must be used as a guide for the
5 pupil and the parent or legal guardian of the pupil to plan, monitor
6 and manage the pupil's educational and occupational development
7 and make determinations of the appropriate courses of study for the
8 pupil. If a pupil does not satisfy all the goals set forth in the
9 academic plan, the pupil is eligible to graduate and receive a high
10 school diploma if the pupil otherwise satisfies the requirements for a
11 diploma.

12 7. Except as otherwise provided in subsection 4, a school
13 counselor shall establish specific educational goals for each pupil in
14 consultation with the pupil and the parent or legal guardian of the
15 pupil, to the extent practicable, at the beginning of each pupil's
16 ninth grade year and as a part of the review conducted pursuant to
17 paragraph (c) of subsection 3.

18 8. The policy adopted pursuant to subsection 1 must require
19 each public school in the school district to:

20 (a) Develop a procedure to identify a homeless pupil,
21 unaccompanied pupil or pupil who lives in foster care; and

22 (b) Review the academic plan for each such pupil and adjust the
23 plan as appropriate to maximize the accrual of credits by the pupil
24 and the progress of the pupil towards graduation.

25 9. As used in this section:

26 (a) "Foster care" has the meaning ascribed to it in 45 C.F.R.
27 § 1355.20.

28 (b) "Homeless pupil" has the meaning ascribed to the term
29 "homeless children and youths" in 42 U.S.C. § 11434a(2).

30 (c) "Unaccompanied pupil" has the meaning ascribed to the term
31 "unaccompanied youth" in 42 U.S.C. § 11434a(6).

32 **Sec. 16.** NRS 388.5968 is hereby amended to read as follows:

33 388.5968 The State Financial Literacy Advisory Council
34 created by NRS 388.5966 shall:

35 1. Develop a strategic plan for the development of educational
36 resources in financial literacy to serve as a foundation for
37 professional development for pupils;

38 2. Identify learning activities targeted toward the standards and
39 criteria of a curriculum in financial literacy;

40 3. Develop and facilitate, in coordination with the Department:

41 (a) The Financial Literacy Month, including, without limitation,
42 Student Smart Week, Money Week and the parent and family
43 engagement summit established pursuant to NRS 388.5964; and

44 (b) The annual summit for educators established pursuant to
45 NRS 391A.210;



1 4. In accordance with NRS 388.5962, develop the criteria a
2 pupil must meet to be awarded the State Seal of Financial Literacy;

3 5. Apply for grants, gifts and donations of money to carry out
4 the objectives of the Council; and

5 6. Prepare a written report which includes, without limitation,
6 recommendations concerning the instruction and curriculum in
7 financial literacy and the activities of the Council and, on or before
8 January 31 of each even-numbered year, submit a copy of the report
9 to the Superintendent of Public Instruction, the Chancellor of the
10 *University of Nevada* ~~{System of Higher Education,}~~, *each higher*
11 *education governing body, as defined in NRS 396.005*, the Joint
12 Interim Standing Committee on Education and the Governor.

13 **Sec. 17.** NRS 388.790 is hereby amended to read as follows:

14 388.790 1. The Commission on Educational Technology,
15 consisting of 2 members who serve ex officio and 11 members who
16 are appointed, is hereby created. The Superintendent of Public
17 Instruction and the Administrator of the Division of Enterprise
18 Information Technology Services of the Department of
19 Administration shall serve ex officio as nonvoting members of the
20 Commission.

21 2. The Governor shall appoint the following voting members to
22 the Commission, at least two of whom must reside in a county
23 whose population is less than 100,000:

24 (a) One administrator in a public school who possesses
25 knowledge and experience in the general application of technology;

26 (b) One school teacher in a public elementary school who
27 possesses knowledge and experience in the use of educational
28 technology in the public schools;

29 (c) One school teacher in a public secondary school who
30 possesses knowledge and experience in the use of educational
31 technology in the public schools;

32 (d) One representative of public libraries who possesses
33 knowledge and experience in the general application of technology;

34 (e) One representative of *the University of Nevada or* the
35 Nevada System of Higher Education who possesses knowledge and
36 experience in the use of educational technology in institutions of
37 higher education;

38 (f) One representative of the private sector who possesses
39 knowledge and experience in the use of technology; and

40 (g) One parent or legal guardian who possesses knowledge and
41 experience in the general application of technology.

42 3. The Majority Leader of the Senate shall appoint two voting
43 members to the Commission:

44 (a) One of whom is a member of the Senate; and

45 (b) One of whom is employed in the field of technology.



1 4. The Speaker of the Assembly shall appoint two voting
2 members to the Commission:

- 3 (a) One of whom is a member of the Assembly; and
4 (b) One of whom is employed in the field of technology.

5 5. The Governor shall appoint a Chair among the voting
6 members of the Commission.

7 6. After the initial terms, the term of each member of the
8 Commission is 2 years, commencing on January 1 of the year in
9 which the member is appointed and expiring on December 31 of the
10 immediately following year. A member shall continue to serve on
11 the Commission until his or her successor is appointed. Upon the
12 expiration of a term of a member, he or she may be reappointed if he
13 or she still possesses any requisite qualifications for appointment.
14 There is no limit on the number of terms that a member may serve.

15 7. The person or entity who appoints a member to the
16 Commission may remove that member if the member neglects his or
17 her duty or commits malfeasance in office, or for other just cause.
18 Any vacancy in the membership of the Commission must be filled
19 for the remainder of the unexpired term in the same manner as the
20 original appointment.

21 8. The Commission shall hold at least four regular meetings
22 each year and may hold special meetings at the call of the Chair.

23 9. Members of the Commission who are not Legislators serve
24 without compensation, except that for each day or portion of a day
25 during which a member of the Commission attends a meeting of the
26 Commission or is otherwise engaged in the business of the
27 Commission, the member is entitled to receive the per diem
28 allowance and travel expenses provided for state officers and
29 employees generally.

30 10. For each day or portion of a day during which a member of
31 the Commission who is a Legislator attends a meeting of
32 the Commission or is otherwise engaged in the work of the
33 Commission, except during a regular or special session of the
34 Legislature, the Legislator is entitled to receive the:

35 (a) Compensation provided for a majority of the members of the
36 Legislature during the first 60 days of the preceding session;

37 (b) Per diem allowance provided for state officers and
38 employees generally; and

39 (c) Travel expenses provided pursuant to NRS 218A.655.

40 ➔ The compensation, per diem allowances and travel expenses of
41 the legislative members of the Commission must be paid from the
42 Legislative Fund.



1 **Sec. 18.** NRS 388.795 is hereby amended to read as follows:
2 388.795 1. The Commission shall establish a plan for the use
3 of educational technology in the public schools of this State. In
4 preparing the plan, the Commission shall consider:

5 (a) Plans that have been adopted by the Department and the
6 school districts and charter schools in this State;

7 (b) Plans that have been adopted in other states;

8 (c) The information reported pursuant to NRS 385A.310 and
9 similar information included in the annual report of accountability
10 information prepared by the State Public Charter School Authority
11 and *the University of Nevada or* a college ~~for university~~ within the
12 Nevada System of Higher Education that sponsors a charter school
13 pursuant to subsection 3 of NRS 385A.070;

14 (d) The results of the assessment of needs conducted pursuant to
15 subsection 6; and

16 (e) Any other information that the Commission or the
17 Committee deems relevant to the preparation of the plan.

18 2. The plan established by the Commission must include
19 recommendations for methods to:

20 (a) Incorporate educational technology into the public schools of
21 this State;

22 (b) Increase the number of pupils in the public schools of this
23 State who have access to educational technology;

24 (c) Increase the availability of educational technology to assist
25 licensed teachers and other educational personnel in complying with
26 the requirements of continuing education, including, without
27 limitation, the receipt of credit for college courses completed
28 through the use of educational technology;

29 (d) Facilitate the exchange of ideas to improve the achievement
30 of pupils who are enrolled in the public schools of this State; and

31 (e) Address the needs of teachers in incorporating the use of
32 educational technology in the classroom, including, without
33 limitation, the completion of training that is sufficient to enable the
34 teachers to instruct pupils in the use of educational technology.

35 3. The Department shall provide:

36 (a) Administrative support;

37 (b) Equipment; and

38 (c) Office space,

39 ↪ as is necessary for the Commission to carry out the provisions of
40 this section.

41 4. The following entities shall cooperate with the Commission
42 in carrying out the provisions of this section:

43 (a) The State Board.

44 (b) The board of trustees of each school district.

45 (c) The superintendent of schools of each school district.



1 (d) The Department.

2 5. The Commission shall:

3 (a) Develop technical standards for educational technology and
4 any electrical or structural appurtenances necessary thereto,
5 including, without limitation, uniform specifications for computer
6 hardware and wiring, to ensure that such technology is compatible,
7 uniform and can be interconnected throughout the public schools of
8 this State.

9 (b) Allocate money to the school districts from the Trust Fund
10 for Educational Technology created pursuant to NRS 388.800 and
11 any money appropriated by the Legislature for educational
12 technology, subject to any priorities for such allocation established
13 by the Legislature.

14 (c) Establish criteria for the board of trustees of a school district
15 that receives an allocation of money from the Commission to:

16 (1) Repair, replace and maintain computer systems.

17 (2) Upgrade and improve computer hardware and software
18 and other educational technology.

19 (3) Provide training, installation and technical support related
20 to the use of educational technology within the district.

21 (d) Submit to the Governor, the Committee and the Department
22 its plan for the use of educational technology in the public schools
23 of this State and any recommendations for legislation.

24 (e) Review the plan annually and make revisions as it deems
25 necessary or as directed by the Committee or the Department.

26 (f) In addition to the recommendations set forth in the plan
27 pursuant to subsection 2, make further recommendations to the
28 Committee and the Department as the Commission deems
29 necessary.

30 6. During the spring semester of each even-numbered school
31 year, the Commission shall conduct an assessment of the needs of
32 each school district relating to educational technology. In
33 conducting the assessment, the Commission shall consider:

34 (a) The recommendations set forth in the plan pursuant to
35 subsection 2;

36 (b) The plan for educational technology of each school district,
37 if applicable;

38 (c) Evaluations of educational technology conducted for the
39 State or for a school district, if applicable; and

40 (d) Any other information deemed relevant by the Commission.

41 ➔ The Commission shall submit a final written report of the
42 assessment to the Superintendent of Public Instruction on or before
43 April 1 of each even-numbered year.

44 7. The Superintendent of Public Instruction shall prepare a
45 written compilation of the results of the assessment conducted by



1 the Commission and transmit the written compilation on or before
2 June 1 of each even-numbered year to the Committee and to the
3 Director of the Legislative Counsel Bureau for transmission to the
4 next regular session of the Legislature.

5 8. The Commission may appoint an advisory committee
6 composed of members of the Commission or other qualified persons
7 to provide recommendations to the Commission regarding standards
8 for the establishment, coordination and use of a telecommunications
9 network in the public schools throughout the various school districts
10 in this State. The advisory committee serves at the pleasure of the
11 Commission and without compensation unless an appropriation or
12 other money for that purpose is provided by the Legislature.

13 9. As used in this section, "public school" includes the Caliente
14 Youth Center, the Nevada Youth Training Center and any other
15 state facility for the detention of children that is operated pursuant to
16 title 5 of NRS.

17 **Sec. 19.** NRS 388.834 is hereby amended to read as follows:

18 388.834 1. The Department shall prepare and publish a list of
19 courses of distance education that satisfy the requirements of NRS
20 388.820 to 388.874, inclusive, and all other applicable statutes and
21 regulations. If an application to provide a program of distance
22 education is approved pursuant to NRS 388.838, the Department
23 shall automatically include on the list each course of study included
24 within that program if the course of study had not been approved
25 pursuant to this section before submission of the application to
26 provide the program.

27 2. A person or entity that has developed a course of distance
28 education, including, without limitation, a vendor of a course of
29 distance education, *the University of Nevada or* the Nevada System
30 of Higher Education or other postsecondary educational institution,
31 a board of trustees of a school district or a governing body of a
32 charter school, may submit an application for inclusion of the course
33 on the list prepared by the Department. The Department shall
34 approve an application if the application satisfies the requirements
35 of NRS 388.820 to 388.874, inclusive, and all other applicable
36 statutes and regulations. The Department shall provide written
37 notice to the applicant of its approval or denial of the application.

38 3. If the Department denies an application, the Department
39 shall include in the written notice the reasons for the denial and the
40 deficiencies of the application. The applicant must be granted 30
41 days after receipt of the written notice to correct any deficiencies
42 identified in the written notice and resubmit the application. The
43 Department shall approve an application that has been resubmitted
44 pursuant to this subsection if the application satisfies the



1 requirements of NRS 388.820 to 388.874, inclusive, and all other
2 applicable statutes and regulations.

3 **Sec. 20.** NRS 388A.105 is hereby amended to read as follows:

4 388A.105 The Department shall adopt regulations that
5 prescribe:

6 1. The process for submission of an application pursuant to
7 NRS 388A.220 by the board of trustees of a school district or *the*
8 *University of Nevada or* a college ~~for university~~ within the Nevada
9 System of Higher Education to the Department for authorization to
10 sponsor charter schools, the contents of the application, the process
11 for the Department to review the application and the timeline for
12 review;

13 2. The process for submission of an application to form a
14 charter school to the board of trustees of a school district and *the*
15 *University of Nevada or* a college ~~for university~~ within the Nevada
16 System of Higher Education, and the contents of the application;

17 3. The process for submission of an application to renew a
18 charter contract to the board of trustees of a school district and *the*
19 *University of Nevada or* a college ~~for university~~ within the Nevada
20 System of Higher Education, and the contents of the application;

21 4. The criteria and type of investigation that must be applied by
22 the board of trustees of a school district and *the University of*
23 *Nevada or* a college ~~for university~~ within the Nevada System of
24 Higher Education in determining whether to approve an application
25 to form a charter school, an application to renew a charter contract
26 or a request for an amendment of a charter contract;

27 5. The process for submission of an amendment of a charter
28 contract to the board of trustees of a school district and *the*
29 *University of Nevada or* a college ~~for university~~ within the Nevada
30 System of Higher Education pursuant to NRS 388A.276 and the
31 contents of the application; and

32 6. In consultation with the State Public Charter School
33 Authority, other sponsors of charter schools, governing bodies of
34 charter schools and persons who may be affected:

35 (a) Requirements for the annual independent audits of charter
36 schools, including, without limitation, required training for
37 prospective auditors on the expectations and scope of the audits; and

38 (b) Ethics requirements for the governing bodies of charter
39 schools.

40 **Sec. 21.** NRS 388A.159 is hereby amended to read as follows:

41 388A.159 1. The State Public Charter School Authority is
42 hereby deemed a local educational agency for all purposes,
43 including, without limitation:



1 (a) The provision of a free and appropriate public education to
2 each pupil enrolled in a charter school sponsored by the State Public
3 Charter School Authority;

4 (b) The provision of special education and related services
5 provided by a charter school sponsored by the State Public Charter
6 School Authority; and

7 (c) Directing the proportionate share of any money available
8 from federal and state categorical grant programs to charter schools
9 which are sponsored by the State Public Charter School Authority or
10 *the University of Nevada or* a college ~~for-university~~ within the
11 Nevada System of Higher Education that are eligible to receive such
12 money.

13 2. ~~[A]~~ *The University of Nevada or* a college ~~for-university~~
14 within the Nevada System of Higher Education that sponsors a
15 charter school shall enter into an agreement with the State Public
16 Charter School Authority for the provision of any necessary
17 functions of a local educational agency. A charter school that
18 receives money pursuant to such a grant program shall comply with
19 any applicable reporting requirements to receive the grant.

20 3. As used in this section, "local educational agency" has the
21 meaning ascribed to it in 20 U.S.C. § 7801(30)(A).

22 **Sec. 22.** NRS 388A.171 is hereby amended to read as follows:
23 388A.171 The State Public Charter School Authority shall:

24 1. Before March 1 of each even-numbered year:

25 (a) In consultation with the Department and each board of
26 trustees of a school district and *the University of Nevada and each*
27 college ~~for-university~~ within the Nevada System of Higher
28 Education that sponsors a charter school, review all statutes and
29 regulations from which charter schools are not exempt and
30 determine whether such statutes and regulations assisted or impeded
31 the charter schools in achieving their academic, fiscal and
32 organizational goals and objectives;

33 (b) Make recommendations to the Joint Interim Standing
34 Committee on Education concerning any legislation that would
35 assist charter schools in achieving their academic, fiscal and
36 organizational goals; and

37 (c) Make recommendations to the State Board and the
38 Department concerning any changes to regulations that would assist
39 charter schools in achieving their academic, fiscal and
40 organizational goals.

41 2. Make available information concerning the formation and
42 operation of charter schools in this State and the academic, fiscal
43 and organizational performance of each charter school in this State
44 to pupils, parents and legal guardians of pupils, teachers and other
45 educational personnel and members of the general public. The State



1 Public Charter School Authority shall update such information
2 annually.

3 **Sec. 23.** NRS 388A.220 is hereby amended to read as follows:

4 388A.220 1. The board of trustees of a school district may
5 apply to the Department for authorization to sponsor charter schools
6 within the school district in accordance with the regulations adopted
7 by the Department pursuant to NRS 388A.105 or 388A.110. An
8 application must be approved by the Department before the board of
9 trustees may sponsor a charter school. Not more than 180 days after
10 receiving approval to sponsor charter schools, the board of trustees
11 shall provide public notice of its ability to sponsor charter schools
12 and solicit applications for charter schools.

13 2. The State Public Charter School Authority shall sponsor
14 charter schools whose applications have been approved by the State
15 Public Charter School Authority pursuant to NRS 388A.255. Except
16 as otherwise provided by specific statute, if the State Public Charter
17 School Authority sponsors a charter school, the State Public Charter
18 School Authority is responsible for the evaluation, monitoring and
19 oversight of the charter school.

20 3. ~~["A"]~~ *The University of Nevada or a college* ~~for university~~
21 within the Nevada System of Higher Education may submit an
22 application to the Department to sponsor charter schools in
23 accordance with the regulations adopted by the Department pursuant
24 to NRS 388A.105 or 388A.110. An application must be approved
25 by the Department before *the University of Nevada or a college* ~~for~~
26 ~~university~~ within the Nevada System of Higher Education may
27 sponsor charter schools.

28 4. The board of trustees of a school district or *the University of*
29 *Nevada or a college* ~~for university~~ within the Nevada System of
30 Higher Education may enter into an agreement with the State Public
31 Charter School Authority to provide technical assistance and
32 support in preparing an application to sponsor a charter school and
33 planning and executing the duties of a sponsor of a charter school as
34 prescribed in this section.

35 5. Before a board of trustees of a school district or *the*
36 *University of Nevada or a college* ~~for university~~ within the Nevada
37 System of Higher Education that is approved to sponsor charter
38 schools approves an application to form a charter school, the board
39 of trustees or college or university, as applicable, shall prepare, in
40 collaboration with the Department and, to the extent practicable, the
41 school district in which the proposed charter school will be located
42 and any other sponsor of a charter school located in that school
43 district, an evaluation of demographic information of pupils, the
44 academic needs of pupils and the needs of any pupils who are at risk



1 of dropping out of school in the geographic areas served by the
2 sponsor.

3 6. On or before January 31 of each year, the State Public
4 Charter School Authority shall prepare, in collaboration with the
5 Department and, to the extent practicable, the board of trustees of
6 each school district in this State and any other sponsor of a charter
7 school in this State, an evaluation of demographic information of
8 pupils, the academic needs of pupils and the needs of any pupils
9 who are at risk of dropping out of school in this State.

10 **Sec. 24.** NRS 388A.229 is hereby amended to read as follows:

11 388A.229 1. The sponsor of a charter school shall ensure the
12 collection, analysis and reporting of all data from the results of
13 pupils enrolled in the charter school on statewide examinations to
14 determine whether the charter school is meeting the performance
15 indicators, measures and metrics for the achievement and
16 proficiency of pupils as set forth in the performance framework for
17 the charter school in a manner that complies with all applicable
18 federal and state laws.

19 2. The sponsor of the charter school may aggregate data
20 reported by the State and collected by the sponsor concerning pupil
21 achievement and school performance at separate facilities operated
22 by the same governing body or charter management organization
23 and across all grades served by the charter school for the purpose of
24 evaluating and reporting pupil achievement and school performance.
25 Such an aggregation of data may include, without limitation, a
26 weighted average of data concerning pupil achievement and school
27 performance of each elementary school, junior high school, middle
28 school or high school program operated by the charter school. The
29 sponsor may also disaggregate such data by facility and by grade
30 level or group of grade levels to provide greater transparency and
31 accountability. The sponsor may also adopt policies for determining
32 pupil achievement and school performance at a charter school. Any
33 data reported pursuant to this subsection must be reported in a
34 manner that complies with the Family Educational Rights and
35 Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations
36 adopted pursuant thereto.

37 3. The State Board may adopt regulations to place
38 requirements on the manner in which data is reported by the board
39 of trustees of a school district or *the University of Nevada or*
40 *college* ~~[or university]~~ within the Nevada System of Higher
41 Education that sponsors a charter school including, without
42 limitation, the manner in which data must be aggregated or
43 disaggregated in any report.

44 4. The State Public Charter School Authority may adopt
45 regulations establishing requirements concerning the manner in



1 which it reports data, including, without limitation, the manner in
2 which data must be aggregated or disaggregated in any report.

3 **Sec. 25.** NRS 388A.240 is hereby amended to read as follows:
4 388A.240 1. A committee to form a charter school must
5 consist of:

6 (a) One member who is a teacher or other person licensed
7 pursuant to chapter 391 of NRS or who previously held such a
8 license and is retired, as long as his or her license was held in good
9 standing;

10 (b) One member who:

11 (1) Satisfies the qualifications of paragraph (a); or

12 (2) Is a school administrator with a license issued by another
13 state or who previously held such a license and is retired, as long as
14 his or her license was held in good standing;

15 (c) One parent or legal guardian who is not a teacher or
16 employee of the proposed charter school; and

17 (d) Two members who possess knowledge and expertise in one
18 or more of the following areas:

19 (1) Accounting;

20 (2) Financial services;

21 (3) Law; or

22 (4) Human resources.

23 2. In addition to the members who serve pursuant to subsection
24 1, the committee to form a charter school may include, without
25 limitation, not more than four additional members as follows:

26 (a) Members of the general public;

27 (b) Representatives of nonprofit organizations and businesses;

28 or

29 (c) Representatives of *the University of Nevada* or a college ~~for~~
30 ~~university~~] within the Nevada System of Higher Education.

31 3. A majority of the persons who serve on the committee to
32 form a charter school must be residents of this State at the time that
33 the application to form the charter school is submitted to the
34 Department.

35 4. As used in subsection 1, “teacher” means a person who:

36 (a) Holds a current license to teach issued pursuant to chapter
37 391 of NRS or who previously held such a license and is retired, as
38 long as his or her license was held in good standing; and

39 (b) Has at least 2 years of experience as an employed teacher.

40 ➔ The term does not include a person who is employed as a
41 substitute teacher.

42 **Sec. 26.** NRS 388A.252 is hereby amended to read as follows:

43 388A.252 1. If the board of trustees of a school district or *the*
44 *University of Nevada* or a college ~~for a university~~] within the
45 Nevada System of Higher Education, as applicable, receives an



1 application to form a charter school, the board of trustees or the
2 institution, as applicable, shall consider the application at a meeting
3 that must be held not later than 60 days after the receipt of the
4 application, or a later period mutually agreed upon by the committee
5 to form the charter school and the board of trustees of the school
6 district or the institution, as applicable, and ensure that notice of the
7 meeting has been provided pursuant to chapter 241 of NRS. The
8 board of trustees, the college or the university, as applicable, shall
9 review an application in accordance with the requirements for
10 review set forth in subsections 2 and 3 of NRS 388A.249.

11 2. The board of trustees, the college or the university, as
12 applicable, may approve an application if the requirements of
13 subsection 3 of NRS 388A.249 are satisfied.

14 3. The board of trustees, the college or the university, as
15 applicable, shall provide written notice to the applicant of its
16 approval or denial of the application. If the board of trustees, the
17 college or the university, as applicable, denies an application, it shall
18 include in the written notice the reasons for the denial and the
19 deficiencies. The applicant must be granted 30 days after receipt of
20 the written notice to correct any deficiencies identified in the written
21 notice and resubmit the application.

22 4. If the board of trustees, the college or the university, as
23 applicable, denies an application after it has been resubmitted
24 pursuant to subsection 3, the applicant may submit a written request
25 for sponsorship by the State Public Charter School Authority not
26 more than 30 days after receipt of the written notice of denial. Any
27 request that is submitted pursuant to this subsection must be
28 accompanied by the application to form the charter school.

29 **Sec. 27.** NRS 388A.258 is hereby amended to read as follows:

30 388A.258 Notwithstanding the provisions of NRS 388A.249,
31 388A.252 and 388A.255, the State Public Charter School Authority
32 may adopt regulations establishing timelines and procedures by
33 which the State Public Charter School Authority will review
34 applications and the board of trustees of a school district that is
35 approved to sponsor charter schools or *the University of Nevada or*
36 a college ~~[or university]~~ within the Nevada System of Higher
37 Education that is approved to sponsor charter schools may adopt
38 policies establishing timelines and procedures by which the board of
39 trustees or college or university, as applicable, will review
40 applications. These regulations or policies may:

41 1. Establish different timelines and review procedures for
42 different types of applicants; and

43 2. Authorize or require an applicant to submit an abbreviated
44 application, the contents of such an application and criteria that the
45 State Public Charter School Authority will use to determine whether



1 to invite the applicant to submit a full application that meets the
2 requirements of NRS 388A.243 and 388A.246 or deny the
3 abbreviated application and recommend that the applicant make
4 substantial revisions and submit the application during another
5 application cycle.

6 **Sec. 28.** NRS 388A.270 is hereby amended to read as follows:
7 388A.270 1. If the proposed sponsor of a charter school
8 approves an application to form a charter school, it shall negotiate,
9 develop and execute a charter contract with the governing body of
10 the charter school. A charter contract must be executed not later
11 than 60 days before the charter school commences operation. The
12 charter contract must be in writing and incorporate, without
13 limitation:

14 (a) The performance framework for the charter school;
15 (b) A description of the administrative relationship between the
16 sponsor of the charter school and the governing body of the charter
17 school, including, without limitation, the rights and duties of the
18 sponsor and the governing body; and

19 (c) Any pre-opening conditions which the sponsor has
20 determined are necessary for the charter school to satisfy before the
21 commencement of operation to ensure that the charter school meets
22 all building, health, safety, insurance and other legal requirements.

23 2. The charter contract must be signed by a member of the
24 governing body of the charter school and:

25 (a) If the board of trustees of a school district is the sponsor of
26 the charter school, the superintendent of schools of the school
27 district;

28 (b) If the State Public Charter School Authority is the sponsor of
29 the charter school, the Chair of the State Public Charter School
30 Authority; or

31 (c) If *the University of Nevada or* a college ~~[or university]~~
32 within the Nevada System of Higher Education is the sponsor of the
33 charter school, the president of the college or university.

34 3. Before the charter contract is executed, the sponsor of the
35 charter school must approve the charter contract at a meeting of the
36 sponsor held in accordance with chapter 241 of NRS.

37 4. The sponsor of the charter school shall, not later than 10
38 days after the execution of the charter contract, provide to the
39 Department:

40 (a) Written notice of the charter contract and the date of
41 execution; and

42 (b) A copy of the charter contract and any other documentation
43 relevant to the charter contract.

44 5. If the board of trustees approves the application, the board of
45 trustees shall be deemed the sponsor of the charter school.



1 6. If the State Public Charter School Authority approves the
2 application:

3 (a) The State Public Charter School Authority shall be deemed
4 the sponsor of the charter school.

5 (b) Neither the State of Nevada, the State Board, the State
6 Public Charter School Authority nor the Department is an employer
7 of the members of the governing body of the charter school or any
8 of the employees of the charter school.

9 7. If *the University of Nevada or* a college ~~for university~~
10 within the Nevada System of Higher Education approves the
11 application:

12 (a) That institution shall be deemed the sponsor of the charter
13 school.

14 (b) Neither the State of Nevada, the State Board nor the
15 Department is an employer of the members of the governing body of
16 the charter school or any of the employees of the charter school.

17 8. Except as otherwise provided in NRS 388A.285, a charter
18 contract must be for a term of 6 years. The term of the charter
19 contract begins on the first day of operation of the charter school
20 after the charter contract has been executed. The sponsor of the
21 charter school may require, or the governing body of the charter
22 school may request that the sponsor authorize, the charter school to
23 delay commencement of operation for 1 school year.

24 **Sec. 29.** NRS 388A.279 is hereby amended to read as follows:

25 388A.279 1. The State Public Charter School Authority, the
26 board of trustees of the school district or *the University of Nevada*
27 *or* a college ~~for university~~ within the Nevada System of Higher
28 Education, as applicable, which sponsors a charter school may hold
29 a public hearing concerning any request to amend a charter contract
30 of the charter school it sponsors, including, without limitation, a
31 request to amend a charter contract for the purpose of:

32 (a) Expanding the charter school to offer instruction in grade
33 levels for which the charter school does not already offer
34 instruction.

35 (b) Increasing the total enrollment of a charter school or the
36 enrollment of pupils in a particular grade level in the charter school
37 for a school year to more than 120 percent of the enrollment
38 prescribed in the charter contract for that school year.

39 (c) Reducing the total enrollment of a charter school or the
40 enrollment of pupils in a particular grade level in the charter school
41 for a school year to less than 80 percent of the enrollment prescribed
42 in the charter contract for that school year.

43 (d) Seeking to acquire an additional facility in any county of this
44 State to expand the enrollment of the charter school.



1 (e) Consolidating the operations of multiple charter schools
2 pursuant to NRS 388A.282.

3 2. A charter contract may not be amended in any manner
4 described in subsection 1 unless the amendment is approved by the
5 State Public Charter School Authority, the board of trustees of the
6 school district or *the University of Nevada* or a college ~~for~~
7 ~~university~~ within the Nevada System of Higher Education, as
8 applicable.

9 3. The State Public Charter School Authority, the board of
10 trustees of the school district or *the University of Nevada* or
11 a college ~~for—university~~ within the Nevada System of Higher
12 Education, as applicable, must deny a request to amend a charter
13 contract in the manner described in paragraph (d) or (e) of
14 subsection 1 if the State Public Charter School Authority, the board
15 of trustees or ~~a~~ *the* college or university, ~~{within the Nevada~~
16 ~~System of Higher Education,}~~ as applicable, determines that:

17 (a) Except as otherwise provided in subsection 6 of NRS
18 388A.274, the charter school is not meeting the requirements of the
19 performance framework concerning academics, finances or
20 organization established pursuant to NRS 388A.273; or

21 (b) The governing body does not have a comprehensive and
22 feasible plan to operate additional facilities.

23 **Sec. 30.** NRS 388A.378 is hereby amended to read as follows:

24 388A.378 1. The governing body of a charter school may
25 contract with the board of trustees of the school district in which the
26 charter school is located or in which a pupil enrolled in the charter
27 school resides or with ~~{the Nevada System of Higher Education}~~ *a*
28 *higher education governing body* for the provision of facilities to
29 operate the charter school or to perform any service relating to the
30 operation of the charter school, including, without limitation,
31 transportation, the provision of health services for the pupils who
32 are enrolled in the charter school and the provision of school police
33 officers. If the board of trustees of a school district or *the University*
34 *of Nevada* or a college ~~for—university~~ within the Nevada System of
35 Higher Education is the sponsor of the charter school, the governing
36 body and the sponsor must enter into a service agreement pursuant
37 to NRS 388A.381 before the provision of such services other than
38 for the provision of school police officers when the provisions of
39 NRS 388A.384 apply. If the board of trustees of a school district
40 provides services to a charter school pursuant to this section or NRS
41 388A.474, it shall not charge more than its cost for providing such
42 services determined on a cost per pupil basis.

43 2. A charter school may use any public facility located within
44 the school district in which the charter school is located. A charter



1 school may use school buildings owned by the school district only
2 upon approval of the board of trustees of the school district.

3 3. The board of trustees of a school district may donate surplus
4 personal property of the school district to a charter school that is
5 located within the school district.

6 4. A charter school may:

7 (a) Acquire by construction, purchase, devise, gift, exchange or
8 lease, or any combination of those methods, and construct,
9 reconstruct, improve, maintain, equip and furnish any building,
10 structure or property to be used for any of its educational purposes
11 and the related appurtenances, easements, rights-of-way,
12 improvements, paving, utilities, landscaping, parking facilities and
13 lands;

14 (b) Mortgage, pledge or otherwise encumber all or any part of
15 its property or assets;

16 (c) Borrow money and otherwise incur indebtedness; and

17 (d) Use public money to purchase real property or buildings
18 with the approval of the sponsor.

19 **5. As used in this section, "higher education governing body"**
20 **has the meaning ascribed to it in NRS 396.005.**

21 **Sec. 31.** NRS 388C.040 is hereby amended to read as follows:

22 388C.040 "University school for profoundly gifted pupils"
23 means a school that:

24 1. Is located on ~~{the}~~ a campus of ~~{a university within}~~ the
25 **University of Nevada ; {System of Higher Education;}**

26 2. Is operated through a written agreement with the university;

27 3. Is operated by or is itself a nonprofit corporation that is
28 recognized as exempt pursuant to 26 U.S.C. § 501(c)(3);

29 4. Demonstrates at least 5 years of successful experience
30 providing educational services to profoundly gifted youth;

31 5. Provides a full-time alternative program of education, which
32 may include, without limitation, a program of distance education,
33 for profoundly gifted pupils who:

34 (a) Are residents of this State; and

35 (b) Have been identified as possessing the abilities and skills
36 necessary for advanced academic work, including accelerated
37 middle school, junior high school, high school and early university
38 entrance; and

39 6. Does not charge tuition to pupils enrolled in the school.

40 **Sec. 32.** NRS 388G.130 is hereby amended to read as follows:

41 388G.130 1. Except as otherwise provided in subsection 10,
42 the empowerment team of a public school, other than a charter
43 school that is sponsored by the State Public Charter School
44 Authority or by **the University of Nevada or** a college ~~{or~~
45 **university} within the Nevada System of Higher Education, that**



1 develops an empowerment plan pursuant to NRS 388G.120 shall
2 submit the proposed empowerment plan to the designee of the board
3 of trustees appointed pursuant to this subsection for review and
4 approval pursuant to this section. The board of trustees shall
5 designate a person to review each proposed empowerment plan and
6 recommend the approval or denial of the plan to the board of
7 trustees.

8 2. The board of trustees shall approve or deny the
9 empowerment plan. The approval or denial of an empowerment plan
10 must be based solely upon the contents of the plan and may not
11 consider the amount of money required to carry out the
12 empowerment plan if the plan is within the limits of the total
13 apportionment to the school pursuant to subsection 4 of
14 NRS 388G.120.

15 3. Except as otherwise provided in subsection 10, if the board
16 of trustees approves an empowerment plan, the president of the
17 board of trustees, the principal of the public school and the chair of
18 the empowerment team, if the principal is not the chair, shall each
19 sign the plan. The empowerment plan is effective for 3 years unless
20 the empowerment team determines that the school will no longer
21 operate under the plan or the board of trustees of the school district
22 revokes the plan.

23 4. Except as otherwise provided in subsection 10, if the board
24 of trustees denies an empowerment plan, the board of trustees shall:

25 (a) Return the plan to the empowerment team with a written
26 statement indicating the reason for the denial; and

27 (b) Provide the empowerment team with a reasonable
28 opportunity to correct any deficiencies identified in the written
29 statement and resubmit it for approval. An empowerment plan may
30 be resubmitted not more than once in a school year.

31 5. Except as otherwise provided in subsection 10, an
32 empowerment plan for a public school is not effective and a public
33 school shall not operate as an empowerment school unless the plan
34 is signed by the president of the board of trustees of the school
35 district, the principal of the public school and the chair of the
36 empowerment team, if the principal is not the chair. If an
37 empowerment plan includes a request for a waiver from a statute
38 contained in this title or a regulation of the State Board or the
39 Department, a public school may operate under the approved plan
40 but the requested waivers from state law are not effective unless
41 approved by the State Board pursuant to subsection 7.

42 6. Except as otherwise provided in subsection 10, the
43 empowerment team may submit a written request to the board of
44 trustees for an amendment to the empowerment plan approved
45 pursuant to this section, including an explanation of the reason for



1 the amendment. An amendment must be approved in the same
2 manner as the empowerment plan was approved.

3 7. If the empowerment plan includes a request for a waiver
4 from a statute or regulation, the board of trustees shall forward the
5 approved empowerment plan to the State Board for review of the
6 request for a waiver. The State Board shall review the empowerment
7 plan and may approve or deny the request for a waiver from a
8 statute or regulation unless the statute or regulation is required by
9 federal law or is required to carry out federal law.

10 8. If the State Board approves the request for a waiver for a
11 school, the Department shall provide written notice of the approval
12 to the board of trustees of the school district that submitted the
13 empowerment plan on behalf of the school.

14 9. If the State Board denies a request for a waiver, the State
15 Board shall:

16 (a) Return the request to the school district with a written
17 statement indicating the reason for the denial; and

18 (b) Except as otherwise provided in subsection 10, provide the
19 empowerment team with a reasonable opportunity to correct any
20 deficiencies identified in the written statement and resubmit it for
21 approval. A request for a waiver may be resubmitted by the school
22 district, after the empowerment team corrects any deficiencies, not
23 more than once in a school year.

24 10. If an empowerment team has not been established pursuant
25 to the exception provided in subsection 2 of NRS 388G.100, the
26 principal of the school shall carry out the responsibilities and duties
27 assigned to the empowerment team pursuant to this section.

28 **Sec. 33.** NRS 388G.140 is hereby amended to read as follows:

29 388G.140 1. Except as otherwise provided in subsection 7,
30 the empowerment team of a charter school that is sponsored by the
31 State Public Charter School Authority or by *the University of*
32 *Nevada or* a college ~~[or university]~~ within the Nevada System of
33 Higher Education which develops an empowerment plan pursuant to
34 NRS 388G.120 shall submit the proposed plan to the Department
35 for transmission to the State Board for review and approval pursuant
36 to this section.

37 2. The State Board shall review each proposed empowerment
38 plan and approve or deny the plan, including a request for a waiver
39 from a statute contained in this title or a regulation of the State
40 Board or the Department, if applicable. The approval or denial of an
41 empowerment plan must be based solely upon the contents of the
42 plan and may not consider the amount of money required to carry
43 out the empowerment plan if the plan is within the limits of the total
44 apportionment to the charter school pursuant to subsection 4 of
45 NRS 388G.120.



1 3. Except as otherwise provided in subsection 7, if the State
2 Board approves an empowerment plan, the President of the State
3 Board, the principal of the charter school and the chair of the
4 empowerment team, if the principal is not the chair, shall each sign
5 the plan. The empowerment plan is effective for 3 years unless the
6 empowerment team determines that the school will no longer
7 operate under the plan or the State Board revokes the plan.

8 4. Except as otherwise provided in subsection 7, if the State
9 Board denies an empowerment plan, the State Board shall:

10 (a) Return the plan to the empowerment team with a written
11 statement indicating the reason for the denial; and

12 (b) Provide the empowerment team with a reasonable
13 opportunity to correct any deficiencies identified in the written
14 statement and resubmit it for approval. An empowerment plan may
15 be resubmitted not more than once in a school year.

16 5. Except as otherwise provided in subsection 7, an
17 empowerment plan for a charter school that is sponsored by the
18 State Public Charter School Authority or by *the University of*
19 *Nevada or* a college ~~for university~~ within the Nevada System of
20 Higher Education is not effective and a charter school shall not
21 operate as an empowerment school unless the plan is signed by the
22 President of the State Board, the principal of the charter school and
23 the chair of the empowerment team, if the principal is not the chair.

24 6. Except as otherwise provided in subsection 7, the
25 empowerment team may submit a written request to the Department
26 for an amendment to the empowerment plan approved pursuant to
27 this section, including an explanation of the reason for the
28 amendment. An amendment must be approved in the same manner
29 as the empowerment plan was approved.

30 7. If an empowerment team has not been established pursuant
31 to the exception provided in subsection 2 of NRS 388G.100, the
32 principal of the school shall carry out the responsibilities and duties
33 assigned to the empowerment team pursuant to this section.

34 **Sec. 34.** NRS 388G.200 is hereby amended to read as follows:

35 388G.200 1. Each empowerment school, other than a charter
36 school that is sponsored by the State Public Charter School
37 Authority or by *the University of Nevada or* a college ~~for~~
38 ~~university~~ within the Nevada System of Higher Education, shall, on
39 a quarterly basis, submit to the board of trustees of the school
40 district in which the school is located a report that includes:

41 (a) The financial status of the school; and

42 (b) A description of the school's compliance with each
43 component of the empowerment plan for the school.

44 2. Each charter school that is sponsored by the State Public
45 Charter School Authority or by *the University of Nevada or* a



1 college ~~for university~~ within the Nevada System of Higher
2 Education which is approved to operate as an empowerment school
3 shall, on a quarterly basis, submit to the Department a report that
4 includes:

5 (a) The financial status of the school; and

6 (b) A description of the school's compliance with each
7 component of the empowerment plan for the school.

8 3. The board of trustees of a school district shall conduct a
9 financial audit of each empowerment school within the school
10 district, other than a charter school that is sponsored by the State
11 Public Charter School Authority or by *the University of Nevada or*
12 a college ~~for university~~ within the Nevada System of Higher
13 Education. Each financial audit must be conducted on an annual
14 basis and more frequently if determined necessary by the board of
15 trustees.

16 4. The Department shall conduct a financial audit of each
17 charter school that is sponsored by the State Public Charter School
18 Authority or by *the University of Nevada or* a college ~~for~~
19 ~~university~~ within the Nevada System of Higher Education which
20 operates as an empowerment school on an annual basis and more
21 frequently if determined necessary by the Department.

22 5. On or before July 1 of each year, the board of trustees of
23 each school district shall compile the reports and audits required
24 pursuant to subsections 1 and 3, if any, and forward the compilation
25 to the:

26 (a) Governor;

27 (b) Department; and

28 (c) Joint Interim Standing Committee on Education.

29 6. On or before July 1 of each year, the Department shall
30 compile the reports and audits required pursuant to subsections 2
31 and 4, if any, and forward the compilation to the:

32 (a) Governor; and

33 (b) Joint Interim Standing Committee on Education.

34 **Sec. 35.** NRS 388H.050 is hereby amended to read as follows:

35 388H.050 ~~[The Board of Regents of the University of Nevada]~~

36 *1. A higher education governing body* may, with the
37 cooperation of the Department of Corrections, offer courses that
38 lead to a postsecondary degree for incarcerated persons in any
39 facility or institution operated by the Department of Corrections.

40 *2. As used in this section, "higher education governing body"*
41 *has the meaning ascribed to it in NRS 396.005.*

42 **Sec. 36.** NRS 389.310 is hereby amended to read as follows:

43 389.310 1. Each school district and charter school shall and a
44 university school for profoundly gifted pupils may establish a
45 program for dual credit, or partner with another school district or



1 charter school that has already established a program for dual credit,
2 whereby pupils enrolled in the school district or charter school may
3 enroll in a dual credit course at a community college, state college
4 or university that has been approved for dual credit pursuant to NRS
5 389.160. A school district, charter school or university school for
6 profoundly gifted pupils may enter into cooperative agreements with
7 one or more institutions of higher education located in another state
8 and accredited by a regional accrediting agency recognized by the
9 United States Department of Education to offer dual credit courses
10 that are not offered by a community college, state college or
11 university located in this State to pupils enrolled in the school
12 district, charter school or university school for profoundly gifted
13 pupils. Any credits earned by a pupil for the successful completion
14 of a dual credit course must be applied toward earning a credential,
15 certificate or degree, as applicable, at the community college, state
16 college or university.

17 2. An institution of higher education located in another state
18 that enters into a cooperative agreement with a school district,
19 charter school or university school for profoundly gifted pupils in
20 this State to offer a dual credit course shall provide to the
21 Department a copy of each cooperative agreement entered into by
22 the institution of higher education pursuant to subsection 1.

23 3. On or before December 1 of each odd-numbered year, the
24 board of trustees of each school district and the governing body of
25 each charter school or university school for profoundly gifted pupils
26 shall submit a report on its program for dual credit established
27 pursuant to subsection 1 to the Joint Interim Standing Committee on
28 Education and the Director of the Legislative Counsel Bureau for
29 transmission to the next regular session of the Legislature. The
30 Department, in consultation with ~~{the Board of Regents of the~~
31 ~~University of Nevada,}~~ *each higher education governing body,*
32 school districts and charter schools, shall adopt regulations
33 prescribing the information the report must include. The report may
34 include, without limitation:

- 35 (a) The number of pupils enrolled in the program;
36 (b) A list of the courses in which pupils enroll;
37 (c) The number of pupils enrolled in each course;
38 (d) The demographics of the pupils enrolled in the program,
39 including, without limitation, race, ethnicity, gender identity or
40 expression, grade level and eligibility for free or reduced-price
41 lunch pursuant to 42 U.S.C. §§ 1751 et seq.;
- 42 (e) The cost to the school district or charter school for
43 establishing and maintaining the program;
- 44 (f) The cost to pupils for participating in the program; and



1 (g) The number of teachers employed by the school district or
2 charter school who serve as the teacher of record for a dual credit
3 course.

4 *4. As used in this section, "higher education governing body"*
5 *has the meaning ascribed to it in NRS 396.005.*

6 **Sec. 37.** NRS 391.011 is hereby amended to read as follows:

7 391.011 1. The Commission on Professional Standards in
8 Education, consisting of eleven members appointed by the
9 Governor, is hereby created.

10 2. Five members of the Commission must be teachers who
11 teach in the classroom as follows:

12 (a) One who holds a license to teach secondary education and
13 teaches in a secondary school.

14 (b) One who holds a license to teach middle school or junior
15 high school education and teaches in a middle school or junior high
16 school.

17 (c) One who holds a license to teach elementary education and
18 teaches in an elementary school.

19 (d) One who holds a license to teach special education and
20 teaches special education.

21 (e) One who holds a license to teach pupils in a program of early
22 childhood education and teaches in a program of early childhood
23 education.

24 3. The remaining members of the Commission must include:

25 (a) One school counselor, psychologist, speech-language
26 pathologist, audiologist, or social worker who is licensed pursuant
27 to this chapter and employed by a school district or charter school.

28 (b) One administrator of a school who is employed by a school
29 district or charter school to provide administrative service at an
30 individual school. Such an administrator must not provide service at
31 the district level.

32 (c) The dean of the College of Education at one of the
33 ~~universities in~~ *campuses of the University of Nevada, [System of*
34 *Higher Education,]* or a representative of one of the Colleges of
35 Education nominated by such a dean for appointment by the
36 Governor.

37 (d) One member who is the parent or legal guardian of a pupil
38 enrolled in a public school.

39 (e) One member who has expertise and experience in the
40 operation of a business.

41 (f) One member who is the superintendent of schools of a school
42 district.

43 4. Three of the five appointments made pursuant to subsection
44 2 must be made from a list of names of at least three persons for
45 each position that is submitted to the Governor by an employee



1 organization representing the majority of teachers in the State who
2 teach in the educational level from which the appointment is being
3 made.

4 5. The appointment made pursuant to:

5 (a) Paragraph (a) of subsection 3 must be made from a list of
6 names of at least three persons that is submitted to the Governor by
7 an employee organization representing the majority of school
8 counselors, psychologists, speech-language pathologists,
9 audiologists or social workers in this State who are not
10 administrators.

11 (b) Paragraph (b) of subsection 3 must be made from a list of
12 names of at least three persons that is submitted to the Governor by
13 the organization of administrators for schools in which the majority
14 of administrators of schools in this State have membership.

15 (c) Paragraph (d) of subsection 3 must be made from a list of
16 names of persons submitted to the Governor by the Nevada Parent
17 Teacher Association or its successor organization.

18 (d) Paragraph (f) of subsection 3 must be made from a list of
19 names of persons submitted to the Governor by the Nevada
20 Association of School Superintendents.

21 **Sec. 38.** NRS 391.095 is hereby amended to read as follows:

22 391.095 1. A school district may enter into an agreement
23 with a ~~[branch of the Nevada System of Higher Education]~~ *higher*
24 *education governing body* or an accredited postsecondary
25 educational institution which is licensed by the Commission on
26 Postsecondary Education and which offers courses of study and
27 training for the education of teachers which are approved or
28 recognized by the Commission pursuant to NRS 391.038, for the
29 assignment of students for training purposes as student teachers,
30 counselors or trainees in a library, or for experience in a teaching
31 laboratory. Students so assigned within the school district for
32 training purposes may, under the direction and supervision of a
33 licensed teacher, instruct and supervise pupils in the school, on the
34 school grounds or on authorized field trips. The students so assigned
35 are employees of the school district for purposes of NRS 41.038 and
36 41.039, while performing such authorized duties, whether or not the
37 duties are performed entirely in the presence of the licensed teacher.

38 2. As used in this section:

39 (a) "Accredited" has the meaning ascribed to it in NRS 394.006.

40 (b) *"Higher education governing body" has the meaning*
41 *ascribed to it in NRS 396.005.*

42 (c) "Postsecondary educational institution" has the meaning
43 ascribed to it in NRS 394.099.



1 **Sec. 39.** NRS 391.096 is hereby amended to read as follows:
2 391.096 1. A board of trustees of a school district that has
3 entered into an agreement pursuant to NRS 391.095 shall, before
4 assigning a long-term substitute who is not a licensed teacher, assign
5 a student teacher who satisfies the requirements of subsection 2 as a
6 substitute teacher.
7 2. A student teacher who has completed not less than 4 weeks
8 of student teaching in a school district pursuant to NRS 391.095
9 may apply to the board of trustees of that school district for
10 employment as a substitute teacher. The application must include
11 the written approval of:
12 (a) The teacher who supervises the student teacher through *the*
13 *University of Nevada or a state college or community college*
14 *within* the Nevada System of Higher Education or accredited
15 postsecondary educational institution, as applicable; and
16 (b) The teacher who is responsible for supervising the student
17 teacher in the classroom.
18 3. If a school district employs a student teacher as a substitute
19 teacher pursuant to this section, the school district shall ensure that
20 the student teacher is:
21 (a) Assigned to teach in the subject area and grade level, as
22 applicable, in which the student teacher is completing his or her
23 student teaching.
24 (b) Supervised by a licensed teacher. A licensed teacher so
25 assigned must:
26 (1) Be available to assist the student teacher and observe the
27 student teacher on a periodic basis; and
28 (2) Oversee the management of the classroom, instructional
29 duties and administrative duties of the student teacher.
30 4. A student teacher who is employed as a substitute teacher
31 pursuant to this section is entitled to the rate of pay otherwise
32 payable to substitute teachers employed by the school district for
33 each day the student teacher works as a substitute teacher. Nothing
34 in this section entitles a student teacher who is not employed as a
35 substitute teacher to be paid for time spent completing his or her
36 student teaching, including, without limitation, time spent
37 completing course work and assignments required for completion of
38 a program of study offered by *the University of Nevada or a state*
39 *college or community college within* the Nevada System of Higher
40 Education or an accredited postsecondary educational institution.
41 5. Except as otherwise provided in this subsection, the board of
42 trustees of a school district that employs a student teacher as a
43 substitute teacher pursuant to this section shall, in consultation with
44 the employee organization representing licensed teachers in the
45 school district, provide for compensation of the licensed teacher



1 who supervises the student teacher pursuant to subsection 3 that is in
2 addition to the regular salary of the licensed teacher. The board of
3 trustees is not required to provide additional compensation to:

4 (a) A licensed teacher who is employed by the school district for
5 the primary purpose of supervising student teachers and who is not
6 otherwise employed for the purpose of providing classroom
7 instruction to pupils; or

8 (b) A licensed teacher who receives compensation from *the*
9 *University of Nevada or a state college or community college*
10 *within* the Nevada System of Higher Education or an accredited
11 postsecondary educational institution for supervising student
12 teachers.

13 6. As used in this section, "student teacher" means a student of
14 ~~[a branch of]~~ *the University of Nevada or a state college or*
15 *community college within* the Nevada System of Higher Education
16 or an accredited postsecondary educational institution who is
17 assigned to teach for training purposes pursuant to NRS 391.095.

18 **Sec. 40.** NRS 391A.150 is hereby amended to read as follows:

19 391A.150 1. Each regional training program must have a
20 governing body consisting of:

21 (a) The superintendent of schools, or the superintendent's
22 designee, for each school district that is included within the primary
23 jurisdiction of the regional training program. The superintendent of
24 schools serves ex officio.

25 (b) Teachers who are considered masters, appointed by the
26 superintendents of schools of the school districts that are included
27 within the primary jurisdiction of the regional training program and
28 the representatives of higher education appointed to the governing
29 body. Each teacher who wishes to be considered for appointment to
30 the governing body must submit an application explaining his or her
31 qualifications as a master teacher. At least one teacher must be
32 appointed from each school district within the primary jurisdiction
33 of the regional training program.

34 (c) Representatives of *the University of Nevada and* the Nevada
35 System of Higher Education, appointed by ~~[the Board of Regents,]~~
36 *each relevant higher education governing body,* and
37 representatives of other institutions of higher education, as
38 determined by the superintendents of school districts included
39 within the primary jurisdiction of the regional training program.

40 (d) A nonvoting member who is an employee of the
41 Department.

42 2. After the appointments are made, the governing body shall
43 select a chair from among its membership.



1 3. Each member of the governing body shall serve a term of 2
2 years. A person must not be appointed to serve more than three
3 consecutive terms.

4 4. A vacancy in the governing body must be filled in the same
5 manner as the original appointment.

6 **5. As used in this section, "higher education governing body"**
7 **has the meaning ascribed to it in NRS 396.005.**

8 **Sec. 41.** NRS 391A.175 is hereby amended to read as follows:

9 391A.175 1. The governing body of each regional training
10 program shall:

11 (a) Adopt a training model, taking into consideration other
12 model programs, including, without limitation, the program used by
13 the Geographic Alliance in Nevada.

14 (b) Assess the training needs of teachers and administrators who
15 are employed by the school districts within the primary jurisdiction
16 of the regional training program and adopt priorities of training for
17 the program based upon the assessment of needs. The board of
18 trustees of each such school district may submit recommendations to
19 the appropriate governing body for the types of training that should
20 be offered by the regional training program.

21 (c) In making the assessment required by paragraph (b) and as
22 deemed necessary by the governing body, review the plans to
23 improve the achievement of pupils prepared pursuant to NRS
24 385A.650 for individual schools within the primary jurisdiction of
25 the regional training program.

26 (d) Prepare a 5-year plan for the regional training program for
27 review by the Statewide Council, which includes, without
28 limitation:

29 (1) An assessment of the training needs of teachers and
30 administrators who are employed by the school districts within the
31 primary jurisdiction of the regional training program; and

32 (2) Specific details of the training that will be offered by the
33 regional training program for the first 2 years covered by the plan
34 including, without limitation, the biennial budget of the regional
35 training program for those 2 years.

36 ↪ The governing body shall incorporate into the 5-year plan any
37 revisions recommended by the Statewide Council.

38 (e) Review the 5-year plan on an annual basis and make
39 revisions to the plan as are necessary to serve the training needs of
40 teachers and administrators employed by the school districts within
41 the primary jurisdiction of the regional training program.

42 2. The Department, *the University of Nevada*, the Nevada
43 System of Higher Education and the board of trustees of a school
44 district may request the governing body of the regional training
45 program that serves the school district to provide training,



1 participate in a program or otherwise perform a service that is in
2 addition to the duties of the regional training program that are set
3 forth in the plan adopted pursuant to this section or otherwise
4 required by statute. An entity may not represent that a regional
5 training program will perform certain duties or otherwise obligate
6 the regional training program as part of an application by that entity
7 for a grant unless the entity has first obtained the written
8 confirmation of the governing body of the regional training program
9 to perform those duties or obligations. The governing body of a
10 regional training program may, but is not required to, grant a request
11 pursuant to this subsection.

12 **Sec. 42.** NRS 392.128 is hereby amended to read as follows:

13 392.128 1. Each advisory board to review school attendance
14 created pursuant to NRS 392.126 shall:

15 (a) Review the records of the attendance and truancy of pupils
16 submitted to the advisory board to review school attendance by the
17 board of trustees of the school district or the State Public Charter
18 School Authority or *the University of Nevada* or a college ~~for~~
19 ~~university~~ within the Nevada System of Higher Education that
20 sponsors a charter school pursuant to subsection 3 of
21 NRS 385A.240;

22 (b) Identify factors that contribute to the truancy of pupils in the
23 school district;

24 (c) Establish programs to reduce the truancy of pupils in the
25 school district, including, without limitation, the coordination of
26 services available in the community to assist with the intervention,
27 diversion and discipline of pupils who are truant;

28 (d) At least annually, evaluate the effectiveness of those
29 programs;

30 (e) Establish a procedure for schools and school districts for the
31 reporting of the status of pupils as habitual truants; and

32 (f) Inform the parents and legal guardians of the pupils who are
33 enrolled in the schools within the district of the policies and
34 procedures adopted pursuant to the provisions of this section.

35 2. The chair of an advisory board may divide the advisory
36 board into subcommittees. The advisory board may delegate one or
37 more of the duties of the advisory board to a subcommittee of the
38 advisory board, including, without limitation, holding hearings
39 pursuant to NRS 392.147. If the chair of an advisory board divides
40 the advisory board into subcommittees, the chair shall notify the
41 board of trustees of the school district of this action. Upon receipt of
42 such a notice, the board of trustees shall establish rules and
43 procedures for each such subcommittee. A subcommittee shall abide
44 by the applicable rules and procedures when it takes action or makes
45 decisions.



1 3. An advisory board to review school attendance may work
2 with a family resource center or other provider of community
3 services to provide assistance to pupils who are truant. The advisory
4 board shall identify areas within the school district in which
5 community services are not available to assist pupils who are truant.
6 As used in this subsection, "family resource center" has the meaning
7 ascribed to it in NRS 430A.040.

8 4. An advisory board to review school attendance created in a
9 county pursuant to NRS 392.126 may use money appropriated by
10 the Legislature and any other money made available to the advisory
11 board for the use of programs to reduce the truancy of pupils in the
12 school district. The advisory board to review school attendance
13 shall, on a quarterly basis, provide to the board of trustees of the
14 school district an accounting of the money used by the advisory
15 board to review school attendance to reduce the truancy of pupils in
16 the school district.

17 **Sec. 43.** NRS 394.625 is hereby amended to read as follows:

18 394.625 1. Except for the *University of Nevada and the*
19 *Nevada System of Higher Education*, no person may use the term
20 "university" or "college" or any term or abbreviation which
21 represents that the person is a university or college as part of the
22 name or other designation of any entity without authorization from
23 the Commission.

24 2. The Commission shall adopt regulations for authorizing
25 postsecondary educational institutions to use the term "university"
26 or "college" as part of their respective names or designations. The
27 regulations must provide for consideration of the institution's
28 qualification to award degrees and may include minimum standards
29 similar to those prescribed by law for licensing by the Commission.

30 **Sec. 44.** Chapter 396 of NRS is hereby amended by adding
31 thereto the provisions set forth as sections 45 to 53, inclusive, of this
32 act.

33 **Sec. 45. 1.** *The doctoral university institutions of this State*
34 *are the campuses of the University of Nevada known as the*
35 *University of Nevada, Reno, and the University of Nevada, Las*
36 *Vegas.*

37 *2. The master's college institution of this State is Nevada*
38 *State College.*

39 *3. The baccalaureate college institution of this State is Great*
40 *Basin College.*

41 *4. The baccalaureate and associate's college institutions of*
42 *this State are the College of Southern Nevada, Truckee Meadows*
43 *Community College and Western Nevada College.*

44 *5. A baccalaureate and associate's college institution shall*
45 *offer courses in academic subjects and nonacademic subjects as*



1 *authorized by its board of trustees. The academic courses must be*
2 *of the same standard as those offered in the first 2 years of a*
3 *degree program offered at a baccalaureate college institution,*
4 *master's college institution or doctoral university institution.*

5 6. *A baccalaureate and associate's college institution may*
6 *offer targeted 4-year degrees supporting local workforce needs as*
7 *authorized by its board of trustees.*

8 7. *Credits earned by a student at any institution described in*
9 *subsections 1 to 4, inclusive, must be accepted by any other*
10 *institution described in subsections 1 to 4, inclusive, for credit*
11 *towards a baccalaureate degree.*

12 8. *As used in this section:*

13 (a) *"Baccalaureate and associate's college institution" means*
14 *an institution where associate's degrees represent not less than 50*
15 *percent of all degrees awarded each year. The term includes a*
16 *community college.*

17 (b) *"Baccalaureate college institution" means an institution,*
18 *other than a master's college institution or doctoral university*
19 *institution, where baccalaureate or higher degrees represent not*
20 *less than 50 percent of all degrees awarded each year.*

21 (c) *"Doctoral university institution" means an institution that*
22 *has not less than \$5,000,000 in total research expenditures each*
23 *year and awards not less than 20 research or scholarship doctoral*
24 *degrees each year.*

25 (d) *"Master's college institution" means an institution that*
26 *awards not less than 50 master's degrees each year.*

27 **Sec. 46. 1.** *There is hereby created the Nevada Office of*
28 *Higher Education Administrative Services.*

29 2. *The Office consists of a Director, a Deputy Director and*
30 *the following divisions:*

31 (a) *General Services Division.*

32 (b) *University and Research Institutions Division.*

33 (c) *State College and Community College Division.*

34 3. *The head of a division is an assistant director.*

35 **Sec. 47. 1.** *The Governor shall appoint:*

36 (a) *The Director;*

37 (b) *The Deputy Director of the Office; and*

38 (c) *An assistant director for each division of the Office.*

39 2. *The Director must have:*

40 (a) *A degree from a college or university recognized as equal*
41 *in rank to those having membership in the Association of*
42 *American Universities;*

43 (b) *At least 5 years of responsible experience in the field of*
44 *higher education administration; and*



1 (c) *Broad management skills in areas related to functions of*
2 *the position.*

3 3. *The Director shall devote his or her entire time and*
4 *attention to the business of his or her office and shall not engage*
5 *in other gainful employment or occupation.*

6 **Sec. 48.** *The Governor shall fix the salary of the Director*
7 *which must not exceed 95 percent of the salary of the Office of the*
8 *Governor during the same period.*

9 **Sec. 49.** *The Office shall provide administrative and*
10 *technical support to each higher education governing body, any*
11 *research facility within the University and the presidents of each*
12 *campus of the University and each state college or community*
13 *college within the System, as applicable, for the purpose of*
14 *increasing the ability of each such entity to:*

15 1. *Provide extension instruction on the collegiate level and*
16 *conduct service activities throughout this State; and*

17 2. *Conduct research and service activities throughout this*
18 *State.*

19 **Sec. 50.** *The Office shall maintain its principal offices at*
20 *Carson City, Nevada. The offices must be kept open at such times*
21 *as the business of the Office and the convenience or the interest of*
22 *the public may require. The offices are under the supervision of*
23 *the Director.*

24 **Sec. 51.** 1. *There is hereby established a board of trustees*
25 *at each state college and community college within the System.*
26 *Each board of trustees consists of seven voting members and two*
27 *nonvoting members appointed by the Governor, which must be*
28 *made from a list of names of at least three persons for each*
29 *position that is submitted to the Governor by the Legislative*
30 *Commission.*

31 2. *The members of each board of trustees appointed pursuant*
32 *to subsection 1 must include:*

33 (a) *Among the seven voting members, representatives from*
34 *local governments and regional development authorities where the*
35 *campus of the state college or community college is located; and*

36 (b) *Among the two nonvoting members, one representative*
37 *each from the faculty and the student body of the state college or*
38 *community college, as applicable.*

39 3. *A board of trustees established pursuant to subsection 1*
40 *shall, for the state college or community college at which the*
41 *board has been established:*

42 (a) *Have authority to hire, fire, discipline and evaluate the*
43 *performance of the president of the state college or community*
44 *college and provide feedback concerning the president to the*
45 *Office;*



1 (b) *Work with the president, staff, students and faculty of the*
2 *state college or community college to develop policies and*
3 *priorities and assess performance at the state college or*
4 *community college; and*

5 (c) *Before a budget request for the state college or community*
6 *college is submitted to the Office, review the request and provide*
7 *feedback concerning the request to the president of the state*
8 *college or community college.*

9 4. *After the initial terms, each voting member and nonvoting*
10 *faculty member appointed to a board of trustees established*
11 *pursuant to subsection 1 serves a term of 4 years, and each*
12 *nonvoting student member serves a term of 1 year, except that*
13 *each member continues to serve until a successor is appointed. A*
14 *member of a board of trustees may be reappointed.*

15 5. *A nonvoting student member must be a full-time student in*
16 *good standing at the time of the appointment and remain in good*
17 *standing. The Governor shall remove a student member before the*
18 *expiration of the term of the student if the student fails to be*
19 *enrolled full-time or fails to remain in good standing.*

20 6. *A member of a board of trustees may be removed by the*
21 *Governor before the expiration of the term of the member for*
22 *misconduct in office, incompetence or neglect of duty.*

23 7. *If a vacancy occurs during the term of a member of a*
24 *board of trustees established pursuant to subsection 1,*
25 *the Governor shall appoint a person to fill the vacancy for the*
26 *remainder of the unexpired term in the same manner as the*
27 *original appointment.*

28 8. *Each board of trustees shall annually elect a chair from*
29 *among its voting members. Each board of trustees shall meet at*
30 *the call of the chair. At all times the records of all proceedings of*
31 *the board of trustees are open to public inspection, except records*
32 *of a closed meeting which have not become public.*

33 9. *Each board of trustees shall adopt bylaws and rules for the*
34 *conduct of its business and shall have the power to amend and*
35 *rescind those bylaws and rules.*

36 10. *A board of trustees may adopt such regulations as it*
37 *deems necessary for the operation and management of the state*
38 *college or community college at which the board has been*
39 *established and any dormitories or other facilities connected with*
40 *the state college or community college, as applicable. Such*
41 *regulations must be consistent with any rules, regulations, policies*
42 *or procedures adopted by the Office.*

43 **Sec. 52. 1.** *The board of trustees of a state college or*
44 *community college shall operate and manage the state college or*
45 *community college, as applicable.*



1 2. *In addition to the other powers granted to and duties*
2 *imposed upon a board of trustees pursuant to the provisions of this*
3 *chapter, each board of trustees shall:*

4 (a) *Annually prepare and submit to the Office a budget for the*
5 *state college or community college at which the board has been*
6 *established.*

7 (b) *Annually prepare and submit to the Office for its approval*
8 *a comprehensive plan for the state college or community college,*
9 *as applicable, for the next 4 years.*

10 (c) *Comply with and enforce any rules prescribed by the Office*
11 *for the governance of a state college or community college.*

12 (d) *Perform any other duties and responsibilities required by*
13 *the Office.*

14 3. *The members of the board of trustees are the sole trustees*
15 *to receive and disburse all money appropriated to or received by*
16 *the state college or community college at which the board has*
17 *been established. The board of trustees shall control the*
18 *expenditures of all money appropriated for the support and*
19 *maintenance of the state college or community college at which*
20 *the board has been established and all money received from any*
21 *other source.*

22 **Sec. 53.** *1. The board of trustees of a state college or*
23 *community college shall employ and fix the salary of:*

24 (a) *A president for the state college or community college, as*
25 *applicable; and*

26 (b) *Any administrative officers and other employees deemed by*
27 *the board of trustees to be necessary or appropriate for the*
28 *governance, operation and management of the state college or*
29 *community college at which the board has been established and*
30 *any dormitories or facilities connected with operation of the state*
31 *college or community college.*

32 2. *The board of trustees may, consistent with any rules,*
33 *regulations, policies or procedures adopted by the Office:*

34 (a) *Establish or lease, operate, equip and maintain*
35 *dormitories, facilities for food services, facilities for the sale or*
36 *lease of books and other facilities connected with the operation of*
37 *the state college or community college, as applicable.*

38 (b) *Enter into agreements with the owners of facilities to be*
39 *used as dormitories.*

40 (c) *Establish fees and charges for any dormitories, facilities*
41 *for food services, facilities for the sale or lease of books and other*
42 *facilities established or leased pursuant to paragraph (a).*

43 (d) *Adopt any rules deemed necessary or advisable by the*
44 *board of trustees for the governance, management and operation*



1 *of dormitories and other facilities connected with the operation of*
2 *the state college or community college.*

3 (e) *Prescribe the courses of study for the state college or*
4 *community college and publish a catalog of any courses offered at*
5 *the state college or community college.*

6 (f) *Delegate to the president of the state college or community*
7 *college, as applicable, any of the powers and duties of the board of*
8 *trustees.*

9 3. *In addition to any money appropriated by the Legislature,*
10 *each board of trustees for a state college or community college*
11 *may apply for and accept any gift, donation, bequest, grant or*
12 *other source of money to carry out its duties and responsibilities.*

13 **Sec. 54.** NRS 396.005 is hereby amended to read as follows:

14 396.005 As used in this chapter, unless the context otherwise
15 requires:

16 1. "Board of Regents" means the Board of Regents of the
17 University of Nevada.

18 2. "Community college" means all of the community colleges
19 within the Nevada System of Higher Education.

20 3. *"Director" means the Director of the Office.*

21 4. *"Higher education governing body" means the Board of*
22 *Regents of the University of Nevada and each board of trustees of*
23 *a state college or community college.*

24 5. *"Office" means the Nevada Office of Higher Education*
25 *Administrative Services created by section 46 of this act.*

26 6. "State college" means all of the state colleges within the
27 Nevada System of Higher Education.

28 ~~[4.]~~ 7. "System" means the Nevada System of Higher
29 Education.

30 ~~[5.]~~ 8. "University" means *the University of Nevada and* all of
31 the ~~[universities]~~ *campuses and research facilities* within the
32 *University of Nevada .* ~~[System of Higher Education.]~~

33 **Sec. 55.** NRS 396.010 is hereby amended to read as follows:

34 396.010 1. The seat of the State University, as described in
35 Section 4 of Article 11 of the Constitution of the State of Nevada, is
36 hereby located at the Office of the Chancellor of the ~~[System.]~~
37 *University.*

38 2. Extension instruction on the collegiate level, research and
39 service activities may be conducted throughout the State.

40 **Sec. 56.** NRS 396.020 is hereby amended to read as follows:

41 396.020 1. The legal and corporate name of the State
42 University *established by the Legislature pursuant to section 4 of*
43 *Article 11 of the Nevada Constitution* is the University of Nevada.
44 The *University of Nevada is administered under the direction of*



1 *the Chancellor of the University and the Board of Regents and*
2 *consists of:*

3 (a) *A campus known as the University of Nevada, Reno,*
4 *including any research facility established within the University of*
5 *Nevada, Reno;*

6 (b) *A campus known as the University of Nevada, Las Vegas,*
7 *including any research facility established within the University of*
8 *Nevada, Las Vegas;*

9 (c) *A campus known as the Desert Research Institute,*
10 *including any research facility established within the Desert*
11 *Research Institute;*

12 (d) *Departments within the Public Service Division; and*

13 (e) *Such administrative staff as are necessary to implement the*
14 *functions of the University of Nevada.*

15 2. *The Nevada System of* ~~[-~~

16 ~~1. Universities;~~

17 ~~2.] Higher Education is administered under the direction of~~
18 ~~the Office and each board of trustees of a state college or~~
19 ~~community college in this State, as applicable, and consists of:~~

20 (a) *State colleges;*

21 ~~3.] (b) Community colleges; and~~

22 ~~4.] (c) Administrative services . [-~~

23 ~~5. Research facilities, including, without limitation:~~

24 ~~(a) The Desert Research Institute;~~

25 ~~(b) The Ethics Institute; and~~

26 ~~(c) The Center for the Analysis of Crime Statistics, established~~
27 ~~within the Department of Criminal Justice at the University of~~
28 ~~Nevada, Las Vegas; and~~

29 ~~6. Departments within the Public Service Division,~~

30 ~~administered under the direction of the Board of Regents is~~
31 ~~hereby collectively known as the Nevada System of Higher~~
32 ~~Education. The System is comprised of such branches and facilities~~
33 ~~as the Board of Regents deems appropriate.]~~

34 3. *As used in this section, "research facility" means an*
35 *institution dedicated primarily to creating knowledge in advanced*
36 *fields of study through research and intellectual service to this*
37 *State.*

38 **Sec. 57.** NRS 396.070 is hereby amended to read as follows:

39 396.070 1. Each member of ~~[the Board of Regents]~~ *a higher*
40 *education governing body* is entitled to receive a salary of \$80 for
41 each meeting of the ~~[Board]~~ *body* that he or she attends.

42 2. Each member of ~~[the Board of Regents]~~ *a higher education*
43 *governing body* is entitled to receive in attending meetings of the
44 ~~[Board,]~~ *body*, or while on ~~[Board of Regents']~~ *business related to*
45 *the duties of the body* within the State:



1 (a) A per diem expense allowance not to exceed the greater of:

2 (1) The rate of \$60; or

3 (2) The maximum rate established by the Federal
4 Government for the locality in which the travel is performed.

5 (b) The travel allowance provided for state officers and
6 employees generally.

7 3. If an account is established for a member of ~~the Board of~~
8 ~~Regents~~ *a higher education governing body* to pay for hosting
9 expenditures of the member:

10 (a) The annual expenditures from the account may not exceed
11 \$2,500.

12 (b) The account may be used only to pay for activities that are
13 directly related to the duties of the member of the ~~Board of~~
14 ~~Regents~~ *higher education governing body*, including reasonable
15 expenses for meals, beverages and small gifts. The account must not
16 be used to pay for expenses associated with attending a sporting
17 event or a political fundraising event.

18 (c) ~~The~~ A member of the Board of Regents must submit a
19 monthly report of expenditures from the account to the Chancellor
20 of the ~~System~~ *University. A member of a higher education*
21 *governing body, other than the Board of Regents, must submit a*
22 *monthly report of expenditures from the account to the Director.*
23 The report must include, without limitation, the amount of money
24 expended from the account, the specific purpose and activity for
25 which the money was expended and, if applicable, the person for
26 whom the money was expended.

27 (d) The Chancellor of the ~~System~~ *University or the Director,*
28 *as applicable,* shall compile the monthly reports into an annual
29 report on or before January 30 of each year. The monthly reports
30 and annual reports are public records and must be made available
31 for public inspection.

32 4. As used in this section, "hosting expenditures" means
33 reasonable expenses by or on behalf of a member of ~~the Board of~~
34 ~~Regents~~ *a higher education governing body* who is conducting
35 business activities necessary to provide a benefit to the *University*
36 *or System* by establishing goodwill, promoting programs of the
37 *University or System* or otherwise advancing the mission of the
38 *University or System.*

39 **Sec. 58.** NRS 396.110 is hereby amended to read as follows:
40 396.110 1. The Board of Regents may prescribe rules for:

41 (a) Its own government; and

42 (b) The government of the ~~System~~ *University.*

43 2. The ~~Board of Regents~~ *board of trustees of a state college*
44 *or community college may prescribe rules for:*

45 (a) *Its own government; and*



1 (b) *The government of the state college or community college,*
2 *as applicable.*

3 3. *Each higher education governing body* shall prescribe rules
4 for the granting of permission to carry or possess a weapon pursuant
5 to NRS 202.265.

6 **Sec. 59.** NRS 396.121 is hereby amended to read as follows:

7 396.121 1. ~~{The Board of Regents}~~ *Each higher education*
8 *governing body and the Director* shall prepare and submit to the
9 Governor and the Director of the Legislative Counsel Bureau for
10 transmittal to the Legislature an annual report concerning equity in
11 the workplace, which includes:

12 (a) A summary of each complaint filed by an employee of the
13 *office, University or System, as applicable,* in the immediately
14 preceding calendar year which alleges conduct, whether intentional
15 or unintentional, which is not unlawful but is against the public
16 policy set forth in NRS 281.001, including, without limitation,
17 conduct that communicates a negative attitude toward persons of
18 marginalized identities; and

19 (b) Any action taken in response to a complaint described in
20 paragraph (a).

21 2. Any information contained in a report required by
22 subsection 1 must be reported in a manner that does not reveal the
23 identity of any person.

24 3. As used in this section, “marginalized identity” has the
25 meaning ascribed to it in NRS 284.015.

26 **Sec. 60.** NRS 396.122 is hereby amended to read as follows:

27 396.122 A member of ~~{the Board of Regents}~~ *a higher*
28 *education governing body or the Office* shall not be interested,
29 directly or indirectly, as principal, partner, agent or otherwise, in
30 any contract or expenditure created by ~~{the Board of Regents,}~~ *a*
31 *higher education governing body or the Office, as applicable,* or in
32 the profits or results thereof.

33 **Sec. 61.** NRS 396.126 is hereby amended to read as follows:

34 396.126 “Complainant” means a student or employee of an
35 institution within the *University or System* who is alleged to be the
36 victim of conduct that could constitute sexual misconduct.

37 **Sec. 62.** NRS 396.133 is hereby amended to read as follows:

38 396.133 “Sexual harassment” means conduct on the basis of
39 sex, whether direct or indirect, implicit or explicit, verbal or
40 nonverbal or in person or via virtual or electronic means, that
41 satisfies one or more of the following:

42 1. An employee of an institution within the *University or*
43 *System* conditioning the provision of an aid, benefit or service of the
44 institution or the terms, conditions or privileges of the participation
45 of a person in the education programs or activities of the institution



1 on the person's participation in unwelcome sexual conduct,
2 including, without limitation:

- 3 (a) A sexual advance;
- 4 (b) A request for sexual favors; or
- 5 (c) Other conduct of a sexual nature.

6 2. Unwelcome sexual advances, requests for sexual favors and
7 conduct of a sexual nature or evincing gender bias:

8 (a) That, in the educational environment, is made a term or
9 condition of a student's academic status or, based on an objective
10 standard, is sufficiently severe, persistent or pervasive that it
11 interferes with, limits or effectively denies a student the ability to
12 participate in or benefit from the services, activities or opportunities
13 offered by an institution within the *University or* System.

14 (b) Where, in the workplace, submission to or rejection of the
15 sexual advances, requests for sexual favors or conduct is used as a
16 basis for decisions or evaluations related to academics or
17 employment or permission to participate in a service, activity or
18 opportunity offered by an institution within the *University or*
19 System or that, based on an objective standard, is sufficiently
20 severe, persistent or pervasive that it creates an intimidating, hostile
21 or abusive work environment which may or may not interfere with
22 an employee's job performance.

23 3. Sexual assault, dating violence, domestic violence or
24 stalking.

25 **Sec. 63.** NRS 396.136 is hereby amended to read as follows:

26 396.136 "Student" includes, without limitation, a former
27 student of an institution within the *University or* System who took a
28 leave of absence or withdrew from the institution due to being a
29 complainant or respondent.

30 **Sec. 64.** NRS 396.141 is hereby amended to read as follows:

31 396.141 1. There is hereby created the Task Force on Sexual
32 Misconduct at Institutions of Higher Education consisting of ~~12~~ 13
33 members as follows:

34 (a) The Chancellor of the ~~System,~~ *University*, or his or her
35 designee;

36 (b) *The Director of the Office, or his or her designee;*

37 (c) The Chief General Counsel of the ~~System,~~ *University*, or
38 his or her designee; and

39 ~~(e)~~ (d) Ten members appointed by the ~~Board of Regents,~~
40 *higher education governing bodies in this State, in consultation*
41 *with the Office*, as follows:

- 42 (1) One representative of a state college;
- 43 (2) One representative of a community college;
- 44 (3) One representative of a university;



1 (4) One Title IX coordinator from an institution within the
2 *University or* System;

3 (5) One student, appointed in consultation with a student
4 government association, who represents a group or organization that
5 focuses on multiculturalism, diversity or advocacy at a state college
6 or community college;

7 (6) One student, appointed in consultation with a student
8 government association, who represents a group or organization that
9 focuses on multiculturalism, diversity or advocacy at a university;

10 (7) One researcher with experience in the development of
11 climate surveys on sexual misconduct;

12 (8) One researcher of statistics, data analytics or
13 econometrics with experience in survey analysis in higher
14 education;

15 (9) One medical professional from the University of Nevada,
16 Las Vegas, School of Medicine or the University of Nevada, Reno,
17 School of Medicine; and

18 (10) One person who serves as a victim's advocate, as
19 defined in NRS 49.2545, at an institution within the *University or*
20 System.

21 2. After the initial terms, each appointed member of the Task
22 Force serves a term of 2 years and may be reappointed to one
23 additional 2-year term following his or her initial term. A vacancy
24 must be filled in the same manner as the original appointment.

25 3. The Task Force shall, at its first meeting and each odd-
26 numbered year thereafter, elect a Chair from among its members.

27 4. The Task Force shall meet at least once annually and may
28 meet at other times upon the call of the Chair or a majority of the
29 members of the Task Force.

30 5. A majority of the members of the Task Force constitutes a
31 quorum, and a quorum may exercise all the power and authority
32 conferred on the Task Force.

33 6. Members of the Task Force serve without compensation,
34 except that for each day or portion of a day during which a member
35 of the Task Force attends a meeting of the Task Force or is
36 otherwise engaged in the business of the Task Force, and within the
37 limits of available money, the member is entitled to receive the per
38 diem allowance and travel expenses provided for state officers and
39 employees generally.

40 7. Each member of the Task Force who is an officer or
41 employee of the State or a local government must be relieved from
42 his or her duties without loss of his or her regular compensation so
43 that the member may prepare for and attend meetings of the Task
44 Force and perform any work necessary to carry out the duties of the
45 Task Force in the most timely manner practicable. A state agency or



1 local government shall not require an officer or employee who is a
2 member of the Task Force to make up the time the member is absent
3 from work to carry out his or her duties as a member, and shall not
4 require the member to take annual vacation or compensatory time
5 for the absence.

6 **Sec. 65.** NRS 396.1415 is hereby amended to read as follows:

7 396.1415 1. The Task Force on Sexual Misconduct at
8 Institutions of Higher Education created by NRS 396.141 shall:

9 (a) Review the results of any climate survey on sexual
10 misconduct administered at an institution within the *University or*
11 *System*; and

12 (b) Each year, hold a meeting open to the public to provide
13 recommendations to the ~~[Board of Regents]~~ *higher education*
14 *governing bodies and the Office* on how to address sexual
15 misconduct at institutions within the *University or System*.

16 2. A meeting held pursuant to subsection 1 is not subject to the
17 provisions of chapter 241 of NRS.

18 **Sec. 66.** NRS 396.142 is hereby amended to read as follows:

19 396.142 1. To the extent that money is available, ~~[the Board~~
20 ~~of Regents]~~ *a higher education governing body or the Office* may
21 appoint researchers employed at one or more institutions within the
22 *University or System* to develop a climate survey on sexual
23 misconduct designed to be administered at institutions within the
24 *University or System*. The climate survey on sexual misconduct
25 must:

26 (a) Gather institution-specific data regarding the prevalence of
27 gender-based harassment and discrimination;

28 (b) Be fair and unbiased;

29 (c) Be scientifically valid and reliable; and

30 (d) Meet the highest standards of survey research.

31 2. If appointed to develop a climate survey on sexual
32 misconduct, the researchers shall:

33 (a) Use best practices from peer-reviewed research;

34 (b) Consult with persons with expertise in the development and
35 use of climate surveys on sexual misconduct at institutions of higher
36 education;

37 (c) Consult with a student government association;

38 (d) Review climate surveys on sexual misconduct which have
39 been developed and implemented by institutions of higher
40 education, including, without limitation, institutions in other states;

41 (e) Provide opportunity for written comment from organizations
42 that assist victims of sexual misconduct to ensure the adequacy and
43 appropriateness of any proposed content of the climate survey on
44 sexual misconduct;



1 (f) Consult with institutions within the *University or* System on
2 strategies for optimizing the effectiveness of the climate survey on
3 sexual misconduct; and

4 (g) Account for the diverse needs and differences of the
5 institutions within the *University or* System.

6 3. If a climate survey on sexual misconduct is developed, the
7 climate survey must request information on topics related to sexual
8 misconduct. The topics may include, without limitation:

9 (a) The estimated number of alleged incidents of sexual
10 misconduct, both reported and not reported, at an institution within
11 the *University or* System, if a student taking the survey has
12 knowledge of such information;

13 (b) When and where an alleged incident of sexual misconduct
14 occurred;

15 (c) Whether an alleged incident of sexual misconduct was
16 perpetrated by a student, faculty member, staff member of an
17 institution within the *University or* System, third party vendor or
18 another person;

19 (d) Awareness of a student of the policies and procedures related
20 to sexual misconduct at an institution;

21 (e) Whether a student reported an alleged incident of sexual
22 misconduct and:

23 (1) If the incident was reported, to which campus resource or
24 law enforcement agency a report was made; and

25 (2) If the incident was not reported, the reason the student
26 chose not to report the incident;

27 (f) Whether a student who reported an alleged incident of sexual
28 misconduct was:

29 (1) Offered supportive measures by an institution;

30 (2) Informed of, aware of or referred to campus, local or state
31 resources for support for victims, including, without limitation,
32 appropriate medical care and legal services; and

33 (3) Informed of the prohibition against retaliation for
34 reporting an alleged incident of sexual misconduct;

35 (g) Contextual factors in an alleged incident of sexual
36 misconduct, such as the involvement of force, incapacitation or
37 coercion;

38 (h) Demographic information that could be used to identify at-
39 risk groups, including, without limitation, the gender, race,
40 ethnicity, national origin, economic status, disability, gender identity
41 or expression, immigration status and sexual orientation of the
42 student taking the climate survey on sexual misconduct;

43 (i) Perceptions a student has of campus safety;



1 (j) Whether a student has confidence in the ability of the
2 institution to protect against and respond to alleged incidents of
3 sexual misconduct;

4 (k) Whether a student chose to withdraw or take a leave of
5 absence from the institution or transfer to another institution because
6 the student is the complainant or respondent in an alleged incident
7 of sexual misconduct;

8 (l) Whether a student withdrew from any classes or was placed
9 on academic probation, disciplinary probation or otherwise
10 disciplined as a result of an alleged incident of sexual misconduct;

11 (m) Whether a student experienced any financial impact as a
12 result of an alleged incident of sexual misconduct;

13 (n) Whether a student experienced any negative health impacts
14 as a result of an alleged incident of sexual misconduct, including,
15 without limitation, post-traumatic stress disorder, anxiety,
16 depression, chronic pain or an eating disorder;

17 (o) The perception of the participants in the survey of the
18 attitudes of the community toward sexual misconduct, including,
19 without limitation, the willingness of a person to intervene in an
20 ongoing incident of sexual misconduct as a bystander; and

21 (p) Any other questions as determined necessary by the
22 researchers.

23 4. The climate survey on sexual misconduct must provide an
24 option for students to decline to answer a question.

25 5. The climate survey on sexual misconduct must be provided
26 to the Task Force on Sexual Misconduct at Institutions of Higher
27 Education created pursuant to NRS 396.141 for comment.

28 **Sec. 67.** NRS 396.1425 is hereby amended to read as follows:

29 396.1425 1. To the extent that money is available, the Board
30 of Regents may require ~~[each institution within]~~ the *University, the*
31 *board of trustees of a state college or community college may*
32 *require the state college or community college and the Director*
33 *may require an institution within the* System to conduct a climate
34 survey on sexual misconduct at the institution biennially.

35 2. A climate survey on sexual misconduct conducted pursuant
36 to subsection 1 must include the questions developed by researchers
37 employed at an institution within the *University or* System pursuant
38 to NRS 396.142. If an institution within the *University or* System
39 includes additional questions on a climate survey on sexual
40 misconduct pursuant to subsection 1, the questions must not be
41 unnecessarily traumatizing for a victim of an alleged incident of
42 sexual misconduct.

43 3. If an institution within the *University or* System conducts a
44 climate survey on sexual misconduct pursuant to subsection 1, the
45 institution shall:



1 (a) Provide the survey to each student at the institution,
2 including, without limitation, students studying abroad;

3 (b) Not require the disclosure of personally identifiable
4 information by a participant in the climate survey on sexual
5 misconduct;

6 (c) Work to ensure an adequate number of students complete the
7 survey to achieve a random and representative sample size of
8 students;

9 (d) Within 120 days after completion of the climate survey on
10 sexual misconduct:

11 (1) Compile a summary of the responses to the survey; and

12 (2) Submit the summary of responses to the ~~Board of~~
13 ~~Regents;~~ *higher education governing body of the institution and*
14 *the Office;* and

15 (e) Post on the Internet website maintained by the institution in a
16 manner that does not disclose personally identifiable information of
17 any person, the summary of the responses to the climate survey on
18 sexual misconduct.

19 4. A climate survey on sexual misconduct must be
20 administered electronically by an institution within the *University or*
21 *System* and provide reasonable accommodations for students with a
22 disability.

23 5. An institution within the *University or* System may obtain a
24 waiver from the ~~Board of Regents~~ *higher education governing*
25 *body of the institution or the Office, as applicable,* to not
26 administer a climate survey on sexual misconduct pursuant to this
27 section due to the financial circumstances of the institution.

28 6. An institution within the *University or* System may apply
29 for and accept any gifts, grants, donations, bequests or other money
30 from any source to carry out the provisions of this section.

31 7. Any data or reports that underlie the summaries generated
32 pursuant to subsection 2 are confidential and are not a public record
33 for the purposes of chapter 239 of NRS.

34 **Sec. 68.** NRS 396.143 is hereby amended to read as follows:

35 396.143 1. If ~~the Board of Regents~~ *a higher education*
36 *governing body or the Office* requires an institution within the
37 *University or* System to conduct a climate survey on sexual
38 misconduct pursuant to NRS 396.1425, the ~~Board of Regents~~
39 *higher education governing body or the Office* shall to the extent
40 that money is available:

41 (a) Provide a copy of the questions developed by the researchers
42 employed at an institution within the *University or* System pursuant
43 to NRS 396.142 to ~~each~~ *the* institution within a reasonable time
44 after the ~~Board of Regents~~ *higher education governing body or*
45 *the Office* receives the questions from the researchers;



1 (b) Establish a repository for the summaries of the climate
2 survey on sexual misconduct submitted by ~~[each]~~ *the* institution
3 pursuant to NRS 396.1425;

4 (c) Post each summary of the responses to a climate survey on
5 sexual misconduct submitted by an institution pursuant to NRS
6 396.1425 on the Internet website maintained by ~~[the Board of
7 Regents]~~ *the higher education governing body and the Office* in a
8 manner that does not disclose personally identifiable information of
9 any person;

10 (d) Adopt a policy on the dissemination, collection and
11 summation of the responses to the climate survey on sexual
12 misconduct; and

13 (e) On or before February 1 of each odd-numbered year, report
14 the summaries of the climate survey on sexual misconduct
15 submitted by an institution pursuant to NRS 396.1425 to the
16 Director of the Legislative Counsel Bureau for transmittal to the
17 Senate and Assembly Standing Committees on Education.

18 2. Any data or reports that underlie the summaries generated
19 pursuant to subsection 1 are confidential and are not a public record
20 for the purposes of chapter 239 of NRS.

21 **Sec. 69.** NRS 396.144 is hereby amended to read as follows:

22 396.144 ~~[The Board of Regents]~~ *Each higher education*
23 *governing body or the Office* may require an institution within the
24 *University or System, as applicable*, to:

25 1. Require employees who participate in the grievance process
26 of the institution pursuant to Title IX of the Education Amendments
27 Act of 1972, 20 U.S.C. §§ 1681 et seq., or a policy on sexual
28 misconduct adopted pursuant to NRS 396.145 to receive annual
29 training on topics related to sexual misconduct which may include,
30 without limitation, any training required pursuant to NRS 396.152;

31 2. Provide a complainant and respondent with a copy of the
32 policies of the institution regarding the submission and
33 consideration of evidence that may be considered during the
34 grievance process;

35 3. Except as otherwise required by federal law, within 14
36 business days after the conclusion of the grievance process, inform
37 the complainant and the respondent of the result of the grievance
38 process; and

39 4. Unless otherwise required by state or federal law, not
40 publicly disclose the identity of a complainant or respondent.

41 **Sec. 70.** NRS 396.145 is hereby amended to read as follows:

42 396.145 1. ~~[The Board of Regents]~~ *Each higher education*
43 *governing body or the Office* may require an institution within the
44 *University or System, as applicable*, to adopt a policy on sexual
45 misconduct consistent with applicable state and federal law.



1 2. If ~~[the Board of Regents]~~ *a higher education governing*
2 *body or the Office* requires the adoption of a policy on sexual
3 misconduct pursuant to subsection 1, in developing the policy on
4 sexual misconduct, an institution within the *University or System* ~~;~~
5 *, as applicable:*

6 (a) Shall:

7 (1) Incorporate a trauma-informed response;

8 (2) Coordinate with:

9 (I) The Title IX coordinator of the institution; and

10 (II) If an institution has entered into a memorandum of
11 understanding pursuant to NRS 396.147, the organization that
12 assists persons involved in sexual misconduct; and

13 (3) Engage in a culturally competent manner to reflect the
14 diverse needs of all students; and

15 (b) May consider input from internal and external entities,
16 including, without limitation:

17 (1) Administrators at the institution;

18 (2) Personnel affiliated with health care centers located on or
19 off a campus of the institution that provide services to the
20 institution;

21 (3) An advocate designated pursuant to NRS 396.148;

22 (4) Staff affiliated with campus housing services;

23 (5) Students enrolled in an institution within the *University*
24 *or System*;

25 (6) A provider of health care;

26 (7) Law enforcement agencies, including, without limitation,
27 campus police or security; and

28 (8) The district attorney of the county where the main
29 campus of the institution is located.

30 3. If ~~[the Board of Regents]~~ *a higher education governing*
31 *body or the Office* requires the adoption of a policy on sexual
32 misconduct pursuant to subsection 1, an institution within the
33 *University or System* shall provide:

34 (a) Internal or external entities an opportunity to provide
35 comment on the initial policy on sexual misconduct or any
36 substantive change to the policy;

37 (b) Instructions on how an internal or external entity may
38 provide comment on the initial policy on sexual misconduct or a
39 substantive change to the policy; and

40 (c) A reasonable length of time during which the institution will
41 accept comment.

42 4. After an initial policy on sexual misconduct is adopted by an
43 institution within the *University or System*, the opportunity for
44 comment by an internal or external entity pursuant to subsection 3



1 applies only to a substantive change to the policy, as determined by
2 the institution.

3 5. If ~~the Board of Regents~~ *a higher education governing*
4 *body or the Office* requires the adoption of a policy on sexual
5 misconduct pursuant to subsection 1, an institution within the
6 *University or* System shall make the policy on sexual misconduct
7 publicly available not later than the start of each academic year:

8 (a) Upon request, to a prospective student, current student or
9 employee of the institution; and

10 (b) On the Internet website maintained by the institution.

11 **Sec. 71.** NRS 396.146 is hereby amended to read as follows:

12 396.146 A policy on sexual misconduct adopted pursuant to
13 NRS 396.145 must include, without limitation, information on:

14 1. The procedures by which a student or employee at an
15 institution within the *University or* System may report or disclose an
16 alleged incident of sexual misconduct that occurred on or off a
17 campus of the institution;

18 2. Supportive measures, including, without limitation:

19 (a) Changing academic, living, campus transportation or work
20 arrangements;

21 (b) Taking a leave of absence from the institution in response to
22 an alleged incident of sexual misconduct;

23 (c) How to request supportive measures; and

24 (d) The process to have any supportive measures reviewed by
25 the institution;

26 3. Appropriate local, state and federal law enforcement
27 agencies, including, without limitation, the contact information for a
28 law enforcement agency; and

29 4. The grievance process of the institution for investigating and
30 resolving a report of an alleged incident of sexual misconduct
31 pursuant to Title IX of the Education Amendments Act of 1972, 20
32 U.S.C. §§ 1681 et seq.

33 **Sec. 72.** NRS 396.147 is hereby amended to read as follows:

34 396.147 1. ~~The Board of Regents~~ *A higher education*
35 *governing body or the Office* may require an institution within the
36 *University or* System, *as applicable*, to enter into a memorandum
37 of understanding with an organization that assists persons involved
38 in sexual misconduct. The memorandum of understanding may,
39 without limitation:

40 (a) Allow for cooperation and training between the institution
41 and the organization that assists persons involved in sexual
42 misconduct to establish an understanding of the:

43 (1) Responsibilities that the institution and organization that
44 assists persons involved in sexual misconduct have in responding to



1 a report or disclosure of an alleged incident of sexual misconduct;
2 and

3 (2) Procedures of the institution for providing support and
4 services to students and employees;

5 (b) Require an organization that assists persons involved in
6 sexual misconduct to:

7 (1) Assist with developing policies, programming or training
8 at the institution regarding sexual misconduct;

9 (2) Provide an alternative for a student or employee of the
10 institution to receive free and confidential counseling, advocacy or
11 crisis services related to an alleged incident of sexual misconduct
12 that are located on or off a campus of the institution, including,
13 without limitation:

14 (I) Access to a health care provider who specializes in
15 forensic medical examinations; and

16 (II) Confidential services;

17 (3) Assist with the development and implementation of
18 education and prevention programs for students of the institution;
19 and

20 (4) Assist with the development and implementation of
21 training and prevention curriculum for employees of the institution;
22 and

23 (c) Include a fee structure for any services provided by the
24 organization that assists persons involved in sexual misconduct.

25 2. As used in this section, "forensic medical examination" has
26 the meaning ascribed to it in NRS 217.300.

27 **Sec. 73.** NRS 396.148 is hereby amended to read as follows:

28 396.148 1. ~~{The Board of Regents}~~ *A higher education*
29 *governing body or the Office* may require an institution within the
30 *University or System, as applicable,* to designate an advocate. If
31 ~~{the Board of Regents}~~ *a higher education governing body or the*
32 *Office* requires the designation of an advocate, an institution shall
33 designate existing categories of employees who may serve as an
34 advocate. An institution may:

35 (a) Partner with an organization that assists persons involved in
36 sexual misconduct to designate an advocate; or

37 (b) If the institution enrolls less than 1,000 students who reside
38 in campus housing, partner with another institution within the
39 *University or System* to designate an advocate.

40 2. An advocate designated pursuant to subsection 1:

41 (a) Must not be a Title IX coordinator, a member of campus
42 police or law enforcement or any other official of the institution who
43 is authorized to initiate a disciplinary proceeding on behalf of the
44 institution or whose position at the institution may create a conflict
45 of interest;



1 (b) Must be designated based on the training or experience of
2 the person to effectively provide services related to sexual
3 misconduct; and

4 (c) Must have completed at least 20 hours of relevant training.

5 3. If an institution within the *University or* System designates
6 an advocate pursuant to subsection 1, the advocate must be trained
7 on:

8 (a) The awareness and prevention of sexual misconduct;

9 (b) Title IX of the Education Amendments Act of 1972, 20
10 U.S.C. §§ 1681 et seq.;

11 (c) Any policy on sexual misconduct adopted by the institution
12 pursuant to NRS 396.145; and

13 (d) Trauma-informed responses to a report of an alleged incident
14 of sexual misconduct.

15 4. An institution within the *University or* System that
16 designates an advocate pursuant to subsection 1 shall provide for the
17 availability of an advocate to students within a reasonable distance
18 from the institution or by electronic means if it is not practicable to
19 provide for the availability of an advocate in person.

20 **Sec. 74.** NRS 396.149 is hereby amended to read as follows:

21 396.149 1. If an advocate is designated pursuant to NRS
22 396.148, the advocate shall:

23 (a) Inform a student or employee of, or provide resources about
24 how to obtain information on:

25 (1) Options on how to report an alleged incident of sexual
26 misconduct and the effects of each option;

27 (2) Counseling services available on a campus of the
28 institution and through local community resources;

29 (3) Medical and legal services available on or off a campus
30 of the institution;

31 (4) Available supportive measures;

32 (5) Counseling related to student loans;

33 (6) The grievance process of the institution and that the
34 grievance process is not a substitute for the system of criminal
35 justice;

36 (7) The role of local, state and federal law enforcement
37 agencies;

38 (8) Any limits on the ability of the advocate to provide
39 privacy or confidentiality to the student or employee; and

40 (9) A policy on sexual misconduct adopted by the institution
41 pursuant to NRS 396.145;

42 (b) Notify the student or employee of his or her rights and the
43 responsibilities of the institution regarding an order for protection,
44 restraining order or injunction issued by a court;



1 (c) Unless otherwise required by state or federal law, not be
2 required to report an alleged incident of sexual misconduct to the
3 institution or a law enforcement agency;

4 (d) Provide confidential services to students and employees;

5 (e) Not provide confidential services to more than one party in a
6 grievance process;

7 (f) Unless otherwise required by state or federal law, not
8 disclose confidential information without the prior written consent
9 of the student or employee who shared the information;

10 (g) Support a complainant or respondent in obtaining supportive
11 measures to ensure the complainant or respondent has continued
12 access to education; and

13 (h) Inform a student or employee that supportive measures may
14 be available through disability services or the Title IX coordinator.

15 2. If an advocate is designated pursuant to NRS 396.148, the
16 advocate may:

17 (a) If appropriate and if directed by a student or employee, assist
18 the student or employee in reporting an alleged incident of sexual
19 misconduct to the institution or a law enforcement agency; and

20 (b) Attend a disciplinary proceeding of the institution as the
21 advisor or support person of a complainant.

22 3. Notice to an advocate of an alleged incident of sexual
23 misconduct or the performance of services by an advocate pursuant
24 to this section shall not constitute actual or constructive notice of an
25 alleged incident of sexual misconduct to the institution within the
26 *University or* System which designated the advocate pursuant to
27 NRS 396.148.

28 4. If a conflict of interest arises between the institution within
29 the *University or* System which designated an advocate and the
30 advocate in advocating for the provision of supportive measures by
31 the institution to a complainant or a respondent, the institution shall
32 not discipline, penalize or otherwise retaliate against the advocate
33 for advocating for the complainant or the respondent.

34 **Sec. 75.** NRS 396.151 is hereby amended to read as follows:

35 396.151 1. ~~{The Board of Regents}~~ *A higher education*
36 *governing body or the Office* may prohibit an institution within the
37 *University or* System , *as applicable*, from subjecting a
38 complainant, reporting party or witness who reports an alleged
39 incident of sexual misconduct to a disciplinary proceeding or
40 sanction for a violation of a policy on student conduct related to
41 drug or alcohol use, trespassing or unauthorized entry of school
42 facilities or other violation of a policy of an institution that occurred
43 during or related to an alleged incident of sexual misconduct unless
44 the institution determines that the:



1 (a) Report of an alleged incident of sexual misconduct was not
2 made in good faith; or

3 (b) The violation of a policy on student conduct was egregious,
4 including, without limitation, a violation that poses a risk to the
5 health or safety of another person.

6 2. ~~[The Board of Regents]~~ *A higher education governing body*
7 *or the Office* may require an institution within the *University or*
8 *System , as applicable*, to review any disciplinary action taken
9 against a reporting party or witness to determine if there is any
10 connection between the alleged incident of sexual misconduct that
11 was reported and the misconduct that led to the reporting party or
12 witness being disciplined.

13 **Sec. 76.** NRS 396.152 is hereby amended to read as follows:

14 396.152 1. ~~[The Board of Regents]~~ *A higher education*
15 *governing body or the Office* may require an institution within the
16 *University or System , as applicable*, to provide training on the
17 grievance process of the institution in accordance with 34 C.F.R.
18 § 106.45.

19 2. ~~[The Board of Regents]~~ *A higher education governing body*
20 *or the Office* may require an institution within the *University or*
21 *System , as applicable*, to train the Title IX coordinator and
22 members of the campus police or safety personnel of the institution
23 in the awareness of sexual misconduct and in trauma-informed
24 response to an alleged incident of sexual misconduct.

25 **Sec. 77.** NRS 396.153 is hereby amended to read as follows:

26 396.153 1. ~~[The Board of Regents]~~ *A higher education*
27 *governing body or the Office* may require an institution within the
28 *University or System , as applicable*, to provide programming on
29 awareness and prevention of sexual misconduct to all students and
30 employees of the institution. If ~~[the Board of Regents]~~ *a higher*
31 *education governing body or the Office* requires an institution to
32 provide programming on awareness and prevention of sexual
33 misconduct, the programming must include, without limitation:

34 (a) An explanation of consent as it applies to a sexual act or
35 sexual conduct with another person;

36 (b) The manner in which drugs and alcohol may affect the
37 ability of a person to consent to a sexual act or sexual conduct with
38 another person;

39 (c) Information on options for reporting an alleged incident of
40 sexual misconduct, the effects of each option and the method to file
41 a report under each option, including, without limitation, a
42 description of the confidentiality and anonymity, as applicable, of a
43 report;

44 (d) Information on the grievance process of the institution for
45 addressing a report of an alleged incident of sexual misconduct,



1 including, without limitation, a policy on sexual misconduct adopted
2 pursuant to NRS 396.145;

3 (e) The range of sanctions or penalties the institution may
4 impose on a student or employee found responsible for an incident
5 of sexual misconduct;

6 (f) If an advocate is designated pursuant to NRS 396.148, the
7 name, contact information and role of the advocate;

8 (g) Strategies for intervention by bystanders;

9 (h) Strategies for reduction of the risk of sexual misconduct; and

10 (i) Any other opportunities for additional programming on
11 awareness and prevention of sexual misconduct.

12 2. If an institution provides programming on awareness and
13 prevention of sexual misconduct pursuant to subsection 1, the
14 institution:

15 (a) Shall coordinate with the Title IX coordinator of the
16 institution;

17 (b) May coordinate with a law enforcement agency and, if the
18 institution entered into a memorandum of understanding with an
19 organization that assists persons involved in sexual misconduct
20 pursuant to NRS 396.147, that organization; and

21 (c) Shall require students or employees to attend the
22 programming on the awareness and prevention of sexual
23 misconduct.

24 3. If an institution provides programming on awareness and
25 prevention of sexual misconduct pursuant to subsection 1, the
26 programming may be culturally responsive and address the unique
27 experiences and challenges faced by students based on the race,
28 ethnicity, national origin, economic status, disability, gender identity
29 or expression, immigration status and sexual orientation of a
30 student.

31 **Sec. 78.** NRS 396.154 is hereby amended to read as follows:

32 396.154 ~~[The Board of Regents]~~ *A higher education*
33 *governing body or the Office* may require an institution within the
34 *University or System, as applicable*, that receives a report of an
35 alleged incident of sexual misconduct that involves a student or
36 employee of the institution to determine the responsibility of a
37 respondent, if any, based on a preponderance of the evidence.

38 **Sec. 79.** NRS 396.155 is hereby amended to read as follows:

39 396.155 1. ~~[The Board of Regents]~~ *A higher education*
40 *governing body or the Office* may require an institution within the
41 *University or System, as applicable*, to accept a request from a
42 complainant who is 18 years of age or older to keep the identity of
43 the complainant confidential or take no investigative or disciplinary
44 action against a respondent. An institution shall not grant such a
45 request if state or federal law requires disclosure or further action. In



1 determining whether to grant such a request, the institution shall
2 consider whether there is a risk that the respondent may commit
3 additional acts of sexual misconduct, violence, discrimination or
4 harassment based on whether one or more of the following factors
5 are present to a sufficient degree such that the request cannot be
6 honored:

7 (a) There are any previous or existing reports of an incident of
8 sexual misconduct against the respondent, including, without
9 limitation, records of complaints or the arrest of the respondent;

10 (b) The respondent allegedly used a weapon;

11 (c) The respondent threatened violence, discrimination or
12 harassment against the complainant or other persons;

13 (d) The alleged incident of sexual misconduct was alleged to
14 have been committed by two or more people;

15 (e) The circumstances surrounding the alleged incident of sexual
16 misconduct indicate that the incident was premeditated and, if so,
17 whether the respondent or another person allegedly premeditated the
18 incident;

19 (f) The circumstances surrounding the alleged incident of sexual
20 misconduct indicate a pattern of consistent behavior at a particular
21 location or by a particular group of people;

22 (g) The institution is able to conduct a thorough investigation
23 and obtain relevant evidence without the cooperation of the
24 complainant; and

25 (h) There are any other factors that indicate the respondent may
26 repeat the behavior alleged by the complainant or that the
27 complainant or other persons may be at risk of harm.

28 2. If an institution within the *University or* System grants a
29 request for confidentiality or to not take any investigative or
30 disciplinary action pursuant to subsection 1, the institution shall take
31 reasonable steps to, without initiating formal action against the
32 respondent:

33 (a) Respond to the report of the alleged incident of sexual
34 misconduct while maintaining the confidentiality of the
35 complainant;

36 (b) Limit the effects of the alleged incident of sexual
37 misconduct; and

38 (c) Prevent the recurrence of any misconduct.

39 3. Reasonable steps taken pursuant to subsection 2 may
40 include, without limitation:

41 (a) Increased monitoring, supervision or security at locations or
42 activities where the alleged incident of sexual misconduct occurred;

43 (b) Providing additional training and educational materials for
44 students and employees; or



1 (c) Ensuring a complainant is informed of and has access to
2 appropriate supportive measures.

3 4. If an institution within the *University or* System grants a
4 request for confidentiality or to not take any investigative or
5 disciplinary action pursuant to subsection 1, the institution shall
6 inform the complainant that the ability of the institution to respond
7 to the report of the alleged incident of sexual misconduct will be
8 limited by the request.

9 5. If an institution within the *University or* System determines
10 that it cannot grant a request for confidentiality or to not take any
11 investigative or disciplinary action pursuant to subsection 1, the
12 institution shall:

13 (a) Inform the complainant of the determination before
14 disclosing the identity of the complainant or initiating an
15 investigation;

16 (b) Make available supportive measures for the complainant;
17 and

18 (c) If requested by the complainant, inform the respondent that
19 the complainant asked the institution not to take investigative or
20 disciplinary action against the respondent.

21 **Sec. 80.** NRS 396.156 is hereby amended to read as follows:

22 396.156 1. In conducting an investigation of an alleged
23 incident of sexual misconduct an institution within the *University or*
24 System shall:

25 (a) Provide the complainant and the respondent the opportunity
26 to identify witnesses and other evidence to assist the institution in
27 determining whether an alleged incident of sexual misconduct has
28 occurred;

29 (b) Inform the complainant and the respondent that any evidence
30 available to the party but not disclosed during the investigation
31 might not be considered at a subsequent hearing; and

32 (c) Ensure that questions and evidence of the sexual history or
33 sexual predisposition of a complainant are not considered relevant
34 unless the:

35 (1) Questions or evidence are directly relevant to prove that
36 the conduct alleged to have been committed by the respondent was
37 inflicted by another person; or

38 (2) Questions and evidence are relevant to demonstrate how
39 the parties communicated consent in previous or subsequent
40 consensual sexual conduct.

41 2. An institution within the *University or* System shall provide
42 periodic updates on the investigation to the complainant and the
43 respondent regarding the timeline of the investigation.



1 3. An institution within the *University or* System shall notify
2 the complainant and the respondent of the findings of an
3 investigation simultaneously.

4 4. If an institution within the *University or* System imposes
5 any disciplinary action based on the findings of an investigation on a
6 respondent, such disciplinary action must be imposed in accordance
7 with the grievance process of the institution.

8 **Sec. 81.** NRS 396.157 is hereby amended to read as follows:

9 396.157 1. An institution within the *University or* System
10 may issue a no-contact directive prohibiting the complainant and the
11 respondent from contacting each other. An institution may issue a
12 no-contact directive if the directive is necessary to, without
13 limitation:

14 (a) Protect the safety or well-being of either the complainant or
15 the respondent; or

16 (b) Respond to interference with an investigation.

17 2. A no-contact directive issued against the respondent after a
18 decision of responsibility, if any, has been made must be mutually
19 applied to the complainant and the respondent.

20 3. If an institution issues a mutual no-contact directive, the
21 institution shall provide the complainant and the respondent with an
22 explanation of the terms of the directive, including, without
23 limitation, that a violation of the directive may subject the party to
24 disciplinary action.

25 **Sec. 82.** NRS 396.158 is hereby amended to read as follows:

26 396.158 1. A student who experiences sexual misconduct
27 may request a waiver from any requirement to maintain a certain
28 grade point average, credit enrollment, or other academic or
29 disciplinary record requirement relating to academic success for any
30 scholarship, grant or other academic program offered by an
31 institution within the *University or* System. A waiver may be
32 granted by a provost, dean, academic advisor or other appropriate
33 staff or faculty member of the institution.

34 2. A student or employee who experiences sexual misconduct
35 may be granted a request to take a leave of absence or, to the extent
36 practicable, extend benefits of employment.

37 **Sec. 83.** NRS 396.159 is hereby amended to read as follows:

38 396.159 1. ~~[The Board of Regents]~~ *A higher education*
39 *governing body or the Office* may require an institution within the
40 *University or* System, *as applicable*, to prepare and submit to the
41 ~~[Board of Regents]~~ *higher education governing body or the Office*
42 an annual report that includes, without limitation:

43 (a) The total number of reports of alleged incidents of sexual
44 misconduct allegedly committed by a student or employee of the
45 institution made to the Title IX office of the institution;



1 (b) The number of students and employees found responsible for
2 an incident of sexual misconduct by the institution;

3 (c) The number of students and employees accused of but found
4 not responsible for an incident of sexual misconduct by the
5 institution;

6 (d) The number of persons sanctioned by the institution as a
7 result of a finding of responsibility for an incident of sexual
8 misconduct; and

9 (e) The number of persons who submitted requests for
10 supportive measures and the number of persons who received
11 supportive measures.

12 2. A report submitted pursuant to subsection 1 must not contain
13 any personally identifiable information of a student or employee of
14 an institution within the *University or System*.

15 3. Information contained in a report submitted pursuant to
16 subsection 1 must be able to be disaggregated by students and
17 employees.

18 4. If ~~the Board of Regents~~ *a higher education governing*
19 *body or the Office* requires a report to be prepared and submitted
20 pursuant to subsection 1, an institution shall submit the report to the
21 ~~Board of Regents~~ *higher education governing body or the Office*
22 not later than October 1 of each year.

23 5. If ~~the Board of Regents~~ *a higher education governing*
24 *body or the Office* requires a report to be prepared and submitted
25 pursuant to subsection 1, the ~~Board of Regents~~ *higher education*
26 *governing body or the Office* shall, not later than December 31 of
27 each year, submit a compilation of the reports the ~~Board of~~
28 ~~Regents~~ *higher education governing body or the Office* received
29 pursuant to subsection 1 to the Director of the Department of Health
30 and Human Services and to the Director of the Legislative Counsel
31 Bureau for transmittal to the next regular session of the Legislature
32 in even-numbered years or the Joint Interim Standing Committee on
33 Education in odd-numbered years.

34 6. Any data or reports that underlie the report prepared
35 pursuant to subsection 4 are confidential and are not a public record
36 for the purposes of chapter 239 of NRS.

37 **Sec. 84.** NRS 396.1595 is hereby amended to read as follows:

38 396.1595 ~~The Board of Regents~~ *Each higher education*
39 *governing body and the Office, in consultation with each higher*
40 *education governing body*, may adopt regulations as necessary to
41 carry out the provisions of NRS 396.125 to 396.1595, inclusive.

42 **Sec. 85.** NRS 396.210 is hereby amended to read as follows:

43 396.210 1. After consultation with the faculty, the Board of
44 Regents shall appoint a Chancellor of the ~~System~~ *University*.



1 2. The Chancellor shall have a degree from a college or
2 university recognized as equal in rank to those having membership
3 in the Association of American Universities.

4 **Sec. 86.** NRS 396.220 is hereby amended to read as follows:

5 396.220 The Board of Regents shall fix the salary of the
6 Chancellor of the ~~[System]~~ *University*.

7 **Sec. 87.** NRS 396.230 is hereby amended to read as follows:

8 396.230 The Board of Regents shall prescribe the duties of the
9 Chancellor and such other officers of the ~~[System]~~ *University* as the
10 Board deems appropriate.

11 **Sec. 88.** NRS 396.240 is hereby amended to read as follows:

12 396.240 The Chancellor and other officers of the ~~[System]~~
13 *University* shall make such reports to the Board of Regents as they
14 deem appropriate or as the Board of Regents may require.

15 **Sec. 89.** NRS 396.251 is hereby amended to read as follows:

16 396.251 1. The Board of Regents may establish policies and
17 procedures for personnel which govern student employees, and
18 physicians engaged in a program for residency training and which
19 postdoctoral fellows of the ~~[System]~~ *University* and which are
20 separate from the policies and procedures established for the
21 unclassified personnel of the ~~[System]~~ *University*. *Any higher
22 education governing body other than the Board of Regents may
23 establish such separate policies and procedures for student
24 employees of the System.* Any such policy or procedure does not
25 diminish the eligibility of those persons for coverage as employees
26 under the provisions of chapters 616A to 616D, inclusive, or chapter
27 617 of NRS.

28 2. In establishing policies and procedures pursuant to
29 subsection 1, the Board of Regents *and any other higher education
30 governing body, as applicable*, is not bound by any of the other
31 provisions of this chapter or the provisions of title 23 of NRS. Those
32 provisions do not apply to a student employee, a physician engaged
33 in a program for residency training or a postdoctoral fellow of the
34 *University or System unless otherwise provided by the Board of
35 Regents ~~[]~~ or other higher education governing body, as
36 applicable.*

37 **Sec. 90.** NRS 396.255 is hereby amended to read as follows:

38 396.255 ~~[The Board of Regents]~~ *Each higher education
39 governing body* shall, to carry out the purposes of subsection 3 of
40 NRS 281.221, subsection 3 of NRS 281.230, subsection 3 of NRS
41 281A.430 and NRS 396.1215, establish policies governing the
42 contracts that faculty members and employees of the *University or
43 System* may enter into or benefit from.



1 **Sec. 91.** NRS 396.260 is hereby amended to read as follows:
2 396.260 Notwithstanding the provisions of any other law, ~~the~~
3 ~~Board of Regents~~ *each higher education governing body* may
4 employ any teacher, instructor or professor authorized to teach in
5 the United States under the teacher exchange programs authorized
6 by laws of the Congress of the United States.

7 **Sec. 92.** NRS 396.270 is hereby amended to read as follows:
8 396.270 1. Each teacher, instructor and professor employed
9 by ~~the Board of Regents~~ *a higher education governing body*
10 whose compensation is payable out of the public funds, except
11 teachers, instructors and professors employed pursuant to the
12 provisions of NRS 396.260, shall take and subscribe to the
13 constitutional oath of office before entering upon the discharge of
14 his or her duties.

15 2. The oath of office, when taken and subscribed, shall be filed
16 ~~in the Office of the Board of Regents.~~ *with the higher education*
17 *governing body or the Office, as applicable.*

18 **Sec. 93.** NRS 396.280 is hereby amended to read as follows:
19 396.280 ~~The Board of Regents~~ *A higher education*
20 *governing body* shall have the power to fix the salaries of the
21 academic staff of the ~~System.~~ *institution it governs.*

22 **Sec. 94.** NRS 396.290 is hereby amended to read as follows:
23 396.290 Except as otherwise provided in NRS 396.251 and
24 396.7953, all employees of the *University or* System, including
25 those employees who were receiving benefits under the provisions
26 of chapter 204, Statutes of Nevada 1915, and chapter 99, Statutes of
27 Nevada 1943, may elect to receive the benefits provided under the
28 contract of integration entered into between the Board of Regents
29 and the Public Employees' Retirement Board on June 30, 1950,
30 pursuant to the provisions of NRS 286.370 or may exercise an
31 option to receive the benefits provided under NRS 286.802 to
32 286.816, inclusive.

33 **Sec. 95.** NRS 396.300 is hereby amended to read as follows:
34 396.300 ~~The Board of Regents~~ *Each higher education*
35 *governing body* may prescribe rules for the reports of officers and
36 teachers of the ~~System.~~ *institution it governs.*

37 **Sec. 96.** NRS 396.311 is hereby amended to read as follows:
38 396.311 ~~The Board of Regents~~ *Each higher education*
39 *governing body of a community college or the Office, in*
40 *consultation with the higher education governing body of a*
41 *community college,* shall adopt regulations establishing a system of
42 probation for the professional employees of the Community
43 Colleges. The regulations must provide for a probationary period of
44 such length as *the higher education governing body or* the ~~Board~~
45 *Office* deems appropriate.



1 **Sec. 97.** NRS 396.315 is hereby amended to read as follows:

2 396.315 ~~[The Board of Regents]~~ *Each higher education*
3 *governing body of a community college or the Office, in*
4 *consultation with the higher education governing body of a*
5 *community college,* shall adopt and promulgate regulations
6 establishing a fair dismissal system for the professional employees
7 of the Community Colleges who have completed probation as
8 required by *the higher education governing body or* the ~~[Board]~~
9 *Office* pursuant to NRS 396.311. The regulations must provide that
10 no professional employee who has successfully completed his or her
11 probationary period is subject to termination or nonrenewal of his or
12 her contract except for good cause shown. The regulations must
13 specify what constitutes good cause for such termination or
14 nonrenewal of contract, and must include provisions for:

15 1. Adequate notice;

16 2. A hearing to determine whether good cause exists, to be held
17 before an impartial hearing officer or hearing committee selected in
18 a manner provided by the ~~[Board;]~~ *higher education governing*
19 *body or the Office;* and

20 3. Opportunity for review of the decision of the hearing officer
21 or hearing committee,

22 ↳ in any case involving termination or nonrenewal of the contract
23 of a professional employee who has completed probation.

24 **Sec. 98.** NRS 396.320 is hereby amended to read as follows:

25 396.320 1. The willful neglect or failure on the part of *the*
26 *Director, the Deputy Director of the Office, any assistant director*
27 *of a division of the Office or* any teacher, instructor, professor,
28 president or chancellor in the *University or System, as applicable,*
29 to observe and carry out the requirements of this chapter is sufficient
30 cause for the dismissal or removal of the person from his or her
31 position.

32 2. It is sufficient cause for the dismissal of *the Director, the*
33 *Deputy Director of the Office, any assistant director of a division*
34 *of the Office or* any teacher, instructor, professor, president or
35 chancellor in the *University or System, as applicable,* when the
36 person advocates, or is a member of an organization which
37 advocates, overthrow of the Government of the United States or of
38 the State by force, violence or other unlawful means.

39 **Sec. 99.** NRS 396.323 is hereby amended to read as follows:

40 396.323 1. ~~[The Board of Regents;]~~ *Each higher education*
41 *governing body,* the Chancellor of the ~~[System]~~ *University, the*
42 *Director* and the presidents of all the branches and facilities within
43 the *University or* System may issue subpoenas in all instances
44 involving disciplinary hearings of members of the *University or*
45 System.



1 2. Those persons may issue subpoenas requiring the attendance
2 of witnesses before them together with all books, memoranda,
3 papers and other documents relative to the matters under
4 investigation or to be heard, administer oaths and take testimony
5 thereunder.

6 3. The district court in and for the county in which any hearing
7 is being conducted by any of the persons named in subsection 1 may
8 compel the attendance of witnesses, the giving of testimony and the
9 production of books and papers as required by any subpoena issued
10 by the person holding the hearing.

11 4. In case of the refusal of any witness to attend or testify or
12 produce any papers required by the subpoena, the person holding the
13 hearing may report to the district court in and for the county in
14 which the hearing is pending by petition, setting forth:

15 (a) That due notice has been given of the time and place of
16 attendance of the witness or the production of the books and papers;

17 (b) That the witness has been subpoenaed in the manner
18 prescribed in this chapter; and

19 (c) That the witness has failed and refused to attend or produce
20 the papers required by subpoena before the person holding the
21 hearing named in the subpoena, or has refused to answer questions
22 propounded to the witness in the course of the hearing,

23 and asking an order of the court compelling the witness to attend
24 and testify or produce the books or papers before the person.

25 5. The court, upon petition of the person holding the hearing,
26 shall enter an order directing the witness to appear before the court
27 at a time and place to be fixed by the court in the order, the time
28 must not be more than 10 days after the date of the order, and then
29 and there show cause why the witness has not attended or testified
30 or produced the books or papers before the person holding the
31 hearing. A certified copy of the order must be served upon the
32 witness. If it appears to the court that the subpoena was regularly
33 issued by the person holding the hearing, the court shall thereupon
34 enter an order that the witness appear before the person at the time
35 and place fixed in the order and testify or produce the required
36 books or papers, and upon failure to obey the order the witness must
37 be dealt with as for contempt of court.

38 **Sec. 100.** NRS 396.325 is hereby amended to read as follows:
39 396.325 ~~[The Board of Regents]~~ *Each higher education*
40 *governing body or the Office* may:

41 1. Create a Police Department for the *University or System or*
42 *an individual campus* and appoint one or more persons to be
43 members of the Department; and



1 2. Authorize the Department to enter into interlocal agreements
2 pursuant to chapter 277 of NRS with other law enforcement
3 agencies to provide for the rendering of mutual aid.

4 **Sec. 101.** NRS 396.327 is hereby amended to read as follows:

5 396.327 Every member of ~~[the]~~ a Police Department ~~[for the~~
6 ~~System]~~ *created pursuant to NRS 396.325* must be supplied with,
7 authorized and required to wear a badge bearing the words
8 “University Police, Nevada.”

9 **Sec. 102.** NRS 396.328 is hereby amended to read as follows:

10 396.328 ~~[The]~~ A Police Department ~~[for the System]~~ *created*
11 *pursuant to NRS 396.325* shall, within 7 days after receipt of a
12 written request of a person who claims to have sustained damages as
13 a result of a crash, or the person’s legal representative or insurer,
14 and upon receipt of a reasonable fee to cover the cost of
15 reproduction, provide the person, his or her legal representative or
16 insurer, as applicable, with a copy of the crash report and all
17 statements by witnesses and photographs in the possession or under
18 the control of the Department that concern the crash, unless:

19 1. The materials are privileged or confidential pursuant to a
20 specific statute; or

21 2. The crash involved:

- 22 (a) The death or substantial bodily harm of a person;
23 (b) Failure to stop at the scene of a crash; or
24 (c) The commission of a felony.

25 **Sec. 103.** NRS 396.3291 is hereby amended to read as
26 follows:

27 396.3291 1. ~~[The Board of Regents]~~ *A higher education*
28 *governing body* may create on ~~[each]~~ a campus of the *University or*
29 *System* a campus review board to advise the president or other chief
30 administrative officer of the campus and, upon request, the ~~[Board~~
31 ~~of Regents]~~ *higher education governing body or the Office*
32 *on issues concerning allegations made against peace officers of [the] a*
33 *Police Department [for the System] created pursuant to NRS*
34 *396.325* involving misconduct while serving on the campus.

35 2. A campus review board created pursuant to subsection 1
36 must consist of not less than 15 members.

37 3. A campus review board must be appointed by the ~~[Board of~~
38 ~~Regents]~~ *relevant higher education governing body* from a list of
39 names submitted by interested persons within the *campus of the*
40 *University or System* and in the general public. If an insufficient
41 number of names of persons interested in serving on a campus
42 review board are submitted, the ~~[Board of Regents]~~ *relevant higher*
43 *education governing body* shall appoint the remaining members in
44 the manner it deems appropriate.

45 4. A person appointed to a campus review board:



1 (a) Must be a resident of this State;
2 (b) Must not be employed as a peace officer;
3 (c) Must complete training relating to law enforcement before
4 serving as a member of the campus review board, including, without
5 limitation, training in the policies and procedures of ~~the~~ a Police
6 Department ~~for the System,~~ created pursuant to NRS 396.325, the
7 provisions of chapter 284 of NRS, the regulations adopted pursuant
8 thereto and NRS 289.010 to 289.120, inclusive, and the terms and
9 conditions of employment of the peace officers of ~~the System;~~ a
10 Police Department created pursuant to NRS 396.325; and

11 (d) Shall serve without salary, but may receive from the
12 University or System such per diem allowances and travel expenses
13 as are authorized by the ~~Board of Regents,~~ relevant higher
14 education governing body.

15 **Sec. 104.** NRS 396.3293 is hereby amended to read as
16 follows:

17 396.3293 A campus review board created pursuant to
18 NRS 396.3291:

19 1. Does not have jurisdiction over any matter in which it is
20 alleged that a crime has been committed.

21 2. Shall not abridge the rights of a peace officer of ~~the~~ a
22 Police Department ~~for the System~~ created pursuant to NRS
23 396.325 that are granted pursuant to a contract or by law.

24 **Sec. 105.** NRS 396.3295 is hereby amended to read as
25 follows:

26 396.3295 1. A campus review board created pursuant to NRS
27 396.3291 shall meet in panels to carry out its duties.

28 2. Members must be selected randomly to serve on a panel, and
29 each panel shall select one of its members to serve as chair of the
30 panel.

31 3. A panel of a campus review board may:

32 (a) Refer a complaint against a peace officer of ~~the~~ a Police
33 Department ~~for the System~~ created pursuant to NRS 396.325 who
34 has served on the campus to the office of the Police Department ~~for~~
35 ~~the System~~ on the campus.

36 (b) Review an internal investigation of such a peace officer and
37 make recommendations regarding any disciplinary action against the
38 peace officer that is recommended by the office of the Police
39 Department ~~for the System~~ on the campus, including, without
40 limitation:

41 (1) Increasing or decreasing the recommended level of
42 discipline; and

43 (2) Exonerating the peace officer who has been the subject of
44 the internal investigation.



1 4. ~~[The]~~ A Police Department ~~[for the System]~~ *created*
2 *pursuant to NRS 396.325* shall make available to a panel of a
3 campus review board any information within a personnel file that is
4 specific to a complaint against a peace officer of the Police
5 Department ~~[for the System]~~ who has served on the campus, or any
6 other material that is specific to the complaint.

7 5. When reviewing an internal investigation of a peace officer
8 ~~[of the system]~~ pursuant to subsection 3, a panel of a campus review
9 board shall provide the peace officer with notice and an opportunity
10 to be heard. The peace officer may represent himself or herself at
11 the hearing before the panel or be represented by an attorney or
12 other person of his or her own choosing. The campus review board
13 and ~~[the]~~ any Police Department ~~[for the System]~~ *created pursuant*
14 *to NRS 396.325* are not responsible for providing such
15 representation.

16 6. The chair of a panel of a campus review board shall report
17 the findings and recommendations of the panel regarding
18 disciplinary action to the office of the Police Department ~~[for the~~
19 ~~System]~~ on the campus, the president or other chief administrative
20 officer of the campus and, upon request, the ~~[Board of Regents.]~~
21 *relevant higher education governing body or the Office.*

22 7. A proceeding of a panel of a campus review board must be
23 closed to the public.

24 8. The findings and recommendations of a panel of a campus
25 review board are public records unless otherwise declared
26 confidential by state or federal law.

27 **Sec. 106.** NRS 396.340 is hereby amended to read as follows:

28 396.340 1. The ~~[System]~~ *University* was, and now is,
29 established in accordance with the provisions of the Constitution of
30 the State of Nevada, and also in accordance with the provisions of
31 an Act of Congress entitled "An Act donating Public Lands to the
32 several States and Territories which may provide Colleges for the
33 Benefit of Agriculture and the Mechanic Arts," approved July 2,
34 1862 (c. 130, 12 Stat. 503), and acts amendatory thereof or
35 supplementary thereto.

36 2. The Board of Regents are the proper trustees of the ~~[System]~~
37 *University* to receive and disburse all appropriations made to this
38 State under the provisions of an Act of Congress entitled "An Act to
39 apply a portion of the proceeds of the public lands to the more
40 complete endowment and support of the colleges for the benefit of
41 agriculture and mechanic arts, established under the provisions of an
42 Act of Congress approved July second, eighteen hundred and sixty-
43 two," approved August 30, 1890 (c. 841, 26 Stat. 419), and all
44 appropriations hereafter to be made under the Act.



1 3. The Board of Regents shall make a report at the end of each
2 fiscal year, in connection with its annual report to the Governor, of
3 other matters concerning the ~~[System,]~~ *University*, including the
4 amounts received and disbursed under the provisions of this section.
5 The Governor shall transmit all annual reports to the Legislature.

6 4. The Legislature of Nevada hereby gratefully assents to the
7 purposes of all grants of money made heretofore and all which may
8 hereafter be made to the State of Nevada by Congress, under the Act
9 of Congress, the title of which is recited in subsection 2, and agrees
10 that the grants must be used only for the purposes named in the Act
11 of Congress, or acts amendatory thereof or supplemental thereto.

12 **Sec. 107.** NRS 396.350 is hereby amended to read as follows:

13 396.350 1. The moneys arising from the sale of the 72
14 sections of land granted this state by the Act of Congress entitled
15 "An act concerning Lands granted to the State of Nevada," approved
16 July 4, 1866 (c. 166, 14 Stat. 86), for the establishment and
17 maintenance of a university, which sale was directed by the
18 provisions of section 4 of chapter 85, Statutes of Nevada 1873,
19 constitute a fund to be known as the Irreducible University Fund.
20 The money in the Fund must be invested by the Board of Regents in
21 United States bonds, bonds of this state, bonds of other states of the
22 Union or bonds of any county in the State of Nevada. The
23 investments are subject to such further restrictions and regulations
24 as may be provided by law.

25 2. The interest only of the proceeds resulting from the
26 investments described in subsection 1 must be used for the
27 maintenance of the ~~[System,]~~ *University*, and any surplus interest
28 must be added to the principal sum.

29 **Sec. 108.** NRS 396.370 is hereby amended to read as follows:

30 396.370 1. The following money is hereby set aside and
31 inviolably appropriated for the support and maintenance of the
32 ~~[System,]~~ *University*, and must be paid out for the purposes
33 designated by law creating the several funds:

34 (a) The interest derived from the investment of all money from
35 the sale of the 90,000 acres of land granted to the State of Nevada
36 by the Act of Congress entitled "An Act donating Public Lands to
37 the several States and Territories which may provide Colleges for
38 the Benefit of Agriculture and the Mechanic Arts," approved July 2,
39 1862 (c. 130, 12 Stat. 503).

40 (b) The interest derived from the investment of all money from
41 the sale of the 72 sections of land granted to the State of Nevada by
42 the Act of Congress entitled "An act concerning certain Lands
43 granted to the State of Nevada," approved July 4, 1866 (c. 166, 14
44 Stat. 86), for the establishment and maintenance of a university.



1 2. Additional state maintenance and support of the **[System]**
2 **University** must be provided by direct legislative appropriation from
3 the General Fund, upon the presentation of budgets in the manner
4 required by law.

5 **Sec. 109.** NRS 396.380 is hereby amended to read as follows:

6 396.380 1. The members of the Board of Regents are the sole
7 trustees to receive and disburse all money of the **[System]**
8 **University** for the purposes provided in NRS 396.370.

9 2. The Board of Regents shall control the expenditures of all
10 money appropriated for the support and maintenance of the
11 **[System] University** and all money received from any other source.

12 **Sec. 110.** NRS 396.381 is hereby amended to read as follows:

13 396.381 1. Before the sale or delivery by the **[System]**
14 **University** of an obligation to repay money in any form, other than
15 an obligation issued under the University Securities Law, the Board
16 of Regents may delegate to the Chancellor of the **[System]**
17 **University** or the Vice Chancellor for Finance of the **[System]**
18 **University** the authority to sign a contract for the sale or exchange
19 of the obligation or to accept a binding bid for the obligation subject
20 to the requirements specified by the Board of Regents concerning:

21 (a) The rate or rates of interest on the obligation;

22 (b) The dates on which and the prices at which the obligation
23 may be prepaid before maturity;

24 (c) The price at which the obligation will be sold or the property
25 for which the obligation will be exchanged;

26 (d) The principal amount of the obligation and the amount of
27 principal and interest due on any specific dates; and

28 (e) Covenants to protect the owner of the obligation and the
29 **[System] University** that the Chancellor or the Vice Chancellor for
30 Finance determines are necessary or desirable to obtain favorable
31 terms for the **[System.] University**. A determination made pursuant
32 to this paragraph, absent fraud or gross abuse of discretion, is
33 conclusive.

34 2. All terms of the obligation other than:

35 (a) The rate or rates of interest;

36 (b) The dates and prices for the prepayment of the obligation;

37 (c) The price for the sale of the obligation or property for which
38 it will be exchanged;

39 (d) The principal amount of the obligation;

40 (e) The requirements for the payment of principal and interest
41 on specific dates; and

42 (f) Covenants to protect the owner of the obligation and the
43 **[System] University** that the Chancellor or the Vice Chancellor for
44 Finance determines are necessary or desirable to obtain favorable



1 terms for the ~~[System]~~ *University* as provided in paragraph (e) of
2 subsection 1,

3 ➔ must be approved by the Board of Regents before the obligation
4 is delivered.

5 3. The final rate or rates of interest, dates and prices of
6 prepayments, price for the sale of the obligation or property for
7 which it is exchanged, principal amount, requirements for payment
8 of principal and interest on specific dates, and covenants as
9 described in paragraph (e) of subsection 1, are not required to be
10 approved by the Board of Regents if each of those terms complies
11 with the requirements specified by the Board of Regents before the
12 contract for the purchase or delivery of the obligation is signed or
13 the bid for the obligation is accepted.

14 4. The proceeds of any money borrowed pursuant to this
15 section may be invested as provided in NRS 396.861 and 396.8615.

16 **Sec. 111.** NRS 396.383 is hereby amended to read as follows:
17 396.383 1. The *University of Nevada* ~~[System of Higher
18 Education]~~ Accounts Payable Revolving Fund is hereby created.
19 The Board of Regents may deposit the money of the Fund in one or
20 more state or national banks or credit unions in the State of Nevada.

21 2. The chief business officer of each business center of the
22 ~~[System]~~ *University* shall:

23 (a) Pay from the fund such operating expenses of the ~~[System]~~
24 *University* as the Board of Regents may by rule prescribe.

25 (b) Submit claims to the State Board of Examiners for money of
26 the ~~[System]~~ *University* on deposit in the State Treasury or
27 elsewhere to replace money paid from the *University of Nevada*
28 ~~[System of Higher Education]~~ Accounts Payable Revolving Fund.

29 **Sec. 112.** NRS 396.385 is hereby amended to read as follows:
30 396.385 ~~[The Board of Regents]~~ *Each higher education*

31 *governing body or the Office* may authorize the chief business
32 officer of each business center of the *University or System* to use a
33 facsimile signature produced through a mechanical device in place
34 of his or her handwritten signature whenever the necessity may
35 arise, subject to the following conditions:

36 1. The mechanical device must be of such a nature that the
37 facsimile signature may be removed from the mechanical device and
38 kept in a separate secure place.

39 2. The facsimile signature may only be used under the
40 direction and supervision of the chief business officer of the
41 business center.

42 3. The registered key to the mechanical device must be kept in
43 a vault at all times when the key is not in use.



1 **Sec. 113.** NRS 396.390 is hereby amended to read as follows:
2 396.390 1. Before payment, all claims of every name and
3 nature involving the payment of money by or under the direction of
4 ~~[the Board of Regents]~~ *a higher education governing body* from
5 funds set aside and appropriated must be passed upon by the State
6 Board of Examiners.

7 2. ~~[The Board of Regents]~~ *Each higher education governing*
8 *body or the Office* shall, with the approval of the Governor, require
9 all officers and employees of the *University or* System whose
10 duties, as prescribed by law, require the officers or employees to
11 approve claims against any public funds to file the claims in the
12 office of ~~[the Board of Regents]~~ *the relevant higher education*
13 *governing body or the Office* for transmittal.

14 **Sec. 114.** NRS 396.395 is hereby amended to read as follows:

15 396.395 1. ~~[The Board of Regents]~~ *Each higher education*
16 *governing body or the Office* may establish an electronic payment
17 system to pay the salaries and wages of academic staff and
18 employees of the *University or* System through the use of direct
19 deposit.

20 2. If ~~[the Board of Regents]~~ *a higher education governing*
21 *body or the Office* establishes an electronic payment system
22 pursuant to subsection 1, upon application by a member of academic
23 staff or an employee, the ~~[Board of Regents]~~ *higher education*
24 *governing body or the Office* may waive the participation of the
25 member of academic staff or employee in the electronic payment
26 system established pursuant to subsection 1 if:

27 (a) Participation in the electronic payment system by the
28 member of academic staff or employee would cause the member of
29 academic staff or employee to suffer undue hardship or extreme
30 inconvenience; or

31 (b) The member of academic staff or employee does not have an
32 account at a financial institution that accepts direct deposit.

33 3. As used in this section “direct deposit” means payment of
34 the salary and wages of a person by causing the net amount of such
35 person’s salary and wages to be deposited in an account maintained
36 in a financial institution in the name of the person.

37 **Sec. 115.** NRS 396.400 is hereby amended to read as follows:

38 396.400 ~~[The Board of Regents]~~ *Each higher education*
39 *governing body and the Office* shall keep open to public inspection
40 an account of receipts and expenditures.

41 **Sec. 116.** NRS 396.420 is hereby amended to read as follows:

42 396.420 1. ~~[The Board of Regents]~~ *Each higher education*
43 *governing body and the Office* may accept and take in the name of
44 the *University or* System, *as applicable*, for the benefit of any
45 branch or facility of the *University or* System, by grant, gift, devise



1 or bequest, any property for any purpose appropriate to the
2 *University or* System.

3 2. Property so acquired must be taken, received, held,
4 managed, invested, and the proceeds thereof used, bestowed and
5 applied by the ~~[Board of Regents]~~ *relevant higher education*
6 *governing body or the Office* for the purposes, provisions and
7 conditions prescribed by the respective grant, gift, devise or bequest.

8 3. Nothing in this chapter prohibits the State of Nevada from
9 accepting and taking by grant, gift, devise or bequest any property
10 for the use and benefit of the *University or* System.

11 **Sec. 117.** NRS 396.430 is hereby amended to read as follows:

12 396.430 1. ~~[The Board of Regents]~~ *Each higher education*
13 *governing body or the Office* may sell or lease any property
14 granted, donated, devised or bequeathed to the *University or* System
15 *, as applicable*, if:

16 (a) The sale or lease is not prohibited by or inconsistent with the
17 provisions or conditions prescribed by the grant, gift, devise or
18 bequest; and

19 (b) The sale or lease is approved by the Governor.

20 2. The proceeds and rents from the sale or lease must be held,
21 managed, invested, used, bestowed and applied by the ~~[Board of~~
22 ~~Regents]~~ *relevant higher education governing body or the Office*
23 for the purposes, provisions and conditions prescribed by the
24 original grant, gift, devise or bequest of the property so sold or
25 leased.

26 **Sec. 118.** NRS 396.431 is hereby amended to read as follows:

27 396.431 1. If the *University or* System sells, leases, transfers
28 or conveys land to, or exchanges land with, a domestic or foreign
29 limited-liability company, the ~~[Board of Regents]~~ *relevant higher*
30 *education governing body or the Office* shall require the domestic
31 or foreign limited-liability company to submit a disclosure to the
32 ~~[Board of Regents]~~ *relevant higher education governing body or*
33 *the Office* setting forth the name of any person who holds an
34 ownership interest of 1 percent or more in the domestic or foreign
35 limited-liability company. The disclosure must be made available
36 for public inspection upon request.

37 2. As used in this section, "land" includes all lands, including
38 improvements and fixtures thereon, lands under water, all easements
39 and hereditaments, corporeal or incorporeal, and every estate,
40 interest and right, legal or equitable, in lands or water, and all rights,
41 interests, privileges, easements, encumbrances and franchises
42 relating to the same, including terms for years and liens by way of
43 judgment, mortgage or otherwise.



1 **Sec. 119.** NRS 396.432 is hereby amended to read as follows:
2 396.432 Any property which is in the possession of any
3 authorized agent of the *University or* System and which is not
4 claimed within 1 year by the owner of the property or the owner's
5 authorized agent or representative must be disposed of by the
6 *University or* System in the following manner:

- 7 1. Money may be forfeited to the *University or* System;
- 8 2. Personal property may be sold at public auction and the
9 proceeds forfeited to the *University or* System; and
- 10 3. Any property not otherwise disposed of as provided in this
11 section must be donated to a charitable institution.

12 **Sec. 120.** NRS 396.433 is hereby amended to read as follows:

13 396.433 1. ~~{The Board of Regents}~~ *A higher education*
14 *governing body* may budget for and purchase fidelity insurance and
15 insurance against:

- 16 (a) Any liability arising under NRS 41.031.
- 17 (b) Tort liability on the part of any of its employees resulting
18 from an act or omission in the scope of his or her employment.
- 19 (c) The expense of defending a claim against itself whether or
20 not liability exists on such claim.

21 2. Such insurance shall be limited in amount according to the
22 limitation of liability imposed by NRS 41.035 and shall be
23 purchased from companies authorized to do business in the State of
24 Nevada.

25 3. Each contract of insurance shall be free of any condition of
26 contingent liability and shall contain a clause which provides that no
27 assessment may be levied against the insured over and above the
28 premium fixed by such contract.

29 **Sec. 121.** NRS 396.435 is hereby amended to read as follows:

30 396.435 1. ~~{The Board of Regents}~~ *A higher education*
31 *governing body* may by affirmative vote of a majority of its
32 members adopt, amend, repeal and enforce reasonable regulations
33 governing vehicular and pedestrian traffic on all property owned or
34 used by the *institution within the University or* System.

35 2. The regulations have the force and effect of law.

36 3. A copy of every such regulation, giving the date that it takes
37 effect, must be filed with the Secretary of State, and copies of the
38 regulations must be published immediately after adoption and issued
39 in pamphlet form for distribution to faculty and students of the
40 *University or campus within the* System and to the general public.

41 4. A person who violates any regulation adopted pursuant to
42 this section is guilty of a misdemeanor.

43 **Sec. 122.** NRS 396.436 is hereby amended to read as follows:

44 396.436 ~~{The Board of Regents}~~ *Each higher education*
45 *governing body or the Office* shall cause perpetual inventory



1 records and controls to be maintained for all equipment, materials
2 and supplies stored or used by or belonging to the *University or*
3 *System*. Copies of current inventory records and controls must be
4 delivered to the Administrator of the Purchasing Division of the
5 Department of Administration, and the copies must satisfy the
6 requirements of NRS 333.220.

7 **Sec. 123.** NRS 396.4365 is hereby amended to read as
8 follows:

9 396.4365 1. ~~[The Board of Regents]~~ *Each higher education*
10 *governing body* shall ensure that each university, state college and
11 community college within the *University or System*:

12 (a) Maintains at the university, state college or community
13 college a material safety data sheet for each hazardous chemical
14 used on the buildings or grounds of the university, state college or
15 community college;

16 (b) Complies with any safety precautions contained in those
17 sheets; and

18 (c) Makes those sheets available to all the personnel of the
19 university, state college or community college and the parents of
20 each student attending the university, state college or community
21 college.

22 2. For the purposes of this section, "material safety data sheet"
23 has the meaning ascribed to it in 29 C.F.R. § 1910.1200.

24 **Sec. 124.** NRS 396.437 is hereby amended to read as follows:

25 396.437 1. Except as otherwise provided in this section, the
26 *University and System* shall recycle or cause to be recycled the
27 paper, paper products, electronic waste and other recyclable
28 materials it produces. This subsection does not apply to:

29 (a) Construction and demolition waste; or

30 (b) Confidential documents if there is an additional cost for
31 recycling those documents.

32 2. Before recycling electronic waste, the *institution within the*
33 *University or System* shall permanently remove any data stored on
34 the electronic waste.

35 3. The *institution within the University or System* is not
36 required to comply with the requirements of subsection 1 if the
37 ~~[Board of Regents]~~ *relevant higher education governing body*
38 determines that the cost to recycle or cause to be recycled the paper,
39 paper products, electronic waste and other recyclable materials
40 produced by the *institution within the University or the System* or
41 ~~[one of its]~~ *any relevant* branches or facilities is unreasonable and
42 would place an undue burden on the operations of the ~~[System,]~~
43 *institution*, branch or facility.

44 4. Except as otherwise provided in this subsection, ~~[the Board~~
45 ~~of Regents]~~ *each higher education governing body* shall consult



1 with the State Department of Conservation and Natural Resources
2 for the disposition of the paper and paper products, electronic waste
3 and other recyclable materials to be recycled, including, without
4 limitation, the placement of recycling containers on the premises of
5 the *institution within the University or System*. This subsection
6 does not apply to construction and demolition waste.

7 5. Any money received by the *University or System* for
8 recycling or causing to be recycled the paper and paper products,
9 electronic waste and other recyclable materials it produces must be:

- 10 (a) Accounted for separately; and
11 (b) Used to carry out the provisions of this section.

12 6. As used in this section:

13 (a) "Electronic waste" has the meaning ascribed to it in
14 NRS 444A.0115.

15 (b) "Paper" has the meaning ascribed to it in NRS 444A.0123.

16 (c) "Paper product" has the meaning ascribed to it in
17 NRS 444A.0126.

18 (d) "Recyclable material" has the meaning ascribed to it in
19 NRS 444A.013.

20 **Sec. 125.** NRS 396.440 is hereby amended to read as follows:

21 396.440 ~~[The Board of Regents]~~ *Each higher education*
22 *governing body* may prescribe the course of study, the
23 commencement and duration of the terms, and the length of the
24 vacations for the *institution within the University or System*.

25 **Sec. 126.** NRS 396.500 is hereby amended to read as follows:

26 396.500 1. Instruction within the *University and System*
27 must be given in the essentials of the Constitution of the United
28 States and the Constitution of the State of Nevada, including the
29 origin and history of the Constitutions and the study of and devotion
30 to American institutions and ideals.

31 2. The instruction required in subsection 1 must be given
32 during at least 1 year of the college grades.

33 3. The *University or System, as applicable*, shall not issue a
34 certificate or diploma of graduation to a student who has not passed
35 a satisfactory examination upon the Constitutions.

36 **Sec. 127.** NRS 396.504 is hereby amended to read as follows:

37 396.504 1. The Legislature hereby encourages ~~[the Board of~~
38 ~~Regents]~~ *each higher education governing body and the Office* to:

39 (a) Examine and audit the function, strengths and most efficient
40 use of the facilities, resources and staff of each institution to address
41 the needs of the students of the *University and System*.

42 (b) Review periodically their mission for higher education, as
43 the number of institutions within the *University and System*
44 expands and the focus of each institution is defined and further
45 redefined, to determine whether there is unnecessary duplication of



1 programs or courses within the *University or* System which might
2 be more appropriate for a different institution.

3 (c) Examine and audit the educational opportunities, programs
4 and services offered by the institutions within the *University and*
5 System to ensure that those opportunities, programs and services are
6 tailored appropriately to:

7 (1) The different categories of students and prospective
8 students having varied aptitudes, aspirations and educational needs,
9 including, without limitation, students who are veterans;

10 (2) The jobs and industries likely to be employing the
11 students; and

12 (3) The state economic development plan.

13 (d) Insofar as is practicable to achieve the goals set forth in
14 paragraphs (a), (b) and (c), implement measures pursuant to which
15 the educational needs of students and prospective students will be
16 met by:

17 (1) Providing:

18 (I) Programs of remedial education, continuing education
19 and entry-level higher education at community colleges.

20 (II) Programs of baccalaureate-level higher education at
21 state colleges.

22 (III) Programs of baccalaureate-level higher education in
23 other disciplines and graduate-level higher education and research at
24 universities and the Desert Research Institute.

25 (2) Fostering a culture that recognizes the unique challenges
26 of students who are veterans and works to accommodate the
27 transition of those students to higher education by collecting,
28 tracking and sharing data concerning those students.

29 (e) On or before September 1 of each year, provide a report of
30 ~~its~~ *any* findings and any adjustments made and actions taken as a
31 result of those findings to the Director of the Legislative Counsel
32 Bureau for transmission to the Interim Finance Committee and the
33 next regular session of the Nevada Legislature.

34 2. ~~The System~~ *Each higher education governing body* is
35 encouraged to review the core curriculum at each institution to
36 determine whether there is parity among the institutions of the
37 *University and* System.

38 **Sec. 128.** NRS 396.505 is hereby amended to read as follows:

39 396.505 1. ~~The Board of Regents~~ *Each higher education*
40 *governing body* shall prepare a comprehensive plan for the next 4
41 years which explains:

42 (a) Any anticipated new programs and expansions of existing
43 programs of instruction, public service or research, itemized by year
44 and by purpose;



1 (b) The anticipated cost of each new or expanded program
2 described under paragraph (a);

3 (c) The amount and source of any money anticipated to be
4 available, from sources other than legislative appropriation, to meet
5 each item of anticipated cost listed pursuant to paragraph (b); and

6 (d) Any further information concerning its comprehensive
7 planning which the ~~[Board of Regents]~~ *higher education governing*
8 *body* may deem appropriate.

9 2. ~~[The Board of Regents]~~ *Each higher education governing*
10 *body* shall biennially bring the plan up to date for the ensuing 4
11 years, and shall present the revised plan to the Legislature not later
12 than February 1 of each odd-numbered year.

13 **Sec. 129.** NRS 396.509 is hereby amended to read as follows:

14 396.509 1. ~~[The Board of Regents]~~ *Each higher education*
15 *governing body* or its designee shall, in consultation with the State
16 approving agency designated pursuant to 38 U.S.C. § 3671 and the
17 American Council on Education, establish ~~[statewide]~~ standards for
18 awarding credit for military education, training or occupational
19 experience. Such standards must include, without limitation, the:

20 (a) Identification of any military education, training or
21 occupational experience listed on a Joint Services Transcript or an
22 Air University or Community College of the Air Force transcript for
23 which credit must be awarded;

24 (b) Amount of credit that will be awarded for the completion of
25 such education, training or occupational experience; and

26 (c) Specific academic program in a community college, state
27 college or university to which such credit is applicable.

28 2. Credit earned by a student for military education, training or
29 occupational experience must be applicable toward the course work
30 required of the student for the award of an associate's degree,
31 baccalaureate degree or certificate at any university, state college or
32 community college.

33 **Sec. 130.** NRS 396.514 is hereby amended to read as follows:

34 396.514 Instruction within the *University and* System must be
35 given in the essentials of green building construction and design to
36 assist students in preparing for the Leadership in Energy and
37 Environmental Design Professional Accreditation Exam or its
38 equivalent.

39 **Sec. 131.** NRS 396.515 is hereby amended to read as follows:

40 396.515 Instruction within the *University and* System must be
41 given in the essentials of ecology and environmental protection.
42 Such instruction must be included in ~~[the]~~ *each* program developed
43 by *an institution within* the *University or* System for the education
44 of teachers.



1 **Sec. 132.** NRS 396.516 is hereby amended to read as follows:
2 396.516 ~~{The Board of Regents}~~ *Each higher education*
3 *governing body* may approve a ~~{uniform}~~ course of study and
4 develop policies and procedures on the teaching of American Sign
5 Language in the *University or System* ~~{}~~, *as applicable.*

6 **Sec. 133.** NRS 396.517 is hereby amended to read as follows:
7 396.517 1. ~~{The Board of Regents}~~ *Each higher education*
8 *governing body* may plan for and establish a model program to
9 educate and train persons for work in a nursing home.

10 2. The program must be developed and administered through
11 the community colleges and the University of Nevada School of
12 Medicine.

13 3. ~~{The Board of Regents}~~ *Each higher education governing*
14 *body* may carry out the program through a joint venture with one or
15 more nursing homes, but ~~{the Board of Regents}~~ *each relevant*
16 *higher education governing body* must have final authority to direct
17 and supervise the program ~~{}~~ *at each institution which participates*
18 *in the program.*

19 4. ~~{The Board of Regents}~~ *Each higher education governing*
20 *body or the Office* may apply for any available grants and accept
21 any gifts, grants or donations for the support of the program.

22 **Sec. 134.** NRS 396.518 is hereby amended to read as follows:
23 396.518 ~~{The Board of Regents}~~ *Each higher education*
24 *governing body* may, to the extent that money is available ~~{}~~ *and*
25 *pursuant to the classifications described in section 45 of this act,*
26 develop the curriculum and standards required for a student in the
27 *University or System* to earn a bachelor of science degree in dental
28 hygiene or a master's degree in public health dental hygiene.

29 **Sec. 135.** NRS 396.5185 is hereby amended to read as
30 follows:

31 396.5185 1. A college or university within the *University or*
32 *System* is eligible to apply to the State Board for a grant of money
33 to establish the Nevada Institute on Teaching and Educator
34 Preparation.

35 2. The Nevada Institute on Teaching and Educator Preparation
36 shall:

37 (a) Establish a highly selective program for the education and
38 training of teachers that:

39 (1) Recruits promising students pursuing teaching degrees
40 from inside and outside this State, with priority given to students
41 from inside this State;

42 (2) Upon completion of the program, makes a student
43 eligible to obtain a license to teach pupils in a program of early
44 childhood education, kindergarten, any grade from grades 1 through
45 12 or in the subject area of special education in this State;



1 (3) Is thorough and rigorous and provides a student with
2 increasing professional autonomy and responsibility;

3 (4) Allows a student to obtain experience in schools that
4 serve high populations of pupils with disabilities or who are at risk
5 or have other significant needs;

6 (5) Provides, in a manner that is aligned to the demographics
7 of pupils in this State, the skills and knowledge necessary to teach
8 the diverse population of pupils in this State;

9 (6) Identifies opportunities for placement of students who
10 complete the program in public schools throughout this State; and

11 (7) Provides instruction concerning the most contemporary
12 and effective pedagogies, curricula, technology and behavior
13 management techniques for teaching;

14 (b) Identify a target number of students to be selected for
15 participation in the program each year, which must be not less than
16 25 students;

17 (c) Establish requirements for each person who has completed
18 the program to serve as a mentor to future students selected for the
19 program and collaborate with the program to build a community
20 among students participating in the program and persons who have
21 completed the program;

22 (d) Conduct innovative and extensive research concerning
23 approaches and methods used to educate and train teachers and to
24 teach pupils, including, without limitation, pupils with disabilities or
25 pupils who are at risk or have other significant needs; and

26 (e) Continually evaluate, develop and disseminate approaches to
27 teaching that address the variety of settings in which pupils in this
28 State are educated.

29 3. The Nevada Institute on Teaching and Educator Preparation
30 may:

31 (a) Apply for and accept any gift, donation, bequest, grant or
32 other source of money, or property or service provided in kind, for
33 carrying out the duties of the Nevada Institute on Teaching and
34 Educator Preparation; and

35 (b) Support a student who is participating in the program by
36 allocating money to the student or reimbursing the student for the
37 costs of obtaining a teaching degree or a license to teach pupils.

38 4. An application to establish the Nevada Institute on Teaching
39 and Educator Preparation pursuant to subsection 1 must demonstrate
40 the ability of the applicant to:

41 (a) Meet the requirements of subsection 2;

42 (b) Provide additional money for the establishment and
43 operation of the Institute that matches the grant of money awarded
44 by the State Board; and

45 (c) Sustain and expand the Institute over time.



1 5. As used in this section, “pupil ‘at risk’ ” has the meaning
2 ascribed to it in NRS 388A.045.

3 **Sec. 136.** NRS 396.519 is hereby amended to read as follows:

4 396.519 ~~[The Board of Regents]~~ *Each higher education*
5 *governing body* shall establish a program of student teaching and
6 practicum which requires a division of the *University, System or the*
7 *Office* to enter into agreements with the school districts in this state
8 for the assignment of ~~[university]~~ students for training purposes as
9 student teachers, counselors or trainees in a library.

10 **Sec. 137.** NRS 396.5195 is hereby amended to read as
11 follows:

12 396.5195 ~~[The Board of Regents]~~ *Each higher education*
13 *governing body* shall, in cooperation with the State Board and the
14 Council to Establish Academic Standards for Public Schools, ensure
15 that students enrolled in a program developed by the *institution*
16 *within the University or* System for the education of teachers are
17 provided instruction regarding the standards of content and
18 performance required of pupils enrolled in high schools in this State.

19 **Sec. 138.** NRS 396.5198 is hereby amended to read as
20 follows:

21 396.5198 1. If *an institution within the University or* System
22 offers a course of study for obtaining an endorsement to teach
23 courses relating to financial literacy, the course must require
24 students in the course of study to create a personal finance portfolio
25 or transition plan, which must include, without limitation, details
26 relating to housing, health insurance and postsecondary education
27 and financial aid resources.

28 2. A student in a course of study offered pursuant to subsection
29 1 may apply for a Teach Nevada Scholarship from a university,
30 college or other provider of an alternative licensure program that
31 receives a grant from the Teach Nevada Scholarship Program
32 Account created pursuant to NRS 391A.575 to offset the costs of
33 completing a course of study offered pursuant to subsection 1.

34 **Sec. 139.** NRS 396.528 is hereby amended to read as follows:

35 396.528 1. ~~[The Board of Regents]~~ *Each higher education*
36 *governing body* may plan for and establish programs for the study
37 of energy efficiency and renewable energy resources within the
38 *University and* System.

39 2. ~~[The Board of Regents]~~ *Each higher education governing*
40 *body* may carry out a program established pursuant to this section
41 through a joint venture with one or more public or private entities,
42 but the ~~[Board of Regents]~~ *higher education governing body* must
43 have final authority to direct and supervise the program.

44 3. ~~[The Board of Regents]~~ *Each higher education governing*
45 *body* may apply for any available grants and accept any gifts, grants



1 or donations for the support of a program for the study of energy
2 efficiency and renewable energy resources established pursuant to
3 this section.

4 **Sec. 140.** NRS 396.529 is hereby amended to read as follows:

5 396.529 To the extent money is available, ~~[the Board of~~
6 ~~Regents]~~ *each higher education governing body* shall establish
7 within the fields of science, engineering, business administration
8 and political science within the *University and System, as*
9 *applicable*, programs designed to improve the ability of students in
10 those fields to serve the renewable energy industry in this State.

11 **Sec. 141.** NRS 396.530 is hereby amended to read as follows:

12 396.530 1. ~~[The Board of Regents]~~ *A higher education*
13 *governing body and the Office* shall not discriminate in the
14 admission of students on account of national origin, religion, age,
15 physical disability, sex, sexual orientation, gender identity or
16 expression, race or color.

17 2. As used in this section:

18 (a) "Protective hairstyle" includes, without limitation, hairstyles
19 such as natural hairstyles, afros, bantu knots, curls, braids, locks and
20 twists.

21 (b) "Race" includes traits associated with race, including,
22 without limitation, hair texture and protective hairstyles.

23 **Sec. 142.** NRS 396.5305 is hereby amended to read as
24 follows:

25 396.5305 1. If ~~[the Board of Regents]~~ *a higher education*
26 *governing body* adopts rules that require a student to successfully
27 complete courses in mathematics or science before being admitted
28 to an institution within the *University or System*, a student who has
29 successfully completed one or more courses in computer science
30 described in NRS 389.0186 must be allowed to apply not more than
31 one unit of credit received for the completion of such courses
32 toward a requirement to successfully complete a course in:

33 (a) Science, if the student successfully completed two units of
34 credit in science; or

35 (b) Mathematics, if the student successfully completed three
36 units of credit in mathematics and successfully completed
37 Algebra II.

38 2. The State Board shall approve a course in computer science
39 for the purposes of paragraph (b) of subsection 1 if the State Board
40 deems the mathematics component of the course to be sufficiently
41 rigorous.

42 **Sec. 143.** NRS 396.531 is hereby amended to read as follows:

43 396.531 ~~[The Board of Regents]~~ *Each higher education*
44 *governing body* shall, on or before February 1 of each odd-
45 numbered year submit a written report to the Director of the



1 Legislative Counsel Bureau for transmittal to the next regular
2 session of the Legislature which includes:

3 1. By institution within the *University or* System and by each
4 academic program at the institution:

5 (a) The number of students who enter the academic program;

6 (b) The percentage of students who complete the academic
7 program; and

8 (c) The average length of time for completion of the academic
9 program to obtain a degree or certificate.

10 2. A comparison of the data which is reported pursuant to
11 subsection 1 with available national metrics measuring how states
12 throughout the country rank in the completion of academic
13 programs leading to a degree or certificate and the average time for
14 completion of those programs.

15 3. Initiatives undertaken by the ~~[Board of Regents]~~ *higher*
16 *education governing body* to increase the rate of students who
17 complete degree and certificate programs, including initiatives to
18 shorten the time to complete those programs.

19 4. The number and percentage of students who have obtained
20 employment within their field of study in this State, and the average
21 starting salary, which must be reported by institution within the
22 *University or* System and by each academic program at the
23 institution. The data must be:

24 (a) Matched with industries identified in state economic
25 development goals to determine whether students who graduated
26 and obtained a degree or certificate are finding employment in those
27 industries in this State; and

28 (b) Based upon the employment and wage information provided
29 by the Director of the Department of Employment, Training and
30 Rehabilitation pursuant to NRS 232.920.

31 5. Initiatives undertaken by the ~~[Board of Regents]~~ *higher*
32 *education governing body* to align the degree and certificate
33 programs offered by the institutions within the *University or*
34 System with the economic development goals identified by the Office of
35 Economic Development.

36 **Sec. 144.** NRS 396.532 is hereby amended to read as follows:

37 396.532 1. ~~[The Board of Regents of the University of~~
38 *Nevada]* *Each higher education governing body* shall, not later
39 than February 1 of each odd-numbered year, prepare and submit to
40 the Director of the Legislative Counsel Bureau for submission to the
41 Legislature, a report concerning the participation of ethnic and racial
42 minorities, women and other members of protected classes in the
43 *institution within the University or* System. The report must cover
44 each of the immediately preceding 2 academic years.



1 2. ~~[The Board]~~ *Each higher education governing body* shall
2 make the report submitted pursuant to subsection 1 available to the
3 general public, including publishing it on the *Internet* website
4 maintained by the *institution within the University or System* ~~[]~~ *or*
5 *the Office*.

6 3. The report must include, but is not limited to:

7 (a) The number of students divided by ethnic category;

8 (b) The number of employees divided by ethnic category and
9 occupational classification, as defined by the National Center for
10 Education Statistics;

11 (c) The number of students divided by gender;

12 (d) The number of employees divided by gender and
13 occupational classification, as defined by the National Center for
14 Education Statistics;

15 (e) Any information necessary to determine the impact of policy
16 changes on the number of protected classes specified in subsection 1
17 who are enrolled at or employed by the *institution within the*
18 *University or System*;

19 (f) The efforts of each institution to increase the enrollment in
20 underrepresented ethnic and racial categories through outreach
21 programs and recruitment to maintain levels of minority enrollment
22 comparable to the distribution of the population of the State; and

23 (g) The efforts of each institution to retain and graduate students
24 in underrepresented ethnic and racial categories through retention
25 and other related programs.

26 **Sec. 145.** NRS 396.533 is hereby amended to read as follows:

27 396.533 A student who is enrolled in a university, state college
28 or community college within the *University or System* must be
29 granted access to all the library facilities that are available to
30 students enrolled in any of the institutions within the *University or*
31 *System* and must be adequately informed of the library services that
32 are available.

33 **Sec. 146.** NRS 396.535 is hereby amended to read as follows:

34 396.535 1. ~~[The Board of Regents]~~ *Each higher education*
35 *governing body* shall prescribe a form that provides for the
36 informed consent of students concerning the directory information
37 that a university, university foundation, state college or community
38 college, as applicable, makes public. The form must:

39 (a) Allow each student a reasonable opportunity to indicate
40 whether the student opts not to authorize the release or disclosure of
41 personally identifiable information concerning the student for:

42 (1) Commercial purposes, without the prior written consent
43 of the student;

44 (2) Noncommercial purposes, without the prior written
45 consent of the student; or



1 (3) Both commercial and noncommercial purposes, without
2 the prior written consent of the student.

3 (b) Inform the student that:

4 (1) If the student does not return the form indicating that his
5 or her personally identifiable information must not be released or
6 disclosed, then it is probable that the information will be released or
7 disclosed.

8 (2) If the student returns the form indicating that his or her
9 personally identifiable information must not be released or
10 disclosed, then the university, university foundation, state college or
11 community college, as applicable, will not release or disclose the
12 information without the student's prior written consent.

13 (c) Be included with the other forms required for admission to
14 the university, state college or community college, as applicable.

15 2. Except as otherwise required by federal law, a university,
16 university foundation, state college or community college shall not
17 release, disclose or otherwise use any personally identifiable
18 information concerning a student without the prior written consent
19 of the student for:

20 (a) Commercial or noncommercial purposes if the student has
21 returned a form indicating that the student does not authorize release
22 or disclosure for those purposes without his or her consent;

23 (b) Commercial purposes if the student has returned a form
24 indicating that the student does not authorize release or disclosure
25 for those purposes without his or her consent; or

26 (c) Noncommercial purposes if the student has returned a form
27 indicating that the student does not authorize release or disclosure
28 for those purposes.

29 3. As used in this section:

30 (a) "Commercial purposes" means the use of directory
31 information by any person, including, without limitation, a
32 corporation or other business, outside of the *University or* System to
33 solicit or provide facilities, goods or services in exchange for the
34 payment of any purchase price, fee, contribution, donation or other
35 valuable consideration.

36 (b) "Directory information" has the meaning ascribed to it in 20
37 U.S.C. § 1232g(a)(5)(A).

38 (c) "Personally identifiable information" means information that
39 may be used to identify a person, including, without limitation, the
40 name, address, telephone number, date of birth, and directory
41 information of a person.

42 (d) "University foundation" has the meaning ascribed to it in
43 NRS 396.405.

44 **Sec. 147.** NRS 396.540 is hereby amended to read as follows:

45 396.540 1. For the purposes of this section:



1 (a) "Bona fide resident" shall be construed in accordance with
2 the provisions of NRS 10.155 and policies established by ~~the Board~~
3 ~~of Regents,~~ *each higher education governing body*, to the extent
4 that those policies do not conflict with any statute. The qualification
5 "bona fide" is intended to ensure that the residence is genuine and
6 established for purposes other than the avoidance of tuition.

7 (b) "Matriculation" has the meaning ascribed to it in regulations
8 adopted by ~~the Board of Regents,~~ *a higher education governing*
9 *body or the Office, in consultation with a higher education*
10 *governing body.*

11 (c) "Tuition charge" means a charge assessed against students
12 who are not residents of Nevada and which is in addition to
13 registration fees or other fees assessed against students who are
14 residents of Nevada.

15 2. ~~The Board of Regents~~ *Each higher education governing*
16 *body* may fix a tuition charge for students at all campuses of *the*
17 *institution within the University or System* ~~it governs,~~ but tuition
18 charges must not be assessed against:

19 (a) All students whose families have been bona fide residents of
20 the State of Nevada for at least 12 months before the matriculation
21 of the student at a university, state college or community college
22 within the *University or System*;

23 (b) All students whose families reside outside of the State of
24 Nevada, providing such students have themselves been bona fide
25 residents of the State of Nevada for at least 12 months before their
26 matriculation at a university, state college or community college
27 within the *University or System*;

28 (c) All students whose parent, legal guardian or spouse is a
29 member of the Armed Forces of the United States who:

30 (1) Is on active duty and stationed at a military installation in
31 the State of Nevada or a military installation in another state which
32 has a specific nexus to this State, including, without limitation, the
33 Marine Corps Mountain Warfare Training Center located at Pickel
34 Meadow, California; or

35 (2) Was on active duty and stationed at a military installation
36 in the State of Nevada or a military installation in another state
37 which has a specific nexus to this State, including, without
38 limitation, the Marine Corps Mountain Warfare Training Center
39 located at Pickel Meadow, California, on the date on which the
40 student is admitted to an institution of the *University or System* if
41 such students enroll and maintain continuous enrollment at an
42 institution of the *University or System*;

43 (d) All students who are using benefits under the Marine
44 Gunnery Sergeant John David Fry Scholarship pursuant to 38
45 U.S.C. § 3311(b)(8);



1 (e) All public school teachers who are employed full-time by
2 school districts in the State of Nevada;

3 (f) All full-time teachers in private elementary, secondary and
4 postsecondary educational institutions in the State of Nevada whose
5 curricula meet the requirements of chapter 394 of NRS;

6 (g) Employees of the *University or* System who take classes
7 other than during their regular working hours;

8 (h) Members of the Armed Forces of the United States who are
9 on active duty and stationed at a military installation in the State of
10 Nevada or a military installation in another state which has a
11 specific nexus to this State, including, without limitation, the Marine
12 Corps Mountain Warfare Training Center located at Pickel Meadow,
13 California;

14 (i) Veterans of the Armed Forces of the United States who were
15 honorably discharged and who were on active duty while stationed
16 at a military installation in the State of Nevada or a military
17 installation in another state which has a specific nexus to this State,
18 including, without limitation, the Marine Corps Mountain Warfare
19 Training Center located at Pickel Meadow, California, on the date of
20 discharge;

21 (j) Except as otherwise provided in subsection 3, veterans of the
22 Armed Forces of the United States who were honorably discharged;

23 (k) Veterans of the Armed Forces of the United States who have
24 been awarded the Purple Heart;

25 (l) All students who are:

26 (1) Veterans using Post-9/11 Educational Assistance
27 pursuant to 38 U.S.C. §§ 3301 to 3327, inclusive, and became
28 eligible for such benefits on or after January 1, 2013; or

29 (2) Spouses or dependents using Post-9/11 Educational
30 Assistance pursuant to 38 U.S.C. §§ 3301 to 3327, inclusive;

31 (m) All students who are using Survivors' and Dependents'
32 Educational Assistance pursuant to 38 U.S.C. §§ 3500 to 3566,
33 inclusive; and

34 (n) Students who graduated from a high school located in this
35 State, regardless of whether the student or the family of the student
36 have been bona fide residents of the State of Nevada for at least 12
37 months before the matriculation of the student at a university, state
38 college or community college within the *University or* System.

39 3. ~~[The Board of Regents]~~ *A higher education governing body*
40 may grant more favorable exemptions from tuition charges for
41 veterans of the Armed Forces of the United States than the
42 exemptions provided pursuant to subsection 2, if required for the
43 receipt of federal money.

44 4. ~~[The Board of Regents]~~ *A higher education governing body*
45 may grant exemptions from tuition charges each semester to other



1 worthwhile and deserving students from other states and foreign
2 countries, in a number not to exceed a number equal to 3 percent of
3 the total matriculated enrollment of students for the last preceding
4 fall semester.

5 **Sec. 148.** NRS 396.542 is hereby amended to read as follows:

6 396.542 1. In fixing a tuition charge for students at any
7 ~~campus of~~ *institution within the University or* System as provided
8 by NRS 396.540 and in setting the amount of registration fees and
9 other fees which are assessed against students, ~~the Board of~~
10 ~~Regents~~ *a higher education governing body* may provide for the
11 adjustment of the amount of the tuition charge or registration fee or
12 other fee based on the demand for or the costs of carrying out the
13 academic program or major for which the tuition charge, registration
14 fee or other fee is assessed, including, without limitation, the costs
15 of professional instruction, laboratory resources and other ancillary
16 support.

17 2. If ~~the Board of Regents~~ *a higher education governing*
18 *body* provides for the adjustment of tuition charges, registration fees
19 or other fees in the manner authorized by subsection 1, the ~~Board of~~
20 ~~Regents~~ *higher education governing body* shall establish a
21 program to authorize scholarships and reduced fees for students who
22 are economically disadvantaged and who are enrolled in academic
23 programs or majors for which the adjustment of tuition charges,
24 registration fees or other fees in the manner authorized by
25 subsection 1 results in an increase in the costs of enrollment in such
26 programs or majors.

27 3. If ~~the Board of Regents~~ *a higher education governing*
28 *body* provides for the adjustment of tuition charges, registration fees
29 or other fees in the manner authorized by subsection 1, the ~~Board of~~
30 ~~Regents~~ *higher education governing body* shall, on or before
31 February 1 of each year, submit a written report to the Director of
32 the Legislative Counsel Bureau for transmittal to the Legislature, or
33 to the Legislative Commission if the Legislature is not in session,
34 which must, without limitation:

35 (a) Identify the demand for each academic program and major;
36 (b) Identify the costs of providing each academic program and
37 major; and

38 (c) Include a schedule of all tuition charges, registration fees and
39 other fees assessed for each academic program and major.

40 4. As used in this section, "tuition charge" has the meaning
41 ascribed to it in NRS 396.540.

42 **Sec. 149.** NRS 396.543 is hereby amended to read as follows:

43 396.543 1. ~~The Board of Regents~~ *A higher education*
44 *governing body* may enter into an agreement with another state for
45 the granting of full or partial waivers of the nonresident tuition to



1 residents of the other state who are students at or are eligible for
2 admission to any branch of the *University or* System if the
3 agreement provides that, under substantially the same
4 circumstances, the other state will grant reciprocal waivers to
5 residents of Nevada who are students at or are eligible for admission
6 to universities or colleges in the other state.

7 2. Each agreement must specify:

8 (a) The criteria for granting the waivers; and

9 (b) The specific universities, state colleges and community
10 colleges for which the waivers will be granted.

11 3. ~~[The Board of Regents]~~ *A higher education governing body*
12 shall provide by regulation for the administration of any waivers for
13 which an agreement is entered into pursuant to subsection 1.

14 4. The waivers granted pursuant to this section must not be
15 included in the number of waivers determined for the purpose of
16 applying the limitation in subsection 4 of NRS 396.540.

17 **Sec. 150.** NRS 396.544 is hereby amended to read as follows:

18 396.544 1. ~~[The Board of Regents of the University of~~
19 *Nevada] *A higher education governing body* may grant a waiver of
20 registration fees and laboratory fees for any member of the active
21 Nevada National Guard, including, without limitation, a recruit, who
22 attends a school within the *University or* System as a full-time or
23 part-time student.*

24 2. A member of the active Nevada National Guard who has
25 reenlisted may, in lieu of using the waiver himself or herself and
26 regardless of whether the member was granted a waiver pursuant to
27 this section before reenlistment:

28 (a) Assign such a waiver to his or her spouse or child for credits
29 applicable toward the course work required for the award to the
30 spouse or child of an associate's degree, baccalaureate degree or
31 certificate at any school within the *University or* System.

32 (b) Reassign such a waiver to his or her spouse or child, as
33 applicable, if the person to whom the waiver was assigned pursuant
34 to paragraph (a) does not use the waiver to attend a school within
35 the *University or* System as a full-time or part-time student.

36 ↪ For each period of reenlistment of a member, the benefit
37 provided pursuant to this subsection may only be used by one
38 eligible person.

39 3. For the purpose of assessing fees and charges against a
40 person to whom a waiver is granted, assigned or reassigned pursuant
41 to subsection 1 or 2, including, without limitation, tuition charges
42 pursuant to NRS 396.540, such a person shall be deemed to be a
43 bona fide resident of this State.

44 4. A person must be a member in good standing of the active
45 Nevada National Guard, including, without limitation, a recruit, at



1 the beginning of and throughout the entire semester for which the
2 waiver is granted.

3 5. A person to whom a waiver is granted, assigned or
4 reassigned pursuant to subsection 1 or 2 must maintain at least a 2.0
5 grade point average, on a 4.0 grading scale, each semester for which
6 the waiver is granted, assigned or reassigned, or the equivalent of a
7 2.0 grade point average if a different grading scale is used.

8 6. ~~[The Board of Regents]~~ *A higher education governing body*
9 may request the Adjutant General to verify the membership in the
10 active Nevada National Guard of a person who is seeking or has
11 been granted a waiver of registration fees and laboratory fees
12 pursuant to subsection 1 ~~[1]~~ *or 2.*

13 7. The Adjutant General shall:

14 (a) Upon receiving a request from ~~[the Board of Regents]~~ *a*
15 *higher education governing body* pursuant to subsection 6, notify
16 the ~~[Board of Regents]~~ *higher education governing body* in writing
17 concerning the status and dates of membership of a person who is
18 seeking or has been granted a waiver of registration fees and
19 laboratory fees pursuant to subsection 1.

20 (b) Maintain a record of any waiver that has been granted,
21 assigned or reassigned pursuant to subsection 1 or 2 and the person
22 to whom the waiver was assigned or reassigned.

23 (c) Before the beginning of each semester, certify in writing to
24 the ~~[Board of Regents]~~ *higher education governing body* that a
25 waiver has been properly assigned or reassigned to the person
26 seeking to use the waiver to attend a school within the *University or*
27 *System.*

28 8. If a waiver is granted pursuant to subsection 1 for a recruit
29 and the recruit does not enter full-time National Guard duty within 1
30 year after enlisting, the recruit shall reimburse the ~~[Board of~~
31 ~~Regents]~~ *higher education governing body* for all registration fees
32 and laboratory fees waived on behalf of the recruit if the recruit's
33 failure to enter full-time National Guard duty is attributable to his or
34 her own conduct.

35 9. As used in this section:

36 (a) "Full-time National Guard duty" has the meaning ascribed to
37 it in 32 U.S.C. § 101(19).

38 (b) "Recruit" means a person who has enlisted in the Nevada
39 National Guard but has not begun his or her required military duty.

40 (c) "Spouse" includes a domestic partner as set forth in
41 NRS 122A.200.

42 **Sec. 151.** NRS 396.5442 is hereby amended to read as
43 follows:

44 396.5442 1. ~~[The Board of Regents]~~ *A higher education*
45 *governing body* may grant a waiver of registration fees and



1 laboratory fees for a child, widow or widower of a person who was
2 killed while performing his or her duties as a member of the Nevada
3 National Guard. For the purpose of assessing fees and charges
4 against a person to whom such a waiver is granted, including,
5 without limitation, tuition charges pursuant to NRS 396.540, the
6 person shall be deemed to be a bona fide resident of this State.

7 2. A person is eligible for a waiver pursuant to subsection 1 if
8 the person maintains at least a 2.0 grade point average, on a 4.0
9 grading scale, each semester or the equivalent of a 2.0 grade point
10 average if a different scale is used.

11 3. A child may use a waiver granted pursuant to this section for
12 10 years after the child attains the age of 18 years or, if the child
13 enrolls in the *University or* System before the age of 18 years, for
14 10 years after the date of such enrollment. A widow or widower
15 may use a waiver granted pursuant to this section for 10 years after
16 the date of the death of the member.

17 4. ~~[The Board of Regents]~~ *A higher education governing body*
18 may request the Adjutant General to verify that a person is the child,
19 widow or widower of a person who was killed while performing his
20 or her duties as a member of the Nevada National Guard. The
21 Adjutant General shall, upon receiving such a request, notify the
22 ~~[Board of Regents]~~ *higher education governing body* in writing
23 concerning the status of that person.

24 **Sec. 152.** NRS 396.5443 is hereby amended to read as
25 follows:

26 396.5443 1. ~~[The Board of Regents]~~ *A higher education*
27 *governing body* shall grant a waiver of the payment of registration
28 fees, laboratory fees and any other mandatory fees assessed each
29 semester against a student who is a veteran of the Armed Forces of
30 the United States who has been awarded the Purple Heart.

31 2. The amount of the waiver must be equal to:

32 (a) If the student is entitled to receive any federal educational
33 benefits for a semester, the balance of registration fees, laboratory
34 fees and any other mandatory fees assessed against the student that
35 remain unpaid after the student's account has been credited with the
36 full amount of the federal educational benefits to which the student
37 is entitled for that semester; or

38 (b) If the student is not entitled to receive any federal
39 educational benefits for a semester, the full amount of the
40 registration fees, laboratory fees and any other mandatory fees
41 assessed against the student for that semester.

42 3. The waiver must be granted to a student who enrolls in any
43 program offered by a school within the *University or* System,
44 including, without limitation, a trade or vocational program, a
45 graduate program or a professional program.



1 4. For the purpose of assessing fees and charges against a
2 student to whom a waiver is granted pursuant to this section,
3 including, without limitation, tuition charges pursuant to NRS
4 396.540, such a student shall be deemed to be a bona fide resident of
5 this State.

6 5. ~~[The Board of Regents]~~ *A higher education governing body*
7 may grant more favorable waivers of registration fees, laboratory
8 fees and any other mandatory fees for veterans of the Armed Forces
9 of the United States who have been awarded the Purple Heart than
10 the waiver provided pursuant to this section if required for the
11 receipt of federal money.

12 **Sec. 153.** NRS 396.5445 is hereby amended to read as
13 follows:

14 396.5445 1. ~~[The Board of Regents]~~ *A higher education*
15 *governing body* may grant a waiver of registration fees and
16 laboratory fees for a spouse or child of a person who is identified as
17 a prisoner of war or missing in action while performing his or her
18 duties as a member of the Armed Forces of the United States. For
19 the purpose of assessing fees and charges against a person to whom
20 such a waiver is granted, including, without limitation, tuition
21 charges pursuant to NRS 396.540, the person shall be deemed to be
22 a bona fide resident of this State.

23 2. A person is eligible for a waiver pursuant to subsection 1 if
24 the person maintains at least a 2.0 grade point average, on a 4.0
25 grading scale, each semester or the equivalent of a 2.0 grade point
26 average if a different scale is used.

27 3. A spouse may use a waiver granted pursuant to this section
28 for 10 years after the date on which the member of the Armed
29 Forces was identified as a prisoner of war or missing in action. A
30 child may use a waiver granted pursuant to this section for 10 years
31 after the child attains the age of 18 years or, if the child enrolls in
32 the *University or* System before the age of 18 years, for 10 years
33 after the date of such enrollment.

34 4. ~~[The Board of Regents]~~ *A higher education governing body*
35 may request such documentation as it deems necessary to verify that
36 a person is the spouse or child of a member of the Armed Forces of
37 the United States who is identified as a prisoner of war or missing in
38 action while performing his or her duties as a member of the Armed
39 Forces.

40 **Sec. 154.** NRS 396.5446 is hereby amended to read as
41 follows:

42 396.5446 1. ~~[The Board of Regents]~~ *A higher education*
43 *governing body* may grant a waiver of not less than half of the total
44 registration fees and other fees for a veteran who is a bona fide
45 resident of this State if:



1 (a) The veteran has completed a bachelor's degree and is
2 enrolled in or plans to enroll in a graduate degree program within
3 the fields of science, technology, engineering, arts, mathematics or
4 health science designated as a critical need occupation by the
5 Department of Employment, Training and Rehabilitation pursuant to
6 NRS 232.932; and

7 (b) The veteran or a third party will pay the remainder of the
8 registration fees and other fees of the graduate degree program.

9 ➤ For the purpose of this subsection, a scholarship or a waiver of
10 registration fees or other fees received by the veteran for any reason
11 other than this subsection is deemed to be a payment by a third
12 party.

13 2. A veteran is eligible for a waiver pursuant to subsection 1 if
14 the veteran maintains at least a 2.75 grade point average, on a 4.0
15 grading scale, each semester or the equivalent of a 2.75 grade point
16 average if a different scale is used.

17 3. As used in this section, "veteran" has the meaning ascribed
18 to it in NRS 417.005.

19 **Sec. 155.** NRS 396.5447 is hereby amended to read as
20 follows:

21 396.5447 1. ~~{The Board of Regents}~~ *A higher education*
22 *governing body or the Office* may determine whether grants are
23 available to assist *an institution within the University or [Nevada]*
24 *System [of Higher Education]* in defraying the costs of granting the
25 waiver of registration fees and other fees to a veteran pursuant to
26 NRS 396.5446 and apply for and accept any such grant.

27 2. ~~{The Board of Regents}~~ *A higher education governing body*
28 *or the Office* may accept gifts, grants, bequests and donations to
29 fund waivers of registration fees and other fees granted to veterans
30 pursuant to NRS 396.5446.

31 **Sec. 156.** NRS 396.5448 is hereby amended to read as
32 follows:

33 396.5448 1. ~~{The Board of Regents}~~ *A higher education*
34 *governing body* may grant a waiver of registration fees and
35 laboratory fees for a person who is identified as a homeless or
36 unaccompanied pupil. For the purpose of assessing fees and charges
37 against a person to whom such a waiver is granted, including,
38 without limitation, tuition charges pursuant to NRS 396.540, the
39 person shall be deemed to be a bona fide resident of this State.

40 2. A person is eligible for a waiver pursuant to subsection 1 if
41 the person maintains at least a 2.0 grade point average, on a 4.0
42 grading scale, each semester or the equivalent of a 2.0 grade point
43 average if a different scale is used.

44 3. A person may use a waiver granted pursuant to subsection 1
45 for 10 years after the person attains the age of 18 years or, if the



1 person enrolls in the *University or* System before the age of 18
2 years, for 10 years after the date of such enrollment.

3 4. The ~~[Board of Regents]~~ *higher education governing body*
4 may request documentation from a person requesting a waiver
5 pursuant to subsection 1 as it deems necessary to verify that such a
6 person was a homeless or unaccompanied pupil.

7 5. As used in this section:

8 (a) "Homeless pupil" has the meaning ascribed to the term
9 "homeless children and youths" in 42 U.S.C. § 11434a(2).

10 (b) "Unaccompanied pupil" has the meaning ascribed to the
11 term "unaccompanied youth" in 42 U.S.C. § 11434a(6).

12 **Sec. 157.** NRS 396.5449 is hereby amended to read as
13 follows:

14 396.5449 1. ~~[The Board of Regents]~~ *A higher education*
15 *governing body* shall grant a waiver of the payment of registration
16 fees, laboratory fees and any other mandatory fees assessed each
17 semester against a student who is Native American and
18 demonstrates that the student:

19 (a) Is a member of a federally recognized Indian tribe or nation,
20 all or part of which is located within the boundaries of this State, or
21 who is certified by the enrollment department of such a tribe or
22 nation or by the Bureau of Indian Affairs as being a descendant of
23 an enrolled member of such a tribe or nation, all or part of which is
24 located within the boundaries of this State, regardless of
25 membership status;

26 (b) Is eligible for enrollment in a school within the *University or*
27 System;

28 (c) Has been a resident of this State for not less than 1 year;

29 (d) Has maintained at least a 2.0 grade point average, on a 4.0
30 scale, each semester or the equivalent of a 2.0 grade point average if
31 a different scale is used; and

32 (e) Has completed the Free Application for Federal Student Aid
33 provided for by 20 U.S.C. § 1090.

34 2. The amount of the waiver must be equal to:

35 (a) If the student is entitled to receive any federal educational
36 benefits for a semester, the balance of registration fees, laboratory
37 fees and any other mandatory fees assessed against the student that
38 remain unpaid after the student's account has been credited with the
39 full amount of the federal educational benefits to which the student
40 is entitled for that semester; or

41 (b) If the student is not entitled to receive any federal
42 educational benefits for a semester, the full amount of the
43 registration fees, laboratory fees and any other mandatory fees
44 assessed against the student for that semester.



1 3. The waiver must be granted to a student who enrolls in any
2 program offered by a school within the *University or* System,
3 including, without limitation, a trade or vocational program, a
4 graduate program or a professional program.

5 4. For the purpose of assessing fees and charges against a
6 person to whom such a waiver is granted, the person shall be
7 deemed to be a bona fide resident of this State.

8 5. ~~{The Board of Regents}~~ *A higher education governing body*
9 may request documentation confirming that the student is a member
10 or descendant of a member of a federally recognized Indian tribe or
11 nation, all or part of which is located within the boundaries of this
12 State.

13 **Sec. 158.** NRS 396.54495 is hereby amended to read as
14 follows:

15 396.54495 ~~{The Board of Regents}~~ *A higher education*
16 *governing body* shall, on or before September 1 of each calendar
17 year, prepare and submit a report to the Director of the Legislative
18 Counsel Bureau for transmittal to the Nevada Legislature that
19 includes, without limitation, aggregated data for:

20 1. The number of students that qualify for a waiver of
21 registration fees, laboratory fees and any other mandatory fees
22 pursuant to NRS 396.5449.

23 2. The total funding made available for the waiver of
24 registration fees, laboratory fees and any other mandatory fees
25 pursuant to NRS 396.5449, including, without limitation, gifts,
26 grants, donations and federal contributions.

27 **Sec. 159.** NRS 396.545 is hereby amended to read as follows:

28 396.545 1. To the extent of money available for this purpose,
29 ~~{the Board of Regents}~~ *a higher education governing body* shall
30 pay all registration fees, laboratory fees and expenses for required
31 textbooks and course materials assessed against or incurred by a
32 dependent child of a public safety officer who was killed in the line
33 of duty or any other public employee who was killed in the
34 performance of his or her duties, for classes taken towards satisfying
35 the requirements of an undergraduate degree at a school within the
36 *University or* System. No such payment may be made for any fee
37 assessed after the child reaches the age of 23 years.

38 2. There is hereby created in the State General Fund a Trust
39 Account for the Education of Dependent Children. The Board of
40 Regents shall administer the Account. The ~~{Board of Regents}~~
41 *Office* may accept gifts and grants for deposit in the Account. All
42 money held by the State Treasurer or received by the ~~{Board of~~
43 ~~Regents}~~ *Office* for that purpose must be deposited in the Account.
44 The money in the Account must be invested as the money in other
45 state accounts is invested. After deducting all applicable charges, all



1 interest and income earned on the money in the Account must be
2 credited to the Account. Any money remaining in the Account at the
3 end of a fiscal year does not revert to the State General Fund, and
4 the balance in the Account must be carried forward to the next fiscal
5 year.

6 3. For each fiscal year, the ~~Board of Regents~~ Office shall
7 estimate:

8 (a) The amount of money in the Trust Account that is available
9 to make payments pursuant to subsection 1 for that fiscal year; and

10 (b) The anticipated amount of such payments for that fiscal year.
11 ➔ If the anticipated amount of payments estimated for the fiscal
12 year exceeds the estimated amount of money available in the
13 Account in the fiscal year for such payments, the ~~Board of Regents~~
14 Office may request an allocation from the Contingency Account
15 created in the State General Fund pursuant to NRS 353.266 to cover
16 the projected shortfall.

17 4. As used in this section:

18 (a) "Firefighter" means a person who is a salaried employee or
19 volunteer member of a:

20 (1) Fire prevention or suppression unit organized by a local
21 government and whose principal duty is to control and extinguish
22 fires; or

23 (2) Fire-fighting agency.

24 (b) "Fire-fighting agency" has the meaning ascribed to it in
25 NRS 450B.072.

26 (c) "Local government" means a county, city, unincorporated
27 town or metropolitan police department.

28 (d) "Member of a rescue or emergency medical services crew"
29 means:

30 (1) A member of a search and rescue organization in this
31 State under the direct supervision of any county sheriff;

32 (2) A person licensed as an attendant pursuant to chapter
33 450B of NRS if the person is a salaried employee of a public agency
34 and is not retained under contract to perform services for the public
35 agency;

36 (3) A person certified as an emergency medical technician,
37 advanced emergency medical technician or paramedic pursuant to
38 chapter 450B of NRS if the person is a salaried employee or
39 volunteer of a public agency and is not retained under contract to
40 perform services for the public agency; or

41 (4) A volunteer attendant as that term is defined in
42 NRS 450B.110.

43 (e) "Peace officer" means a category I peace officer, category II
44 peace officer or category III peace officer as those terms are defined
45 in NRS 289.460, 289.470 and 289.480, respectively.



1 (f) "Public agency" means an agency, bureau, commission,
2 department or division of the State of Nevada or a political
3 subdivision of the State of Nevada that provides police, firefighting,
4 rescue or emergency medical services.

5 (g) "Public employee" means any person who performs public
6 duties for compensation paid by or through the State, a county, city,
7 local government or other political subdivision of the State or an
8 agency thereof.

9 (h) "Public employee who was killed in the performance of his
10 or her duties" includes, without limitation, a public employee who
11 dies as a result of injuries sustained in the performance of his or her
12 duties.

13 (i) "Public safety officer" means a person serving a public
14 agency in an official capacity, with or without compensation, as a
15 peace officer, a firefighter or a member of a rescue or emergency
16 medical services crew.

17 (j) "Public safety officer who was killed in the line of duty"
18 includes, without limitation, a public safety officer who dies as a
19 result of injuries sustained in the line of duty.

20 **Sec. 160.** NRS 396.5453 is hereby amended to read as
21 follows:

22 396.5453 1. ~~{The Board of Regents}~~ *A higher education*
23 *governing body* shall, not later than November 30 of each year,
24 prepare and submit to the Director of the Legislative Counsel
25 Bureau for submission to the Legislature, or to the Joint Interim
26 Standing Committee on Education when the Legislature is not in
27 regular session, a report concerning the participation of students
28 who are veterans in *an institution within the University or* System.
29 The report must cover the immediately preceding academic year.

30 2. The report must include, without limitation:

31 (a) The number of students who:

32 (1) Identify themselves as veterans.

33 (2) Are receiving payments or benefits from the United
34 States Department of Veterans Affairs.

35 (b) The number of students who are veterans, divided by gender.

36 (c) The rate of retention and average age of the students who are
37 veterans.

38 (d) The most common areas of study among the students who
39 are veterans.

40 (e) Any information necessary to determine the impact of policy
41 changes on the number of students who are veterans in *an*
42 *institution within the University or* System.

43 (f) The number of students who are veterans who graduated
44 during the immediately preceding academic year.



(g) The efforts of each institution to retain and graduate students who are veterans through retention and other related programs.

Sec. 161. NRS 396.5455 is hereby amended to read as follows:

396.5455 ~~[The Board of Regents]~~ *A relevant higher education governing body* shall require each nursing program in the *University or* System to give preference in admission to veterans of the Armed Forces of the United States who were honorably discharged.

Sec. 162. NRS 396.5457 is hereby amended to read as follows:

396.5457 ~~[The Board of Regents]~~ *A relevant higher education governing body* shall require each program developed by *an institution within* the *University or* System for the education of teachers to give preference in admission to veterans of the Armed Forces of the United States who were honorably discharged.

Sec. 163. NRS 396.546 is hereby amended to read as follows:

396.546 1. In the most timely manner practicable after receiving a written request for an electronic version of instructional material from a student with a print access disability, an institution shall provide to the student, at no cost, an electronic version of each requested instructional material that the institution determines is essential to the success of the student in a course of study offered by an institution of the *University or* System in which the student is enrolled.

2. If an institution receives a request for an electronic version of nonprinted instructional material from a student pursuant to subsection 1 to whom the institution would be required to provide an electronic version of the material pursuant to subsection 1 and an electronic version of the nonprinted instructional material is not currently available at the institution or at another institution of the *University or* System, the institution must contact the publisher of the nonprinted instructional material and request an electronic version of the nonprinted instructional material. If the publisher:

(a) Has an electronic version of the nonprinted instructional material, the publisher must provide the electronic version to the institution for distribution to the student; or

(b) Does not have an electronic version of the nonprinted instructional material, the institution must create and provide to the student an electronic version in the most timely manner practicable after the institution is notified by the publisher that the publisher does not have an electronic version of the nonprinted instructional material.

3. As used in this section:

(a) "Institution" means any university, state college or community college within the *University or* System.



1 (b) "Instructional material" means any published textbook and
2 other published material that is used by students of the *University or*
3 *System*. The term does not include nontextual mathematics and
4 science materials unless, as determined by ~~[the Board of Regents.]~~ *a*
5 *higher education governing body*, such materials are commercially
6 available in a format that is compatible for use with equipment
7 which is used by students of the *University or System* with print
8 access disabilities to convert material into a format that provides
9 them with the ability to have increased independent access to the
10 material. The term includes, without limitation, nonprinted
11 instructional material.

12 (c) "Nonprinted instructional material" means instructional
13 material that is in a format other than print. The term does not
14 include a website or Internet link that is associated with instructional
15 material. The term includes, without limitation, instructional
16 material that requires electronic equipment other than a computer or
17 computer peripheral for the material to be used as a learning
18 resource, such as a software program, videodisc, videotape and
19 audiotape.

20 (d) "Print access disability" means a condition in which a
21 person's independent reading of, reading comprehension of, or
22 visual access to printed material is limited or reduced because of a
23 sensory, neurological, cognitive, physical or psychiatric disability.

24 **Sec. 164.** NRS 396.5465 is hereby amended to read as
25 follows:

26 396.5465 A university, state college or community college
27 within the *University or System* shall ensure that information
28 relating to mental health resources appears on any identification
29 card newly issued to or reprinted for a student of the university, state
30 college or community college. The information must include,
31 without limitation, the telephone number and a text messaging
32 option for the National Suicide Prevention Lifeline, or its successor
33 organization.

34 **Sec. 165.** NRS 396.547 is hereby amended to read as follows:

35 396.547 1. The student body of each ~~[branch of]~~ *institution*
36 *within* the *University or System* may establish a student
37 government. The student government shall adopt a set of bylaws
38 which are subject to the approval of:

39 (a) A majority of the students who vote in an election held for
40 that purpose; and

41 (b) The ~~[Board of Regents.]~~ *relevant higher education*
42 *governing body*.

43 2. Such a student government to the extent of its authority set
44 forth in the bylaws is self-governing and independent of the



1 administration of the *University or* System, financially and
2 otherwise.

3 3. ~~[The Board of Regents]~~ *Each higher education governing*
4 *body* shall collect a fee from each undergraduate student at ~~[a branch~~
5 ~~of]~~ *an institution within the University or* System for the support of
6 the student government of that ~~[branch]~~ *institution* upon:

7 (a) Receipt of a request by the student government for the
8 imposition of such a fee; and

9 (b) Approval by the ~~[Board of Regents]~~ *relevant higher*
10 *education governing body* of the amount of the fee so requested.

11 **Sec. 166.** NRS 396.5475 is hereby amended to read as
12 follows:

13 396.5475 ~~[The Board of Regents]~~ *A higher education*
14 *governing body* shall adopt a written policy for the ~~[Universities,~~
15 ~~state colleges and community colleges within the System,]~~
16 *institution it governs* for student publications which:

17 1. Establishes reasonable provisions governing the time, place
18 and manner for the distribution of student publications;

19 2. Protects the right of expression in a manner consistent with
20 the rights guaranteed by the First and Fourteenth Amendments to
21 the United States Constitution for students working on student
22 publications as journalists in their determination of the news,
23 opinions, feature content, advertising content and other content of
24 the student publications;

25 3. Prohibits, without limitation, the following:

26 (a) Restricting the publication of any content in student
27 publications unless the content would substantially disrupt the
28 ability of the institution to perform its educational mission;

29 (b) Dismissing, suspending, disciplining or retaliating against a
30 faculty member, employee or other person acting as an adviser for a
31 student publication or as an adviser to students working as
32 journalists on a student publication for acting within the scope of
33 that position, including, without limitation, taking responsible and
34 appropriate action to protect a student engaged in conduct protected
35 pursuant to the written policy or refusing to perform an action which
36 violates the written policy; and

37 (c) Expelling, suspending or otherwise disciplining a student for
38 engaging in conduct in accordance with the policy, unless such
39 conduct substantially disrupts the ability of the institution to
40 perform its educational mission and the disruption was intentional;
41 and

42 4. Includes a disclaimer indicating that any content published
43 in a student publication is not endorsed by ~~[the Board of Regents,]~~
44 *the higher education governing body, the Office, the University,*



1 *the* System or a university, state college or community college
2 within the *University or System* ~~[]~~, *as applicable*.

3 **Sec. 167.** NRS 396.548 is hereby amended to read as follows:

4 396.548 ~~[The Board of Regents]~~ *A higher education*
5 *governing body or the Office* shall require employees of the
6 *University or System* to provide to the board of trustees of each
7 school district of this State, as appropriate, information regarding
8 the:

9 1. Number of pupils who graduated from a high school in the
10 district in the immediately preceding year and enrolled in remedial
11 courses in reading, writing or mathematics at a university, state
12 college or community college within the *University or System*.

13 2. Costs incurred by the *University or System* in providing
14 remedial instruction pursuant to subsection 1.

15 **Sec. 168.** NRS 396.550 is hereby amended to read as follows:

16 396.550 ~~[The Board of Regents shall have the power to]~~ *A*
17 *higher education governing body may* prescribe the time and
18 standards of graduation.

19 **Sec. 169.** NRS 396.560 is hereby amended to read as follows:

20 396.560 1. Upon the recommendation of a president of ~~fa~~
21 ~~branch]~~ *an institution* within the *University or System*, the ~~[Board~~
22 ~~of Regents]~~ *higher education governing body* shall issue to those
23 who worthily complete the full course of study in the school of
24 mines or in the school of agriculture, or in the school of liberal arts,
25 or in any equivalent course that may hereafter be prescribed, a
26 diploma of graduation, conferring the proper academic degree, from
27 the ~~[System.]~~ *institution*.

28 2. ~~[The Board of Regents]~~ *A higher education governing body*
29 shall not issue such a diploma to a student who has not completed
30 the full course of study as set forth in this section.

31 3. For the purposes of this section, a student at a university or
32 state college within the *University or System* completes the full
33 course of study for a diploma of graduation if, in accordance with
34 the policy of the ~~[Board of Regents,]~~ *relevant higher education*
35 *governing body* the student satisfies the requirements for graduation
36 and a degree as set forth in the catalog of the university or state
37 college that is in effect at the time the student:

38 (a) First enrolls in the university or state college or is admitted
39 to the academic program or department of the student's major if the
40 program or department has a formal process for admitting students
41 to the program or department; or

42 (b) Graduates,

43 ➔ whichever the student elects. A student who changes his or her
44 major must elect the catalog of the year of the latest change of the



1 major or the year of graduation. A student may not elect a catalog
2 that is more than 10 years old at the time of his or her graduation.

3 **Sec. 170.** NRS 396.568 is hereby amended to read as follows:

4 396.568 1. All credits earned by a student in a course at a
5 community college within the System, including, without limitation,
6 all credits earned in a course toward the award of an associate's
7 degree must automatically transfer toward the course work required
8 of the student in his or her major or minor, or other course work
9 required of the student, for the award of a baccalaureate degree upon
10 graduation of the student from any university or state college within
11 the *University or System*.

12 2. Pursuant to the policy of the ~~[Board of Regents,]~~ *relevant*
13 *higher education governing body*, a student who is awarded an
14 associate's degree:

15 (a) Shall be deemed to have completed the course of study
16 required of a sophomore.

17 (b) If the student enrolls in another institution within the
18 *University or System*, must be enrolled as a junior.

19 3. All credits earned toward the completion of a degree of
20 associate of arts, associate of science or associate of business must
21 automatically transfer toward the course work required for the
22 award of a baccalaureate degree upon the graduation of the student
23 from any university or college within the *University or System*.

24 ➤ If the transfer of credit pursuant to this section is denied and the
25 student believes that the credit should be applied to his or her
26 degree, the student may appeal the decision. The appeal process
27 must be made available to all students and may be posted on the
28 website of the *Office or an institution within the University or*
29 *System*.

30 **Sec. 171.** NRS 396.580 is hereby amended to read as follows:

31 396.580 Upon the recommendation of a president of ~~[a branch]~~
32 *an institution* within the *University or System*, the ~~[Board of~~
33 ~~Regents]~~ *higher education governing body* shall issue to those who
34 worthily complete the full course of study in any other department
35 of the *University or System*, not equivalent to a regular course, a
36 diploma of graduation, but the diploma must bear the name of the
37 department from which it is issued, and in no case may it bear the
38 heading of the regular diploma issued by the ~~[Board of Regents,]~~
39 *relevant higher education governing body*.

40 **Sec. 172.** NRS 396.585 is hereby amended to read as follows:

41 396.585 1. ~~[The Board of Regents]~~ *A higher education*
42 *governing body* shall require each student who participates as a
43 member of a varsity athletic team which represents an institution
44 within the *University or System* to make satisfactory progress



1 toward obtaining a degree as a condition of participation as a
2 member of the team.

3 2. ~~[The Board of Regents]~~ *A higher education governing body*
4 shall establish standards for determining whether a student is
5 making satisfactory progress toward obtaining his or her degree as
6 required by this section. Except as otherwise provided in NRS
7 396.158, the standards must:

8 (a) Include a requirement that a student enroll in a sufficient
9 number of courses in each semester that are required to obtain the
10 academic degree the student is seeking to allow the student to
11 complete the requirements for obtaining the degree within a
12 reasonable period after the student's admission.

13 (b) Include a requirement that a student maintain a
14 minimum grade point average in the courses required pursuant to
15 paragraph (a).

16 **Sec. 173.** NRS 396.5926 is hereby amended to read as
17 follows:

18 396.5926 1. There is hereby created the Liaison for Post-
19 Secondary Education for Homeless Pupils within the ~~[System-]~~
20 *Office.*

21 2. The Governor shall, to the extent that money is available for
22 that purpose, appoint the Liaison for Post-Secondary Education for
23 Homeless Pupils for a term of 4 years. The Liaison is in the
24 unclassified service of the State. The person appointed:

25 (a) Must be knowledgeable in the various issues relating to
26 homeless and unaccompanied pupils, including, without limitation,
27 the McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C.
28 §§ 11301 et seq.;

29 (b) Must be independent of and have no pecuniary interest in
30 any organization or entity that provides services to homeless and
31 unaccompanied pupils;

32 (c) Except as otherwise provided in NRS 284.143, shall devote
33 all of his or her time to the business of his or her office and shall not
34 pursue any other business or vocation or hold any other office of
35 profit; and

36 (d) Must not be a member of any political convention or a
37 member of any committee of any political party.

38 3. The Governor may remove the Liaison from office for
39 inefficiency, neglect of duty or malfeasance in office.

40 **Sec. 174.** NRS 396.593 is hereby amended to read as follows:
41 396.593 To the extent that money is available, the Liaison
42 may:

43 1. Employ such staff as is necessary to carry out his or her
44 duties and the functions of his or her office, in accordance with the
45 personnel practices and procedures established within the ~~[System-]~~



1 **Office.** The Liaison has sole discretion to employ and remove any
2 member of his or her staff.

3 2. Purchase necessary equipment.

4 3. Lease or make other suitable arrangements for office space,
5 but any lease which extends beyond the term of 1 year must be
6 reviewed and approved by a majority of the members of the State
7 Board of Examiners.

8 4. Perform such other functions and make such other
9 arrangements as may be necessary to carry out his or her duties and
10 the functions of his or her office.

11 **Sec. 175.** NRS 396.5935 is hereby amended to read as
12 follows:

13 396.5935 1. The ~~{Board of Regents}~~ **Office** may accept gifts,
14 grants and donations from any source for the purpose of carrying out
15 the provisions of NRS 396.5913 to 396.594, inclusive.

16 2. All gifts, grants and donations from any source which the
17 ~~{Board of Regents}~~ **Office** is authorized to accept must be deposited
18 with the State Treasurer for credit to the Account for the Liaison for
19 Post-Secondary Education for Homeless Pupils, which is hereby
20 created in the State General Fund. The ~~{Board of Regents}~~ **Office**
21 shall administer the Account. The money in the Account must be
22 expended only to pay the costs of administering NRS 396.5913 to
23 396.594, inclusive.

24 3. The interest and income earned on the money in the
25 Account, after deducting any applicable charges, must be credited to
26 the Account. Money that remains in the Account at the end of the
27 fiscal year does not revert to the State General Fund, and the balance
28 in the Account must be carried forward to the next fiscal year.

29 **Sec. 176.** NRS 396.595 is hereby amended to read as follows:

30 396.595 1. The Office of State Climatologist is hereby
31 created.

32 2. The Director of the State Department of Conservation and
33 Natural Resources shall employ as the State Climatologist a person
34 who has received the approval of:

35 (a) The National Climatic Data Center of the National Oceanic
36 and Atmospheric Administration;

37 (b) The Western Regional Director of the National Weather
38 Service; and

39 (c) An officer of the ~~{System.}~~ **University.**

40 3. The State Climatologist shall:

41 (a) Maintain descriptions of and information on the climate in
42 this state, including the atmospheric conditions and levels of
43 precipitation; and

44 (b) Publish his or her findings concerning the climate in this
45 state at least quarterly.



1 **Sec. 177.** NRS 396.597 is hereby amended to read as follows:
2 396.597 1. The ~~{System}~~ *University* may provide the State
3 Climatologist with adequate space for an office and necessary
4 supplies.

5 2. The State Climatologist may, in addition to his or her
6 employment as State Climatologist:

7 (a) Be employed by the Board of Regents as a member of the
8 teaching staff of one of the branches or facilities within the
9 ~~{System;}~~ *University*; and

10 (b) Accept employment as a consultant.

11 **Sec. 178.** NRS 396.600 is hereby amended to read as follows:

12 396.600 The Public Service Division of the ~~{System}~~
13 *University* consists of the following public service departments:

14 1. Agricultural Extension.

15 2. Agricultural Experiment Station.

16 3. Bureau of Mines and Geology.

17 4. Such other departments as the Board of Regents may
18 designate.

19 **Sec. 179.** NRS 396.610 is hereby amended to read as follows:

20 396.610 All rules and regulations necessary for the proper
21 administration and enforcement of the Public Service Division of
22 the ~~{System}~~ *University* must be made by the presidents, the
23 Chancellor and the Board of Regents.

24 **Sec. 180.** NRS 396.620 is hereby amended to read as follows:

25 396.620 1. Subject to the limitations specified in NRS
26 396.620 to 396.660, inclusive, the Chancellor shall cause to be
27 analyzed by an appropriate employee of the ~~{System}~~ *University* any
28 ores, minerals, soil or water taken from within the boundaries of the
29 State of Nevada and sent by any resident of the State for that
30 purpose. Persons sending samples from post offices in states
31 bordering Nevada may be required to furnish evidence that their
32 samples are taken in Nevada and that they are Nevada residents.
33 Any resident of the State may send any such substance for analysis.
34 The report of the results of the analysis must be mailed to him or her
35 within 10 working days after it has been received if he or she has
36 supplied the information for the maintenance of records as provided
37 in this section. The report sent to him or her must also contain as
38 nearly as possible an explanation of the uses and market value of the
39 substance.

40 2. For each sample sent for analysis, the ~~{System}~~ *University*
41 shall charge a fee of \$5 which must be used to defray the expense of
42 conducting the analysis and storing the sample.

43 3. The ~~{System}~~ *University* shall keep a record, open for
44 inspection, under such rules as may be made by the Board of
45 Regents, of all minerals, ores or other matters so sent, with a history



1 of the minerals or other matters, stating the name and residence of
2 the person from whom received, as nearly as possible the location
3 from which the material was taken, including the district and
4 county, and any other relevant information. This information for the
5 records may be required to be filed with the ~~[System.]~~ *University*
6 before any work is done on the material sent, and the 10-day limit
7 for reports will count from the time the information is received by
8 the ~~[System.]~~ *University*. The ~~[System.]~~ *University* shall cause the
9 preparation and printing of forms for providing the information and
10 shall distribute the forms at no charge.

11 4. A portion of the sample analyzed must be kept by the
12 ~~[System.]~~ *University* for 3 months after the report is sent out, in case
13 any question should arise in relation to the report or additional
14 information be desired. After that time expires, samples may be
15 destroyed or used for any desirable purpose.

16 **Sec. 181.** NRS 396.690 is hereby amended to read as follows:

17 396.690 1. The assent of the State of Nevada by its
18 Legislature is hereby given to the provisions and requirements of an
19 Act of Congress entitled "An Act to provide for cooperative
20 extension work between the agricultural colleges in the several
21 States receiving the benefits of an Act of Congress approved
22 July second, eighteen hundred and sixty-two, and of Acts
23 supplementary thereto, and the United States Department of
24 Agriculture," approved May 8, 1914 (c. 79, 38 Stat. 372), and any
25 acts amendatory thereof and supplemental thereto. The Board of
26 Regents is hereby authorized and empowered to receive the grants
27 of money appropriated under such federal acts, and to organize and
28 conduct agricultural extension work which must be carried on in
29 connection with the College of Agriculture of the ~~[System,]~~
30 *University*, in accordance with the terms and conditions expressed
31 in such Acts of Congress.

32 2. The Director of the Agricultural Extension Department of
33 the Public Service Division of the ~~[System.]~~ *University* shall conduct
34 all business of the Agricultural Extension Department and
35 administer all funds of the Agricultural Extension Department,
36 including, without limitation, in each county that has entered into an
37 agreement with or participates in a program of the Agricultural
38 Extension Department.

39 **Sec. 182.** NRS 396.740 is hereby amended to read as follows:

40 396.740 The Agricultural Experiment Station, organized and
41 established by the Board of Regents in connection with the
42 ~~[System,]~~ *University*, is hereby recognized and continues as a part
43 of the ~~[System,]~~ *University*. The Agricultural Experiment Station
44 must be conducted for the purposes of acquiring and diffusing
45 among the people useful and practical information on subjects



1 connected with agriculture and to promote scientific investigation
2 and experiment respecting the principles and applications of
3 agricultural science.

4 **Sec. 183.** NRS 396.750 is hereby amended to read as follows:

5 396.750 The Board of Regents, upon recommendation of the
6 appropriate officer of the ~~[System]~~ *University*, shall appoint a
7 qualified person to serve as Director of the Agricultural Experiment
8 Station of the Public Service Division of the ~~[System]~~ *University*
9 and grant him or her such assistants as it deems necessary. The
10 Director shall conduct all business of the Agricultural Experiment
11 Station and administer all funds of the Agricultural Experiment
12 Station.

13 **Sec. 184.** NRS 396.790 is hereby amended to read as follows:

14 396.790 1. The Director of the Nevada Agricultural
15 Experiment Station of the ~~[System,]~~ *University*, with the approval of
16 the Board of Regents, is hereby authorized and directed to enter into
17 cooperative agreements with the United States Department of
18 Agriculture under the provisions of an Act of Congress entitled "An
19 Act to provide for further research into basic laws and principles
20 relating to agriculture and to improve and facilitate the marketing
21 and distribution of agricultural products," approved August 14, 1946
22 (c. 966, 60 Stat. 1082; 7 U.S.C. § 427).

23 2. The Nevada Agricultural Experiment Station Fund is hereby
24 created and must be administered by the Director of the Agricultural
25 Experiment Station. Support for the Fund must be provided by
26 legislative appropriation from the State General Fund.

27 3. All claims against the Nevada Agricultural Experiment
28 Station Fund must be certified by the Director of the Nevada
29 Agricultural Experiment Station, approved by the Board of Regents
30 and the State Board of Examiners and when so certified and
31 approved, the State Controller is authorized to draw his or her
32 warrants in payment of the claim, and the State Treasurer is
33 authorized to pay the claim.

34 **Sec. 185.** NRS 396.795 is hereby amended to read as follows:

35 396.795 To contribute more effectively to the security of the
36 nation and to promote the general welfare of the State of Nevada
37 and its citizens through the development of educational and
38 scientific research, the Board of Regents may establish for
39 educational and scientific research a facility within the ~~[System]~~
40 *University* to be known as the Desert Research Institute.

41 **Sec. 186.** NRS 396.7951 is hereby amended to read as
42 follows:

43 396.7951 The primary purposes of the Institute are to:



1 1. Foster and conduct fundamental scientific, economic, social
2 or educational investigations and applied research for industry,
3 governmental or private agencies or individuals;

4 2. Encourage and foster a desire in students and faculty to
5 conduct research;

6 3. Discover and develop talent for conducting research;

7 4. Acquire and disseminate knowledge related to the projects
8 undertaken; and

9 5. Promote all research within the ~~[System.]~~ *University*
10 generally.

11 **Sec. 187.** NRS 396.7952 is hereby amended to read as
12 follows:

13 396.7952 To further the development of the research activities
14 of the ~~[System.]~~ *University*, the Board of Regents, on behalf of the
15 Desert Research Institute, may:

16 1. Enter into contracts with governmental or private agencies
17 or natural persons who wish to use the services or facilities of the
18 Desert Research Institute.

19 2. Receive and hold, by gift, bequest, devise, grant, purchase or
20 otherwise, any real or personal property, including patents,
21 copyrights, royalties and contracts from natural persons or
22 corporations.

23 3. Manage, invest, use and dispose of any property so received,
24 either as specified by the donor or for the furtherance of the
25 objectives of the Desert Research Institute.

26 4. Receive, invest, disburse and account for all money acquired
27 pursuant to subsection 2 or through contractual or sponsored
28 arrangements with governmental or private agencies or natural
29 persons.

30 **Sec. 188.** NRS 396.7953 is hereby amended to read as
31 follows:

32 396.7953 1. The Board of Regents may devise and establish
33 personnel policies and procedures in connection with the operation
34 of contractual or sponsored research activities of the Institute, apart
35 from those personnel policies and procedures which are established
36 for the professional personnel of other branches or facilities of the
37 ~~[System.]~~ *University*.

38 2. In devising and establishing such personnel policies and
39 procedures, the Board of Regents is not bound by any of the other
40 provisions of this chapter or the provisions of title 23 of NRS and
41 none of those provisions are applicable to any person employed in
42 connection with the operation of contractual or sponsored research
43 activities of the Institute except as may be prescribed by the Board
44 of Regents.



1 **Sec. 189.** NRS 396.7955 is hereby amended to read as
2 follows:

3 396.7955 1. The Board of Regents shall devise and establish
4 fiscal policies and procedures in connection with the operation of
5 contractual or sponsored research activities of the institute, apart
6 from those fiscal policies and procedures which are applicable to
7 other branches or facilities of the ~~{System.}~~ *University*.

8 2. None of the other provisions of this chapter or the provisions
9 of titles 23 or 31 of NRS or any other statute relating to public
10 officers and employees or public financial administration applies to
11 the receipt, investment, management, disbursement, use,
12 expenditure or accounting for any money or property received by
13 the Board of Regents pursuant to NRS 396.7952, except as
14 otherwise provided in subsection 4 of NRS 396.7952.

15 3. Any funds received by or made available to the Board of
16 Regents for the Desert Research Institute by the State of Nevada,
17 whether pursuant to direct legislative appropriation or otherwise, are
18 subject to all laws relating to public funds and expenditures.

19 **Sec. 190.** NRS 396.797 is hereby amended to read as follows:

20 396.797 The Board of Regents shall establish for educational
21 research an Ethics Institute as a facility within the ~~{System}~~
22 *University* to study questions and define standards regarding
23 medical ethics.

24 **Sec. 191.** NRS 396.7973 is hereby amended to read as
25 follows:

26 396.7973 1. The Board of Regents may establish policies and
27 procedures for personnel in connection with the operation of
28 contractual or sponsored activities of the Ethics Institute, apart from
29 those policies and procedures which are established for the
30 professional personnel of other branches or facilities of the
31 ~~{System.}~~ *University*.

32 2. In establishing the policies and procedures, the Board of
33 Regents is not bound by any of the other provisions of this chapter
34 or the provisions of title 23 of NRS and none of those provisions are
35 applicable to any person employed in connection with the operation
36 of contractual or sponsored activities of the Institute except as may
37 be prescribed by the Board of Regents.

38 **Sec. 192.** NRS 396.7975 is hereby amended to read as
39 follows:

40 396.7975 1. The Board of Regents shall establish fiscal
41 policies and procedures in connection with the operation of
42 contractual or sponsored activities of the Ethics Institute, apart from
43 those fiscal policies and procedures which are applicable to other
44 branches or facilities of the ~~{System.}~~ *University*.



1 2. None of the other provisions of this chapter or the provisions
2 of title 23 or 31 of NRS or any other statute relating to public
3 officers and employees or public financial administration applies to
4 the receipt, investment, management, disbursement, use,
5 expenditure or accounting for any money or property received by
6 the Board of Regents pursuant to NRS 396.7972.

7 3. Any money received by or made available to the Board of
8 Regents for the Ethics Institute is subject to all laws relating to
9 public money and expenditures.

10 **Sec. 193.** NRS 396.7992 is hereby amended to read as
11 follows:

12 396.7992 The Board of Regents, in the name and on behalf of
13 the ~~{System,}~~ **University**, may:

14 1. Cause to be formed a nonprofit corporation pursuant to
15 chapter 82 of NRS for the acquisition of real property for the future
16 development and expansion of the University of Nevada, Reno, in
17 Washoe County.

18 2. Provide the name of the corporation.

19 3. Specify that it is formed for charitable and educational
20 purposes, subject to the basic object provided therefor in
21 subsection 1.

22 4. Specify incidental powers which the corporation may
23 exercise, including without limitation:

24 (a) The power to solicit and receive contributions, gifts, grants,
25 devises and bequests of real and personal property, or any
26 combination thereof;

27 (b) The powers enumerated in NRS 82.121; and

28 (c) The power to do all acts and things as may be necessary or
29 convenient or desirable to carry out the objects and purposes for
30 which the corporation is formed.

31 5. Provide for:

32 (a) The location and relocation of the principal office of the
33 corporation;

34 (b) The distribution of its assets, after the liquidation of its
35 obligations, if any, to the ~~{System}~~ **University** or its Board of
36 Regents, as it may determine, for the benefit of the ~~{System}~~
37 **University** upon any dissolution and liquidation of the corporation;

38 (c) Its perpetual existence;

39 (d) Its governing body and appointments and reappointments of
40 members thereto; and

41 (e) The adoption and alteration from time to time of bylaws by
42 the corporation.



1 **Sec. 194.** NRS 396.7993 is hereby amended to read as
2 follows:

3 396.7993 Neither the ~~{System}~~ *University* nor the Board of
4 Regents is obligated to acquire from such a nonprofit corporation
5 any property acquired by it, except as is otherwise provided in
6 NRS 396.7998.

7 **Sec. 195.** NRS 396.7994 is hereby amended to read as
8 follows:

9 396.7994 Such a nonprofit corporation, upon its formation, is:

10 1. A corporate agency of the ~~{System}~~ *University* and the
11 Board of Regents;

12 2. A body corporate and politic; and

13 3. A political subdivision of this state.

14 **Sec. 196.** NRS 396.7998 is hereby amended to read as
15 follows:

16 396.7998 The ~~{System,}~~ *University*, or the Board of Regents,
17 as it may determine, has the beneficial interest in the corporation
18 while any obligations evidenced by its bonds or other securities
19 remain outstanding. The ~~{System}~~ *University* or the Board of
20 Regents, as it may determine, may obligate itself to take full legal
21 title to the property of the corporation upon the retirement of its
22 securities.

23 **Sec. 197.** NRS 396.7999 is hereby amended to read as
24 follows:

25 396.7999 The ~~{System,}~~ *University*, acting by and through the
26 Board of Regents may:

27 1. Approve the corporation and any securities issued thereby.

28 2. Do all acts necessary, convenient or desirable, as the Board
29 may determine, to carry out the provisions of this section.

30 **Sec. 198.** NRS 396.801 is hereby amended to read as follows:

31 396.801 The Board of Regents, in the name and on the behalf
32 of the ~~{System,}~~ *University*, may:

33 1. Cause to be formed a nonprofit corporation pursuant to
34 chapter 82 of NRS for the acquisition of real property for the future
35 development and expansion of the University of Nevada, Las Vegas,
36 in Clark County.

37 2. Provide the name of the corporation.

38 3. Specify that it is formed for charitable and educational
39 purposes, subject to the basic object provided therefor in
40 subsection 1.

41 4. Specify incidental powers which the corporation may
42 exercise, including without limitation:

43 (a) The power to solicit and receive contributions, gifts, grants,
44 devises and bequests of real and personal property, or any
45 combination thereof;



1 (b) The powers enumerated in NRS 82.121; and
2 (c) The power to do all acts and things as may be necessary or
3 convenient or desirable to carry out the objects and purposes for
4 which the corporation is formed.

5 5. Provide for:

6 (a) The location and relocation of the principal office of the
7 corporation;

8 (b) The distribution of its assets, after the liquidation of its
9 obligations, if any, to the ~~{System}~~ *University* or the Board of
10 Regents, as it may determine, for the benefit of the University of
11 Nevada, Las Vegas, upon any dissolution and liquidation of the
12 corporation;

13 (c) Its perpetual existence;

14 (d) Its governing body and appointments and reappointments of
15 members thereto; and

16 (e) The adoption and alteration from time to time of bylaws by
17 the corporation.

18 **Sec. 199.** NRS 396.802 is hereby amended to read as follows:

19 396.802 Neither the ~~{System}~~ *University* nor the Board of
20 Regents is obligated to acquire from such a nonprofit corporation
21 any property acquired by it, except as is otherwise provided in
22 NRS 396.807.

23 **Sec. 200.** NRS 396.803 is hereby amended to read as follows:

24 396.803 Such a nonprofit corporation, upon its formation, is:

25 1. A corporate agency of the ~~{System}~~ *University* and the
26 Board of Regents;

27 2. A body corporate and politic; and

28 3. A political subdivision of this state.

29 **Sec. 201.** NRS 396.807 is hereby amended to read as follows:

30 396.807 The ~~{System,}~~ *University*, or the Board of Regents, as
31 it may determine, has the beneficial interest in the corporation while
32 any obligations evidenced by its bonds or other securities remain
33 outstanding and the ~~{System}~~ *University* or the Board of Regents, as
34 it may determine, may obligate itself to take full legal title to the
35 property of the corporation upon the retirement of its securities.

36 **Sec. 202.** NRS 396.890 is hereby amended to read as follows:

37 396.890 1. ~~{The Board of Regents}~~ *A higher education*
38 *governing body* may administer, directly or through a designated
39 officer or employee of the *University or* System, a program to
40 provide loans for fees, books and living expenses to students in the
41 nursing programs of the *University or* System.

42 2. Each student to whom a loan is made must:

43 (a) Have been a "bona fide resident" of Nevada, as that term is
44 defined in NRS 396.540, for at least 6 months prior to the



1 “matriculation” of the student in the *University or* System, as that
2 term is defined pursuant to NRS 396.540;

3 (b) Be enrolled at the time the loan is made in a nursing program
4 of the *University or* System for the purpose of becoming a licensed
5 practical nurse or registered nurse;

6 (c) Except as otherwise provided in NRS 396.158, fulfill all
7 requirements for classification as a full-time student showing
8 progression towards completion of the program; and

9 (d) Except as otherwise provided in NRS 396.158, maintain at
10 least a 2.00 grade point average in each class and at least a 2.75
11 overall grade point average, on a 4.0 grading scale.

12 3. Each loan must be made upon the following terms:

13 (a) All loans must bear interest at 8 percent per annum from the
14 date when the student receives the loan.

15 (b) Each student receiving a loan must repay the loan with
16 interest following the termination of the student’s education for
17 which the loan is made. The loan must be repaid in monthly
18 installments over the period allowed with the first installment due 1
19 year after the date of the termination of the student’s education for
20 which the loan is made. The amounts of the installments must not be
21 less than \$50 and may be calculated to allow a smaller payment at
22 the beginning of the period of repayment, with each succeeding
23 payment gradually increasing so that the total amount due will have
24 been paid within the period for repayment. The period for
25 repayment of the loans must be:

26 (1) Five years for loans which total less than \$10,000.

27 (2) Eight years for loans which total \$10,000 or more, but
28 less than \$20,000.

29 (3) Ten years for loans which total \$20,000 or more.

30 4. A delinquency charge may be assessed on any installment
31 delinquent 10 days or more in the amount of 8 percent of the
32 installment or \$4, whichever is greater, but not more than \$15.

33 5. The reasonable costs of collection and an attorney’s fee may
34 be recovered in the event of delinquency.

35 **Sec. 203.** NRS 396.891 is hereby amended to read as follows:

36 396.891 1. The loans made pursuant to NRS 396.890 to
37 396.898, inclusive, must not exceed the following amounts per
38 student per semester. If the student is enrolled in a program of:

39 (a) A community college, \$1,700.

40 (b) A university, \$2,005.

41 2. Any money distributed pursuant to NRS 396.890 to 396.898,
42 inclusive, must be distributed among the ~~campuses~~ *institutions* of
43 the *University or* System, *as applicable*, in amounts that will allow
44 the same percentage of eligible students enrolled in the licensed



1 practical nurse and registered practical nurse programs of each
2 ~~[campus]~~ *institution* to receive loans.

3 **Sec. 204.** NRS 396.892 is hereby amended to read as follows:

4 396.892 1. Each student who receives a loan made pursuant
5 to NRS 396.890 to 396.898, inclusive, shall repay the loan and
6 accrued interest pursuant to the terms of the loan unless the student:

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

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

12 2. ~~[The Board of Regents]~~ *A higher education governing body*
13 *or the Office, in consultation with each higher education*
14 *governing body*, may adopt regulations:

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

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

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

23 3. As used in this section, "practices nursing in a rural area"
24 means that the person practices nursing in an area located in a
25 county whose population is less than 47,500 at least half of the total
26 time the person spends in the practice of nursing, and not less than
27 20 hours per week.

28 **Sec. 205.** NRS 396.893 is hereby amended to read as follows:

29 396.893 ~~[The Board of Regents]~~ *A higher education*
30 *governing body* or its designee may require:

31 1. A student to acquire, as security for a student loan, insurance
32 on the student's life and on the student's health or against the
33 student's disability, or both.

34 2. That a financially responsible person agree to be jointly
35 liable with the recipient for the repayment of the loan.

36 **Sec. 206.** NRS 396.894 is hereby amended to read as follows:

37 396.894 ~~[The Board of Regents]~~ *A higher education*
38 *governing body* or its designee may require, upon notice to a
39 recipient of a loan, that the recipient repay the balance and any
40 unpaid interest on the loan at once if:

41 1. An installment is not paid within 30 days after it is due;

42 2. The recipient fails to notify the ~~[Board of Regents]~~ *higher*
43 *education governing body* or its designee, within 30 days, of:

44 (a) A change of name or of the address of his or her home or
45 place of practice; or



1 (b) The termination of the education for which he or she
2 received the loan; or

3 3. The recipient fails to comply with any other requirement or
4 perform any other obligation the recipient is required to perform
5 pursuant to any agreement with the ~~[Board of Regents]~~ *higher*
6 *education governing body* or its designee.

7 **Sec. 207.** NRS 396.895 is hereby amended to read as follows:

8 396.895 A recipient of a loan made pursuant to NRS 396.890
9 to 396.898, inclusive, shall comply with the regulations adopted by
10 ~~[the Board of Regents.]~~ *a relevant higher education governing*
11 *body or the Office, in consultation with each relevant higher*
12 *education governing body.* If the recipient fails so to comply, the
13 ~~[Board of Regents]~~ *higher education governing body* or its
14 designee may:

15 1. For each infraction, impose a fine of not more than \$200
16 against any recipient in any academic year, and may deny additional
17 money to any student who fails to pay the fine when due;

18 2. Increase the portion of any future loan to be repaid by the
19 recipient; and

20 3. Extend the time a recipient is required to practice nursing to
21 repay his or her loan.

22 **Sec. 208.** NRS 396.896 is hereby amended to read as follows:

23 396.896 1. ~~[The Board of Regents]~~ *A higher education*
24 *governing body* or its designee may, after receiving an application
25 stating the reasons therefor, grant an extension of the period for the
26 repayment of a loan in case of hardship arising out of the individual
27 circumstances of a recipient. The extension must be for a period that
28 will reasonably alleviate that hardship.

29 2. Applications for extensions must be filed within the time
30 prescribed by regulation of the ~~[Board of Regents.]~~ *relevant higher*
31 *education governing body or the Office, in consultation with the*
32 *relevant higher education governing body.*

33 **Sec. 209.** NRS 396.897 is hereby amended to read as follows:

34 396.897 A person obligated to repay a student loan may, as
35 determined by ~~[the Board of Regents]~~ *a higher education*
36 *governing body* or its designee, receive credit towards payment of
37 the loan for professional services provided without compensation to
38 the State or any of its political subdivisions.

39 **Sec. 210.** NRS 396.898 is hereby amended to read as follows:

40 396.898 The ~~[Board of Regents may:]~~ *Office shall:*

41 1. Receive, invest, disburse and account for all money received
42 for the program.

43 2. Report to the Governor and the Legislature before
44 September 1 of any year preceding a regular session of the



1 Legislature, setting forth in detail the transactions conducted by it
2 during the biennium ending June 30 of such year.

3 3. Make recommendations for any legislative action deemed by
4 it advisable.

5 **Sec. 211.** NRS 396.916 is hereby amended to read as follows:
6 396.916 "Eligible institution" means:

7 1. A university, state college or community college within the
8 *University or* System; or

9 2. Any other nonsectarian college or university that:

10 (a) Was originally established in, and is organized under the
11 laws of, this state;

12 (b) Is exempt from taxation pursuant to 26 U.S.C. § 501(c)(3);
13 and

14 (c) Is accredited by a regional accrediting agency recognized by
15 the United States Department of Education.

16 **Sec. 212.** NRS 396.930 is hereby amended to read as follows:

17 396.930 1. Except as otherwise provided in subsections 2 and
18 4, a student may apply to ~~the Board of Regents~~ *a higher education*
19 *governing body* for a Millennium Scholarship if the student:

20 (a) Except as otherwise provided in paragraph (e) of subsection
21 2, has been a resident of this State for at least 2 years before the
22 student applies for the Millennium Scholarship;

23 (b) Except as otherwise provided in paragraph (c), graduated
24 from a public or private high school in this State:

25 (1) After May 1, 2000, but not later than May 1, 2003; or

26 (2) After May 1, 2003, and, except as otherwise provided in
27 paragraphs (c), (d) and (f) of subsection 2, not more than 6 years
28 before the student applies for the Millennium Scholarship;

29 (c) Does not satisfy the requirements of paragraph (b) and:

30 (1) Was enrolled as a pupil in a public or private high school
31 in this State with a class of pupils who were regularly scheduled to
32 graduate after May 1, 2000;

33 (2) Received his or her high school diploma within 4 years
34 after he or she was regularly scheduled to graduate; and

35 (3) Applies for the Millennium Scholarship not more than 6
36 years after he or she was regularly scheduled to graduate from high
37 school;

38 (d) Except as otherwise provided in paragraph (e), maintained in
39 high school in the courses designated by ~~the Board of Regents~~ *a*
40 *higher education governing body* pursuant to paragraph (b) of
41 subsection 2, at least:

42 (1) A 3.00 grade point average on a 4.0 grading scale, if the
43 student was a member of the graduating class of 2003 or 2004;

44 (2) A 3.10 grade point average on a 4.0 grading scale, if the
45 student was a member of the graduating class of 2005 or 2006; or



1 (3) A 3.25 grade point average on a 4.0 grading scale, if the
2 student was a member of the graduating class of 2007 or a later
3 graduating class;

4 (e) Does not satisfy the requirements of paragraph (d) and
5 received at least the minimum score established by ~~the Board of~~
6 ~~Regents~~ *a higher education governing body* on a college entrance
7 examination approved by ~~the Board of Regents~~ *a higher*
8 *education governing body* that was administered to the student
9 while the student was enrolled as a pupil in a public or private high
10 school in this State; and

11 (f) Except as otherwise provided in NRS 396.158, is enrolled in
12 at least:

13 (1) Nine semester credit hours in a community college within
14 the System;

15 (2) Twelve semester credit hours in another eligible
16 institution; or

17 (3) A total of 12 or more semester credit hours in eligible
18 institutions if the student is enrolled in more than one eligible
19 institution.

20 2. ~~The Board of Regents~~ *Each higher education governing*
21 *body:*

22 (a) Shall define the core curriculum that a student must complete
23 in high school to be eligible for a Millennium Scholarship.

24 (b) Shall designate the courses in which a student must earn the
25 minimum grade point averages set forth in paragraph (d) of
26 subsection 1.

27 (c) May establish criteria with respect to students who have been
28 on active duty serving in the Armed Forces of the United States to
29 exempt such students from the 6-year limitation on applications that
30 is set forth in subparagraph (2) of paragraph (b) of subsection 1.

31 (d) Shall establish criteria with respect to students who have a
32 documented physical or mental disability or who were previously
33 subject to an individualized education program under the
34 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et
35 seq., or a plan under Title V of the Rehabilitation Act of 1973, 29
36 U.S.C. §§ 791 et seq. The criteria must provide an exemption for
37 those students from:

38 (1) The 6-year limitation on applications that is set forth in
39 subparagraph (2) of paragraph (b) of subsection 1 and subparagraph
40 (3) of paragraph (c) of subsection 1 and any limitation applicable to
41 students who are eligible pursuant to subparagraph (1) of paragraph
42 (b) of subsection 1.

43 (2) The minimum number of credits prescribed in paragraph
44 (f) of subsection 1.



1 (e) Shall establish criteria with respect to students who have a
2 parent or legal guardian on active duty in the Armed Forces of the
3 United States to exempt such students from the residency
4 requirement set forth in paragraph (a) of subsection 1 or
5 subsection 4.

6 (f) Shall establish criteria with respect to students who have
7 been actively serving or participating in a charitable, religious or
8 public service assignment or mission to exempt such students from
9 the 6-year limitation on applications that is set forth in subparagraph
10 (2) of paragraph (b) of subsection 1. Such criteria must provide for
11 the award of Millennium Scholarships to those students who qualify
12 for the exemption and who otherwise meet the eligibility criteria to
13 the extent that money is available to award Millennium Scholarships
14 to the students after all other obligations for the award of
15 Millennium Scholarships for the current school year have been
16 satisfied.

17 3. If ~~the Board of Regents~~ *a higher education governing*
18 *body* requires a student to successfully complete courses in
19 mathematics or science to be eligible for a Millennium Scholarship,
20 a student who has successfully completed one or more courses in
21 computer science described in NRS 389.0186 must be allowed to
22 apply not more than one unit of credit received for the completion of
23 such courses toward that requirement.

24 4. Except as otherwise provided in paragraph (c) of subsection
25 1, for students who did not graduate from a public or private high
26 school in this State and who, except as otherwise provided in
27 paragraph (e) of subsection 2, have been residents of this State for at
28 least 2 years, ~~the Board of Regents~~ *each higher education*
29 *governing body* shall establish:

30 (a) The minimum score on a standardized test that such students
31 must receive; or

32 (b) Other criteria that students must meet,
33 ↪ to be eligible for Millennium Scholarships.

34 5. In awarding Millennium Scholarships, ~~the Board of~~
35 ~~Regents~~ *each higher education governing body* shall enhance its
36 outreach to students who:

37 (a) Are pursuing a career in education or health care;

38 (b) Come from families who lack sufficient financial resources
39 to pay for the costs of sending their children to an eligible
40 institution; or

41 (c) Substantially participated in an antismoking, antidrug or
42 antialcohol program during high school.

43 6. ~~The Board of Regents~~ *Each higher education governing*
44 *body* shall establish a procedure by which an applicant for a
45 Millennium Scholarship is required to execute an affidavit declaring



1 the applicant's eligibility for a Millennium Scholarship pursuant to
2 the requirements of this section.

3 **Sec. 213.** NRS 396.934 is hereby amended to read as follows:

4 396.934 1. Except as otherwise provided in this section,
5 within the limits of money available in the Trust Fund, a student
6 who is eligible for a Millennium Scholarship is entitled to receive:

7 (a) If he or she is enrolled in a community college within the
8 System, including, without limitation, a summer academic term, \$40
9 per credit for each lower division course and \$60 per credit for each
10 upper division course in which the student is enrolled, or the amount
11 of money that is necessary for the student to pay the costs of
12 attending the community college that are not otherwise satisfied by
13 other grants or scholarships, whichever is less. ~~[The Board of~~
14 ~~Regents]~~ *Each relevant higher education governing body* shall
15 provide for the designation of upper and lower division courses for
16 the purposes of this paragraph.

17 (b) If he or she is enrolled in a state college within the System,
18 including, without limitation, a summer academic term, \$60 per
19 credit for which the student is enrolled, or the amount of money that
20 is necessary for the student to pay the costs of attending the state
21 college that are not otherwise satisfied by other grants or
22 scholarships, whichever is less.

23 (c) If he or she is enrolled in another eligible institution,
24 including, without limitation, a summer academic term, \$80 per
25 credit for which the student is enrolled, or the amount of money that
26 is necessary for the student to pay the costs of attending the
27 university that are not otherwise satisfied by other grants or
28 scholarships, whichever is less.

29 (d) If he or she is enrolled in more than one eligible institution,
30 including, without limitation, a summer academic term, the amount
31 authorized pursuant to paragraph (a), (b) or (c), or a combination
32 thereof, in accordance with procedures and guidelines established by
33 ~~[the Board of Regents.]~~ *each relevant higher education governing*
34 *body.*

35 ↪ In no event may a student who is eligible for a Millennium
36 Scholarship receive more than the cost of 15 semester credits per
37 semester pursuant to this subsection.

38 2. No student may be awarded a Millennium Scholarship:

39 (a) To pay for remedial courses.

40 (b) For a total amount in excess of \$10,000.

41 3. Except as otherwise provided in NRS 396.158, a student
42 who receives a Millennium Scholarship shall:

43 (a) Make satisfactory academic progress toward a recognized
44 degree or certificate, as determined by ~~[the Board of Regents]~~ *each*
45 *higher education governing body* pursuant to subsection 8; and



1 (b) Maintain at least a 2.75 grade point average on a 4.0 grading
2 scale for each semester of enrollment in the Governor Guinn
3 Millennium Scholarship Program.

4 4. A student who receives a Millennium Scholarship is
5 encouraged to volunteer at least 20 hours of community service for
6 this State, a political subdivision of this State or a charitable
7 organization that provides service to a community or the residents of
8 a community in this State during each year in which the student
9 receives a Millennium Scholarship.

10 5. If a student does not satisfy the requirements of subsection 3
11 during one semester of enrollment, excluding a summer academic
12 term, he or she is not eligible for the Millennium Scholarship for the
13 succeeding semester of enrollment. If such a student:

14 (a) Subsequently satisfies the requirements of subsection 3 in a
15 semester in which he or she is not eligible for the Millennium
16 Scholarship, the student is eligible for the Millennium Scholarship
17 for the student's next semester of enrollment.

18 (b) Fails a second time to satisfy the requirements of subsection
19 3 during any subsequent semester, excluding a summer academic
20 term, the student is no longer eligible for a Millennium Scholarship.

21 6. A Millennium Scholarship must be used only:

22 (a) For the payment of registration fees and laboratory fees and
23 expenses;

24 (b) To purchase required textbooks and course materials; and

25 (c) For other costs related to the attendance of the student at the
26 eligible institution.

27 7. ~~{The Board of Regents}~~ *Each higher education governing*
28 *body* shall certify a list of eligible students to the State Treasurer.
29 The State Treasurer shall disburse a Millennium Scholarship for
30 each semester on behalf of an eligible student directly to the eligible
31 institution in which the student is enrolled, upon certification from
32 the eligible institution of the number of credits for which the student
33 is enrolled, which must meet or exceed the minimum number of
34 credits required for eligibility and certification that the student is in
35 good standing and making satisfactory academic progress toward a
36 recognized degree or certificate, as determined by the ~~{Board of~~
37 ~~Regents}~~ *higher education governing body* pursuant to subsection

38 8. The Millennium Scholarship must be administered by the eligible
39 institution as other similar scholarships are administered and may be
40 used only for the expenditures authorized pursuant to subsection 6.
41 If a student is enrolled in more than one eligible institution, the
42 Millennium Scholarship must be administered by the eligible
43 institution at which the student is enrolled in a program of study
44 leading to a recognized degree or certificate.



1 8. ~~[The Board of Regents]~~ *Each higher education governing*
2 *body* shall establish:

3 (a) Criteria for determining whether a student is making
4 satisfactory academic progress toward a recognized degree or
5 certificate for purposes of subsection 7.

6 (b) Procedures to ensure that all money from a Millennium
7 Scholarship awarded to a student that is refunded in whole or in part
8 for any reason is refunded to the Trust Fund and not the student.

9 (c) Procedures and guidelines for the administration of a
10 Millennium Scholarship for students who are enrolled in more than
11 one eligible institution.

12 **Sec. 214.** NRS 396.938 is hereby amended to read as follows:

13 396.938 ~~[The Board of Regents]~~ *Each higher education*
14 *governing body* shall develop a plan to direct a significant portion of
15 other available financial aid to culturally disadvantaged or at-risk
16 students, and students who graduated from high school before
17 May 1, 2000, who wish to attend college and have the potential to
18 be successful, but who do not otherwise meet the eligibility
19 requirements for Millennium Scholarships.

20 **Sec. 215.** NRS 396.952 is hereby amended to read as follows:

21 396.952 1. The Silver State Opportunity Grant Program is
22 hereby created for the purpose of awarding grants to eligible
23 students to pay for a portion of the cost of education at a community
24 college or state college within the System.

25 2. The ~~[Board of Regents]~~ *Office* shall administer the Program.

26 3. In administering the Program, the ~~[Board of Regents]~~ *Office*
27 shall for each semester, subject to the limits of money available for
28 this purpose, award a grant to each eligible student to pay for a
29 portion of the cost of education at a community college or state
30 college within the System.

31 4. To be eligible for a grant awarded under the Program, a
32 student must:

33 (a) Except as otherwise provided in this section, be enrolled, or
34 accepted to be enrolled, during a semester in at least 12 credit hours
35 at a community college or state college within the System;

36 (b) Be enrolled in a program of study leading to a recognized
37 degree or certificate;

38 (c) Demonstrate proficiency in English and mathematics
39 sufficient for placement into college-level English and mathematics
40 courses pursuant to regulations adopted by the ~~[Board of Regents]~~
41 *Office* for such placement;

42 (d) Be a bona fide resident of the State of Nevada for the
43 purposes of determining pursuant to NRS 396.540 whether the
44 student is assessed a tuition charge or have graduated from a high
45 school located in this State; and



1 (e) Except as otherwise provided in subsection 6, complete the
2 Free Application for Federal Student Aid provided for by 20 U.S.C.
3 § 1090.

4 5. A student who is enrolled, or accepted to be enrolled, in the
5 final semester of his or her program of study in less than 12 credit
6 hours at a community college or state college within the System is
7 eligible for a grant awarded under the Program.

8 6. To the extent money is available, the ~~[Board of Regents]~~
9 *Office* may prescribe an alternative determination for financial aid
10 for a student who is prohibited by law from completing the Free
11 Application for Federal Student Aid provided for by 20 U.S.C. §
12 1090 pursuant to paragraph (e) of subsection 4. If the ~~[Board of~~
13 ~~Regents]~~ *Office* prescribes an alternative determination for financial
14 aid, a student who is prohibited by law from completing the Free
15 Application for Federal Student Aid shall complete the alternative
16 determination for each semester of participation in the Program on
17 or before the deadline prescribed by the ~~[Board of Regents.]~~ *Office*.

18 **Sec. 216.** NRS 396.954 is hereby amended to read as follows:

19 396.954 1. For each eligible student, the ~~[Board of Regents]~~
20 *Office* or a designee thereof shall:

21 (a) Calculate the maximum amount of the grant which the
22 student is eligible to receive. The maximum amount of such a grant
23 must not exceed the amount equal to the cost of education of the
24 student minus the amounts determined for the student contribution,
25 family contribution and federal contribution to the cost of education
26 of the student.

27 (b) Determine the actual amount of the grant which will be
28 awarded to each student, which amount must not exceed the
29 maximum amount calculated pursuant to paragraph (a), but which
30 may be in a lesser amount if the ~~[Board of Regents]~~ *Office* or a
31 designee thereof, as applicable, determines that the amount of
32 money available for all grants for any semester is insufficient to
33 award to all eligible students in a category prescribed in subsection
34 2 the maximum amount of the grant which each student is eligible to
35 receive.

36 2. The ~~[Board of Regents]~~ *Office* or a designee thereof shall
37 award to eligible students a grant in the amount determined pursuant
38 to paragraph (b) of subsection 1 in the following order of priority:

39 (a) First, to eligible students who are enrolled in at least 15
40 credit hours at a community college or state college within the
41 System;

42 (b) If money is available after awarding grants to all eligible
43 students described in paragraph (a), to remaining eligible students
44 who are enrolled, or accepted to be enrolled, in the final semester of



1 a program of study at a community college or state college within
2 the System; and

3 (c) If money is available after awarding grants to all eligible
4 students described in paragraphs (a) and (b), to remaining eligible
5 students.

6 3. Money received from a grant awarded under the Program
7 must be used by a student only to pay for the cost of education of
8 the student at a community college or state college within the
9 System and not for any other purpose.

10 **Sec. 217.** NRS 396.956 is hereby amended to read as follows:

11 396.956 1. The ~~{Board of Regents}~~ *Office*:

12 (a) Shall adopt regulations prescribing the procedures and
13 standards for determining the eligibility of a student for a grant from
14 the Program.

15 (b) Shall adopt regulations prescribing the methodology by
16 which the ~~{Board of Regents}~~ *Office* or a designee thereof will
17 calculate:

18 (1) The cost of education of a student at each community
19 college and state college within the System, which must be
20 consistent with the provisions of 20 U.S.C. § 1087II.

21 (2) For each student, the amounts of the student contribution,
22 family contribution and federal contribution to the cost of education
23 of the student.

24 (3) The maximum amount of the grant for which a student is
25 eligible.

26 (c) Shall adopt regulations prescribing the process by which
27 each student may meet the credit-hour requirement described in
28 NRS 396.952 for eligibility for a grant awarded under the Program.

29 (d) May adopt any other regulations necessary to carry out the
30 Program.

31 2. The regulations prescribed pursuant to this section must
32 provide that:

33 (a) In determining the student contribution to the cost of
34 education, the student contribution must not exceed the amount that
35 the ~~{Board of Regents}~~ *Office* determines the student reasonably
36 could be expected to earn from employment during the time the
37 student is enrolled at a community college or state college within the
38 System, including, without limitation, during breaks between
39 semesters. This paragraph and any regulations adopted pursuant to
40 this section must not be construed to require a student to seek or
41 obtain employment as a condition of eligibility for a grant under the
42 Program.

43 (b) Determination of the family contribution to the cost of
44 education must be based on the family resources reported in the Free
45 Application for Federal Student Aid or, if the student is prohibited



1 by law from completing the Free Application for Federal Student
2 Aid and the ~~Board of Regents~~ *Office* prescribes an alternative
3 determination for financial aid pursuant to subsection 6 of NRS
4 396.952, the alternative determination for financial aid submitted by
5 the student.

6 (c) Determination of the federal contribution to the cost of
7 education must be equal to the total amount that the student and his
8 or her family are expected to receive from the Federal Government
9 as grants.

10 **Sec. 218.** NRS 396.958 is hereby amended to read as follows:

11 396.958 In addition to any direct legislative appropriation from
12 the State General Fund, the ~~Board of Regents~~ *Office* may accept
13 gifts, grants, bequests and donations to fund grants awarded under
14 the Program.

15 **Sec. 219.** NRS 396.960 is hereby amended to read as follows:

16 396.960 On or before February 1 of each odd-numbered year,
17 the ~~Board of Regents~~ *Office* shall submit to the Director of the
18 Legislative Counsel Bureau for transmittal to the next regular
19 session of the Legislature a written report on the Program which
20 must include, without limitation, information regarding:

21 1. The number of students during the immediately preceding
22 school year who were awarded grants under the Program.

23 2. The average amount of each grant awarded under the
24 Program for the immediately preceding school year.

25 3. The success of the Program, including, without limitation,
26 information regarding the percentage of students awarded grants
27 since the creation of the Program who have remained enrolled at a
28 community college or state college within the System and the
29 percentage of students awarded grants since the creation of the
30 Program who have been awarded a degree or certificate.

31 **Sec. 220.** NRS 396.9625 is hereby amended to read as
32 follows:

33 396.9625 “Nevada Promise Scholarship” means a scholarship
34 awarded by the ~~Board of Regents~~ *Office* pursuant to NRS 396.968.

35 **Sec. 221.** NRS 396.9634 is hereby amended to read as
36 follows:

37 396.9634 “Registration fee and other mandatory fees” means a
38 registration fee assessed per credit and mandatory fees assessed per
39 credit that are approved by ~~the Board of Regents~~ *a higher*
40 *education governing body* and charged to all students by a
41 community college. The term does not include special course fees or
42 fees charged for specific programs of study, books or supplies even
43 if such fees are considered necessary for enrollment.



1 **Sec. 222.** NRS 396.9645 is hereby amended to read as
2 follows:

3 396.9645 1. The Nevada Promise Scholarship Account is
4 hereby created in the State General Fund. The Account must be
5 administered by the State Treasurer.

6 2. The interest and income earned on:

7 (a) The money in the Account, after deducting any applicable
8 charges; and

9 (b) Unexpended appropriations made to the Account from the
10 State General Fund,

11 ↪ must be credited to the Account.

12 3. Any money remaining in the Account at the end of a fiscal
13 year, including, without limitation, any unexpended appropriations
14 made to the Account from the State General Fund, does not revert to
15 the State General Fund, and the balance in the Account must be
16 carried forward to the next fiscal year.

17 4. The State Treasurer may accept gifts and grants of money
18 from any source for deposit in the Account.

19 5. The money in the Account may only be used to distribute
20 money to the ~~[Board of Regents]~~ *Office* for the purpose of awarding
21 Nevada Promise Scholarships to students who are eligible to receive
22 such scholarships under the provisions of NRS 396.9665 or for any
23 other purpose authorized by the Legislature.

24 **Sec. 223.** NRS 396.965 is hereby amended to read as follows:

25 396.965 1. The Nevada Promise Scholarship Program is
26 hereby created for the purpose of awarding Nevada Promise
27 Scholarships to eligible students to pay for the difference between
28 the amount of the registration fee and other mandatory fees charged
29 to a student by a community college for the academic year and the
30 total amount of any other gift aid received by the student for the
31 academic year.

32 2. The ~~[Board of Regents]~~ *Office* shall administer the Program.

33 3. In administering the Program, the ~~[Board of Regents]~~ *Office*
34 shall adopt regulations governing:

35 (a) The procedures and standards for determining the eligibility
36 of a student for a Nevada Promise Scholarship pursuant to
37 NRS 396.9665.

38 (b) An application process administered through the community
39 colleges which allows a student to participate in the Program.

40 (c) Deadlines for a student to satisfy the requirements for
41 eligibility in the Program.

42 (d) A training program administered through the community
43 colleges which allows a student to satisfy the requirements of
44 paragraph (f) of subsection 1 of NRS 396.9665.



1 (e) A mentoring program administered through the community
2 colleges which allows a student to satisfy the requirements of
3 paragraph (g) of subsection 1 of NRS 396.9665.

4 (f) The criteria for completing the community service
5 requirements of paragraph (h) of subsection 1 of NRS 396.9665.

6 (g) Procedures which allow a student to appeal any adverse
7 decision concerning his or her eligibility to receive a Nevada
8 Promise Scholarship.

9 (h) Procedures for a community college to accept gifts, grants
10 and donations from any source for the purposes of carrying out its
11 duties under the Program as prescribed by the ~~Board of Regents~~
12 *Office*.

13 (i) Procedures and standards for determining the eligibility of a
14 student for financial aid if the student is prohibited by law from
15 completing the Free Application for Federal Student Aid provided
16 for by 20 U.S.C. § 1090.

17 4. The ~~Board of Regents~~ *Office* may adopt regulations
18 authorizing a community college to enter into an agreement with
19 one or more nonprofit organizations or governmental entities to
20 conduct any activities required by the ~~Board of Regents~~ *Office* for
21 a training program which allows a student to satisfy the
22 requirements of paragraph (f) of subsection 1 of NRS 396.9665 and
23 a mentoring program which allows a student to satisfy the
24 requirements of paragraph (g) of subsection 1 of NRS 396.9665.

25 5. The ~~Board of Regents~~ *Office* may adopt any other
26 regulations necessary to carry out the Program.

27 **Sec. 224.** NRS 396.9665 is hereby amended to read as
28 follows:

29 396.9665 1. To be eligible to receive a Nevada Promise
30 Scholarship, a student must:

31 (a) Be a bona fide resident of this State, as construed in NRS
32 396.540, or have graduated from a high school located in this State.

33 (b) Have not previously been awarded an associate's degree or
34 bachelor's degree.

35 (c) Have obtained a high school diploma awarded by a public or
36 private high school located in this State or public high school that is
37 located in a county that borders this State and accepts pupils who
38 are residents of this State or have successfully completed the high
39 school equivalency assessment selected by the State Board pursuant
40 to NRS 390.055 before 20 years of age.

41 (d) Complete the application for the Nevada Promise
42 Scholarship Program in accordance with the regulations prescribed
43 by the ~~Board of Regents~~ *Office*.

44 (e) Complete the Free Application for Federal Student Aid
45 provided for by 20 U.S.C. § 1090 or, if the student is prohibited by



1 law from completing the Free Application for Federal Student Aid,
2 an alternative determination for financial aid prescribed by the
3 ~~{Board of Regents}~~ *Office* for each academic year of participation in
4 the Program on or before the deadline prescribed by the ~~{Board of~~
5 ~~Regents.}~~ *Office*.

6 (f) Before enrolling in a community college, participate in one
7 training meeting related to financial aid, the Free Application for
8 Federal Student Aid and college orientation, as prescribed by the
9 ~~{Board of Regents}~~ *Office* by regulation.

10 (g) Have met at least once with a mentor assigned to the student
11 through the mentoring program established by the ~~{Board of~~
12 ~~Regents}~~ *Office* pursuant to NRS 396.965 before the first semester
13 of enrollment at a community college and at least twice for each
14 academic year while participating in the Program.

15 (h) Complete at least 8 hours of community service during the
16 last year of high school and before the first semester of enrollment
17 at a community college and at least 8 hours of community service
18 each semester thereafter, not including summer academic terms,
19 while participating in the Program. Community service performed to
20 satisfy the requirements of this paragraph must not include religious
21 proselytizing or service for which the student receives any type of
22 compensation or which directly benefits a member of the family of
23 the student.

24 (i) Submit all information deemed necessary by the ~~{Board of~~
25 ~~Regents}~~ *Office* to determine the student's eligibility for gift aid.

26 (j) Except as otherwise provided in subsection 2, be enrolled in
27 at least 12 semester credit hours in a program of study leading to a
28 recognized degree or certificate at a community college for the fall
29 semester of the academic year immediately following the school
30 year in which the student was awarded a high school diploma or
31 have successfully completed the high school equivalency
32 assessment selected by the State Board pursuant to NRS 390.055.

33 (k) Except as otherwise provided in subsection 2 and this
34 paragraph, be enrolled in at least 12 semester credit hours in a
35 program of study leading to a recognized degree or certificate at a
36 community college for each fall semester and spring semester
37 beginning with the first semester for which the student received a
38 Nevada Promise Scholarship, not including summer academic
39 terms. A student who is on schedule to graduate at:

40 (1) The end of a semester may enroll in the number of
41 semester credit hours required to graduate.

42 (2) The end of a fall semester is not required to enroll in
43 credit hours for the spring semester.

44 (l) Meet satisfactory academic progress, as defined by federal
45 requirements established pursuant to Title IV of the Higher



1 Education Act of 1965, 20 U.S.C. §§ 1001 et seq., and determined
2 by the community college in which the student is enrolled.

3 2. The ~~{Board of Regents}~~ *Office* shall establish criteria with
4 respect to students who have a documented physical or mental
5 disability or who were previously subject to an individualized
6 education program under the Individuals with Disabilities Act, 20
7 U.S.C. §§ 1400 et seq., or a plan under Title V of the Rehabilitation
8 Act of 1973, 29 U.S.C. §§ 791 et seq. The criteria must provide an
9 exemption for those students from:

10 (a) The limitation on eligibility for a Nevada Promise
11 Scholarship set forth in paragraph (b) of subsection 3; and

12 (b) The minimum number of credits prescribed in paragraphs (j)
13 and (k) of subsection 1.

14 3. A student who meets the requirements of subsection 1 is
15 eligible for a Nevada Promise Scholarship from the Program until
16 the occurrence of the first of the following events:

17 (a) The student is awarded an associate's degree or bachelor's
18 degree; or

19 (b) Except as otherwise provided in subsection 2, the student
20 receives a Nevada Promise Scholarship from the Program for 2
21 academic years, not including the initial academic year.

22 **Sec. 225.** NRS 396.968 is hereby amended to read as follows:

23 396.968 1. The ~~{Board of Regents}~~ *Office* shall award
24 Nevada Promise Scholarships in accordance with this section to
25 students who are enrolled at a community college and are eligible to
26 receive such scholarships under the provisions of NRS 396.9665.

27 2. For each eligible student, the ~~{Board of Regents}~~ *Office*
28 shall:

29 (a) Calculate the maximum amount of a Nevada Promise
30 Scholarship which the student is eligible to receive based on criteria
31 established by regulation pursuant to this section.

32 (b) Determine the actual amount of the Nevada Promise
33 Scholarship, if any, which will be awarded to the student, which
34 must not exceed the maximum amount calculated pursuant to
35 paragraph (a), but which may be in a lesser amount if the ~~{Board of~~
36 ~~Regents}~~ *Office* receives notice from the State Treasurer pursuant to
37 subsection 3 that the money available in the Nevada Promise
38 Scholarship Account for any semester is insufficient to award to all
39 eligible students the maximum amount of a Nevada Promise
40 Scholarship which each student is eligible to receive.

41 (c) If the student is to receive a Nevada Promise Scholarship,
42 award the student a Nevada Promise Scholarship in the amount
43 determined pursuant to paragraph (b). The ~~{Board of Regents}~~
44 *Office* shall disburse the amount of the Nevada Promise Scholarship



1 awarded to the student, on behalf of the student, directly to the
2 community college in which the student is enrolled.

3 3. The ~~{Board of Regents}~~ *Office* shall submit a request for a
4 disbursement from the Nevada Promise Scholarship Account
5 created by NRS 396.9645 for the maximum amount of money that
6 will be required to fund a scholarship for each eligible student.
7 Within the limits of money available in the Nevada Promise
8 Scholarship Account, the State Treasurer shall disburse the amount
9 requested to the ~~{Board of Regents}~~ *Office* for disbursement to each
10 community college. If there is insufficient money in the Account to
11 disburse that amount to each community college, the State Treasurer
12 shall provide notice that insufficient money remains in the Nevada
13 Promise Scholarship Account to the ~~{Board of Regents}~~ *Office*. The
14 State Treasurer shall include in the notice the amount of money
15 available for the award of Nevada Promise Scholarships for the
16 academic year and request that a new request be submitted.

17 4. The ~~{Board of Regents}~~ *Office* shall adopt regulations
18 prescribing:

19 (a) The criteria for determining the maximum amount of a
20 Nevada Promise Scholarship for an eligible student which is equal
21 to the difference between the amount of the registration fee and
22 other mandatory fees charged to the student by the community
23 college in which the student is enrolled for the academic year,
24 excluding any amount of those fees that is waived by the community
25 college in which the student is enrolled, and the total amount of any
26 other gift aid received by the student for the academic year.

27 (b) The procedures for submitting a request for disbursement
28 from the Nevada Promise Scholarship Account.

29 (c) The procedures and standards for determining the actual
30 amount of the Nevada Promise Scholarship which will be awarded
31 to each student upon receiving notice that there is insufficient
32 money to award all eligible students the maximum amount of the
33 scholarship which each student is eligible to receive. Such
34 procedures and standards may include, without limitation,
35 administration of the program on a first-come, first-served basis for
36 all students who are eligible to participate in the Program.

37 (d) Procedures to ensure that all money from a Nevada Promise
38 Scholarship awarded to a student that is refunded in whole or in part
39 for any reason is refunded to the Nevada Promise Scholarship
40 Account and not the student.

41 **Sec. 226.** NRS 396.9682 is hereby amended to read as
42 follows:

43 396.9682 1. ~~{The Board of Regents}~~ *A relevant higher*
44 *education governing body* may grant a leave of absence from the



1 Program to a student upon request. A student may request a leave of
2 absence for:

3 (a) An illness or serious medical problem of the student or a
4 member of the student's immediate family;

5 (b) Extreme financial hardship for the student or a member of
6 the student's immediate family;

7 (c) Engaging in any activity required or encouraged for
8 members of the student's religious faith;

9 (d) Mobilization of the student's unit of the Armed Forces of the
10 United States or National Guard; or

11 (e) Any other extraordinary circumstances beyond the control of
12 the student that would create a substantial hardship for the student,
13 as determined by the ~~[Board of Regents]~~ *relevant higher education*
14 *governing body*.

15 2. If ~~[the Board of Regents]~~ *a relevant higher education*
16 *governing body* grants a leave of absence to a student : ~~[, the Board~~
17 ~~of Regents shall:]~~

18 (a) ~~[Make]~~ *The relevant higher education governing body shall*
19 *make* a determination in accordance with regulations adopted by the
20 ~~[Board of Regents]~~ *Office* as to which requirements for eligibility in
21 the Program set forth in NRS 396.9665 are appropriate to waive for
22 the student; and

23 (b) ~~[Waive]~~ *The Office shall waive* requirements for eligibility
24 as determined pursuant to paragraph (a) for the student for the
25 length of the leave of absence.

26 3. The ~~[Board of Regents]~~ *Office* shall adopt regulations
27 establishing:

28 (a) Procedures for a student to request a leave of absence
29 pursuant to subsection 1; and

30 (b) Criteria for determining appropriate requirements for
31 eligibility to waive for a student who has been granted a leave of
32 absence pursuant to subsection 2.

33 **Sec. 227.** NRS 396.9685 is hereby amended to read as
34 follows:

35 396.9685 1. On or before August 1 of each year, the ~~[Board~~
36 ~~of Regents]~~ *Office* shall:

37 (a) Review all Nevada Promise Scholarships awarded for the
38 immediately preceding academic year;

39 (b) Compile a report for the immediately preceding academic
40 year, which must include the number of students who applied for a
41 scholarship, the number of students who received a scholarship, the
42 total cost associated with the award of Nevada Promise
43 Scholarships, the total number of hours of community service
44 performed pursuant to NRS 396.9665, the graduation rate of



1 students who received a scholarship and the scholarship retention
2 rate; and

3 (c) Submit the report to the Director of the Legislative Counsel
4 Bureau for transmittal to:

5 (1) In even-numbered years, the next regular session of the
6 Legislature; and

7 (2) In odd-numbered years, the Joint Interim Standing
8 Committee on Education.

9 2. As used in this section, “scholarship retention rate” means
10 the percentage of students who received a scholarship for the
11 academic year immediately preceding the academic year to which a
12 report compiled pursuant to subsection 1 pertains who did not
13 graduate by the end of that academic year and who also received a
14 Nevada Promise Scholarship for the academic year to which the
15 report pertains.

16 **Sec. 228.** NRS 396.970 is hereby amended to read as follows:

17 396.970 1. Except as otherwise provided in subsection 2, it is
18 unlawful for a person to engage in any kind of surreptitious
19 electronic surveillance ~~[on a campus of]~~ *at an institution within* the
20 *University or* System without the knowledge of the person being
21 observed.

22 2. Subsection 1 does not apply to any electronic surveillance:

23 (a) Authorized by a court order issued to a public officer, based
24 upon a showing of probable cause to believe that criminal activity is
25 occurring on the property under surveillance;

26 (b) By a law enforcement agency pursuant to a criminal
27 investigation;

28 (c) By a peace officer pursuant to NRS 289.830;

29 (d) Which is necessary as part of a system of security used to
30 protect and ensure the safety of persons on the campus; or

31 (e) Of a class or laboratory when authorized by the teacher of
32 the class or laboratory.

33 **Sec. 229.** NRS 396.980 is hereby amended to read as follows:

34 396.980 1. It is unlawful for a person who knows or in the
35 exercise of reasonable care should know that a substance or material
36 contains at least one-tenth of 1 percent by weight or volume of a
37 diisocyanate to use, or cause or permit another person to use, the
38 substance or material in the maintenance or repair of a building
39 owned or operated by the *University or* System while any person
40 who is not necessary to the maintenance or repair is present in the
41 building.

42 2. A person who knows or in the exercise of reasonable care
43 should know that a substance or material which contains at least
44 one-tenth of 1 percent by weight or volume of a diisocyanate has
45 been used in the maintenance or repair of a building owned or



1 operated by the *University or* System shall ensure that the building
2 is not occupied for at least 4 hours following the use of that
3 substance or material by any person who is not necessary to the
4 maintenance or repair.

5 3. A person who violates subsection 1 or 2 is guilty of a gross
6 misdemeanor.

7 4. For the purposes of this section, “diisocyanate” includes,
8 without limitation, toluene diisocyanate (TDI), methylene bisphenyl
9 isocyanate (MDI) or hexamethylene diisocyanate (HDI).

10 **Sec. 230.** NRS 396.990 is hereby amended to read as follows:

11 396.990 1. It is unlawful for a person knowingly to use or
12 attempt to use:

13 (a) A false or misleading degree or honorary degree conferred
14 by the *University or* System or another public postsecondary
15 educational institution, regardless of whether that institution is
16 located in this State and regardless of whether that institution is
17 authorized to operate in this State; or

18 (b) A degree or honorary degree conferred by the *University or*
19 System or another public postsecondary educational institution in a
20 false or misleading manner, regardless of whether that institution is
21 located in this State and regardless of whether that institution is
22 authorized to operate in this State,

23 ↪ in connection with admission to any institution of higher
24 education or in connection with any business, employment,
25 occupation, profession, trade or public office.

26 2. Unless a greater penalty is provided by specific statute, a
27 person who violates the provisions of this section is guilty of a
28 misdemeanor and shall be punished by a fine of not more than
29 \$5,000 or by imprisonment in the county jail for not more than 6
30 months, or by both fine and imprisonment.

31 3. In addition to any criminal penalty imposed pursuant to
32 subsection 2, a person who violates the provisions of this section is
33 subject to a civil penalty in an amount not to exceed \$5,000 for each
34 violation. The Attorney General or any district attorney of this State
35 may recover the penalty in a civil action brought in the name of the
36 State of Nevada in any court of competent jurisdiction.

37 4. For the purposes of this section, a degree or honorary degree
38 is false or misleading or is used in a false or misleading manner if it:

39 (a) States or suggests that the person named in the degree or
40 honorary degree has completed the requirements of an academic or
41 professional program of study in a particular field of endeavor
42 beyond the secondary school level and the person has not, in fact,
43 completed the requirements of the program of study;

44 (b) Is offered as his or her own by a person other than the person
45 who completed the requirements of the program of study; or



1 (c) Is awarded, bestowed, conferred, given, granted, conveyed or
2 sold:

3 (1) Based upon more than 10 percent of the recipient's
4 documented life experience and not based upon actual completion of
5 academic work; or

6 (2) In violation of this chapter.

7 5. As used in this section:

8 (a) "Degree" has the meaning ascribed to it in NRS 394.620.

9 (b) "Honorary degree" has the meaning ascribed to it in
10 NRS 394.620.

11 **Sec. 231.** Chapter 400 of NRS is hereby amended by adding
12 thereto a new section to read as follows:

13 *"University" means the University of Nevada, as described in*
14 *NRS 396.020.*

15 **Sec. 232.** NRS 400.010 is hereby amended to read as follows:

16 400.010 As used in this chapter, unless the context otherwise
17 requires, the words and terms defined in NRS 400.014 and 400.020
18 *and section 231 of this act* have the meanings ascribed to them in
19 those sections.

20 **Sec. 233.** NRS 400.027 is hereby amended to read as follows:

21 400.027 1. The P-20W Research Data System Advisory
22 Committee is hereby created to assist in the coordination and
23 management of the statewide longitudinal data system administered
24 by the Governor's Office of Workforce Innovation pursuant to NRS
25 232.975. The Chancellor of the ~~{System,}~~ *University*, the
26 Superintendent of Public Instruction and the Director of the
27 Department of Employment, Training and Rehabilitation or their
28 designees serve as ex officio members of the Committee.

29 2. The Committee may, by a vote of the majority of the
30 Committee, nominate additional members for consideration by the
31 Governor to be appointed to the Committee. The Governor may
32 appoint a nominee to the Committee if the Governor determines that
33 the addition of the nominee to the Committee is necessary or
34 desirable.

35 3. Each appointed member of the Committee serves a term of 3
36 years and may be reappointed.

37 4. The Governor shall call the first meeting of the Committee.
38 At its first meeting and annually thereafter, the members of the
39 Committee shall elect a Chair and a Vice Chair from among the
40 members of the Committee.

41 5. The Committee shall meet at least once each calendar year
42 and, after its first meeting, at the call of the Chair.

43 6. The Governor's Office of Workforce Innovation shall
44 provide any administrative support necessary for the Committee to
45 carry out its duties.



1 **Sec. 234.** NRS 400.037 is hereby amended to read as follows:
2 400.037 1. The Committee shall:

3 (a) Support and advise the Executive Director of the Governor's
4 Office of Workforce Innovation regarding the maintenance and
5 oversight of the statewide longitudinal data system;

6 (b) Develop a plan for collaborative research using data from the
7 statewide longitudinal data system; and

8 (c) Advise and assist *the University*, the System, the Department
9 of Education, the Governor's Office of Workforce Innovation and
10 the Department of Employment, Training and Rehabilitation in:

11 (1) Applying for and obtaining grants of money for the
12 operation of the statewide longitudinal data system or to carry out
13 the work of the Committee;

14 (2) Budgeting for the operation of the statewide longitudinal
15 data system or to carry out the work of the Committee;

16 (3) Proposing legislation relating to the statewide
17 longitudinal data system or to carry out the work of the Committee;
18 and

19 (4) Matters relating to any contract for any services
20 necessary for the operation or utilization of the statewide
21 longitudinal data system or to carry out the work of the Committee.

22 2. As used in this section, "statewide longitudinal data system"
23 means the system administered by the Governor's Office of
24 Workforce Innovation pursuant to NRS 232.975.

25 **Sec. 235.** NRS 1.530 is hereby amended to read as follows:

26 1.530 1. The Chief Justice shall appoint, from a list of
27 recommendations submitted to the Chief Justice by the Court
28 Administrator, a committee to advise the Court Administrator
29 regarding adoption of regulations pursuant to NRS 1.510 and 1.520.
30 The committee must consist of:

31 (a) A district judge;

32 (b) A justice of the peace or municipal judge in a county whose
33 population is less than 100,000;

34 (c) An administrator of a district court;

35 (d) An administrator of a justice court or municipal court in a
36 county whose population is less than 100,000;

37 (e) A representative of the Nevada System of Higher Education;

38 (f) *A representative of the University of Nevada;*

39 (g) A representative of a nonprofit organization for persons who
40 speak a language other than English;

41 ~~(g)~~ (h) A person certified to act as an interpreter for a court of
42 this State or a federal court;

43 ~~(h)~~ (i) A person certified to act as an interpreter for a court of
44 this State in the Spanish language; and



1 ~~(f)~~ (j) A person certified or registered to act as an interpreter
2 for a court of this State in a language other than Spanish.

3 2. The Court Administrator is ex officio chair of the
4 committee.

5 3. Members of the committee shall serve in that capacity
6 without any additional compensation.

7 4. The committee shall submit an annual report to the Chief
8 Justice and to the Director of the Legislative Counsel Bureau for
9 transmittal to the Legislature and make the annual report available
10 to the public. The annual report must contain, without limitation:

11 (a) A summary of the activities of the committee during the
12 immediately preceding fiscal year, including any development of
13 recommendations for revisions to the Nevada State Court Language
14 Access Plan adopted by the Nevada Certified Court Interpreter
15 Program as established pursuant to NRS 1.510; and

16 (b) Statistical information concerning the usage of court
17 interpreters, including, without limitation, information on the usage
18 of certified and registered court interpreters and the demand for
19 court interpreters for persons with limited English proficiency in
20 courts of this State.

21 **Sec. 236.** NRS 2.345 is hereby amended to read as follows:

22 2.345 The following persons and agencies are entitled to the
23 decisions of the Supreme Court and the Court of Appeals in
24 pamphlet or electronic form without charge:

25 1. Each of the judges of the District Court of the United States,
26 one copy.

27 2. The Supreme Court Law Library, two copies.

28 3. Each state officer, district judge, district attorney, county
29 clerk, justice of the peace and municipal judge in this State, one
30 copy.

31 4. The Legislative Counsel.

32 5. Each public library in this State, one copy.

33 6. Each library in the *University of Nevada and the* Nevada
34 System of Higher Education, one copy.

35 7. Each newspaper published in this State, and each
36 commercial television and radio station transmitting in this State,
37 one copy upon its annual request therefor.

38 **Sec. 237.** NRS 37.010 is hereby amended to read as follows:

39 37.010 1. Subject to the provisions of this chapter and the
40 limitations in subsections 2 and 3, the right of eminent domain may
41 be exercised in behalf of the following public uses:

42 (a) Federal activities. All public purposes authorized by the
43 Government of the United States.

44 (b) State activities. Public buildings and grounds for the use of
45 the State, *the University of Nevada*, the Nevada System of Higher



1 Education and all other public purposes authorized by the
2 Legislature.

3 (c) County, city, town and school district activities. Public
4 buildings and grounds for the use of any county, incorporated city or
5 town, or school district, reservoirs, water rights, canals, aqueducts,
6 flumes, ditches or pipes for conducting water for the use of the
7 inhabitants of any county, incorporated city or town, for draining
8 any county, incorporated city or town, for raising the banks of
9 streams, removing obstructions therefrom, and widening, deepening
10 or straightening their channels, for roads, streets and alleys, and all
11 other public purposes for the benefit of any county, incorporated
12 city or town, or the inhabitants thereof.

13 (d) Bridges, toll roads, railroads, street railways and similar
14 uses. Wharves, docks, piers, chutes, booms, ferries, bridges, toll
15 roads, byroads, plank and turnpike roads, roads for transportation by
16 traction engines or locomotives, roads for logging or lumbering
17 purposes, and railroads and street railways for public transportation.

18 (e) Ditches, canals, aqueducts for smelting, domestic uses,
19 irrigation and reclamation. Reservoirs, dams, water gates, canals,
20 ditches, flumes, tunnels, aqueducts and pipes for supplying persons,
21 mines, mills, smelters or other works for the reduction of ores, with
22 water for domestic and other uses, for irrigating purposes, for
23 draining and reclaiming lands, or for floating logs and lumber on
24 streams not navigable.

25 (f) Byroads. Byroads leading from highways to residences and
26 farms.

27 (g) Public utilities. Lines for telephone, electric light and electric
28 power and sites for plants for electric light and power.

29 (h) Sewerage. Sewerage of any city, town, settlement of not less
30 than 10 families or any public building belonging to the State or
31 college or university.

32 (i) Water for generation and transmission of electricity. Canals,
33 reservoirs, dams, ditches, flumes, aqueducts and pipes for supplying
34 and storing water for the operation of machinery to generate and
35 transmit electricity for power, light or heat.

36 (j) Cemeteries, public parks. Cemeteries or public parks.

37 (k) Pipelines for petroleum products, natural gas. Pipelines for
38 the transportation of crude petroleum, petroleum products or natural
39 gas, whether interstate or intrastate.

40 (l) Aviation. Airports, facilities for air navigation and aerial
41 rights-of-way.

42 (m) Monorails. Monorails and any other overhead or
43 underground system used for public transportation.

44 (n) Video service providers. Video service providers that are
45 authorized pursuant to chapter 711 of NRS to operate a video



1 service network. The exercise of the power of eminent domain may
2 include the right to use the wires, conduits, cables or poles of any
3 public utility if:

4 (1) It creates no substantial detriment to the service provided
5 by the utility;

6 (2) It causes no irreparable injury to the utility; and

7 (3) The Public Utilities Commission of Nevada, after giving
8 notice and affording a hearing to all persons affected by the
9 proposed use of the wires, conduits, cables or poles, has found that it
10 is in the public interest.

11 (o) Redevelopment. The acquisition of property pursuant to
12 chapter 279 of NRS.

13 2. Notwithstanding any other provision of law and except as
14 otherwise provided in this subsection, the public uses for which
15 private property may be taken by the exercise of eminent domain do
16 not include the direct or indirect transfer of any interest in the
17 property to another private person or entity. Property taken by the
18 exercise of eminent domain may be transferred to another private
19 person or entity in the following circumstances:

20 (a) The entity that took the property transfers the property to a
21 private person or entity and the private person or entity uses the
22 property primarily to benefit a public service, including, without
23 limitation, a utility, railroad, public transportation project, pipeline,
24 road, bridge, airport or facility that is owned by a governmental
25 entity.

26 (b) The entity that took the property leases the property to a
27 private person or entity that occupies an incidental part of an airport
28 or a facility that is owned by a governmental entity and, before
29 leasing the property:

30 (1) Uses its best efforts to notify the person from whom the
31 property was taken that the property will be leased to a private
32 person or entity that will occupy an incidental part of an airport or
33 facility that is owned by a governmental entity; and

34 (2) Provides the person from whom the property was taken
35 with an opportunity to bid or propose on any such lease.

36 (c) The entity that took the property:

37 (1) Took the property in order to acquire property that was
38 abandoned by the owner, abate an immediate threat to the safety of
39 the public or remediate hazardous waste; and

40 (2) Grants a right of first refusal to the person from whom
41 the property was taken that allows that person to reacquire the
42 property on the same terms and conditions that are offered to the
43 other private person or entity.

44 (d) The entity that took the property exchanges it for other
45 property acquired or being acquired by eminent domain or under the



1 threat of eminent domain for roadway or highway purposes, to
2 relocate public or private structures or to avoid payment of
3 excessive compensation or damages.

4 (e) The person from whom the property is taken consents to the
5 taking.

6 3. The entity that is taking property by the exercise of eminent
7 domain has the burden of proving that the taking is for a public use.

8 4. For the purposes of this section, an airport authority or any
9 public airport is not a private person or entity.

10 **Sec. 238.** NRS 41.950 is hereby amended to read as follows:

11 41.950 1. In an action brought pursuant to NRS 41.900 which
12 results in the court entering a certificate of innocence pursuant to
13 NRS 41.910, the court shall award the person:

14 (a) If the person was imprisoned for:

15 (1) One to 10 years, \$50,000 for each year the person was
16 imprisoned for his or her wrongful conviction;

17 (2) Eleven to 20 years, \$75,000 for each year the person was
18 imprisoned for his or her wrongful conviction; or

19 (3) Twenty-one years or more, \$100,000 for each year the
20 person was imprisoned for his or her wrongful conviction; and

21 (b) Not less than \$25,000 for each year the person was on parole
22 or not less than \$25,000 for each year the person was required to
23 register as a sex offender, whichever period of time was greater.

24 2. In addition to any damages awarded pursuant to subsection
25 1, the court may award:

26 (a) Reasonable attorney's fees, not to exceed \$25,000, unless a
27 greater amount is authorized by a court upon a finding of good
28 cause shown.

29 (b) Subject to the limitations in subsection 6, payment for the
30 cost of:

31 (1) Tuition, books and fees for the person to enroll in any
32 course or academic program at an institution operated by *the*
33 *University of Nevada or* the Nevada System of Higher Education
34 commenced not later than 3 years and completed not later than 10
35 years after the date the award of damages is issued pursuant to
36 subsection 1.

37 (2) Participation by the person in Medicare or Medicaid, if
38 the person is eligible for Medicare or Medicaid, or a qualified health
39 plan offered on the health insurance exchange administered by the
40 Silver State Health Insurance Exchange which has been designated
41 by the Exchange as a Bronze or Silver plan, if the person is not
42 eligible for Medicare or Medicaid. The court shall not award
43 payment pursuant to this subparagraph for any period in which the
44 person is enrolled in an employer-based health insurance plan.



1 (3) Programs for reentry into the community for the person
2 commenced not later than 3 years and completed not later than 5
3 years after the date the award of damages is issued pursuant to
4 subsection 1.

5 (4) Counseling services for the person commenced not later
6 than 2 years after the date the award of damages is issued pursuant
7 to subsection 1.

8 (5) Housing assistance in an amount not greater than \$15,000
9 per year.

10 (6) Programs for assistance for financial literacy for the
11 person commenced not later than 2 years and completed not later
12 than 3 years after the date the award of damages is issued pursuant
13 to subsection 1.

14 (c) Reimbursement for:

15 (1) Restitution ordered to be paid by the person in the
16 criminal proceeding for which he or she was wrongfully convicted;
17 and

18 (2) Medical care paid for by the person while he or she was
19 imprisoned for his or her wrongful conviction.

20 (d) Any other relief.

21 3. Any award of damages issued pursuant to subsection 1 must
22 be rounded up to the nearest half year.

23 4. A court shall not award and a person shall not receive
24 compensation for any period of imprisonment during which the
25 person was concurrently serving a sentence for a conviction of
26 another offense for which the person was lawfully convicted and
27 imprisoned.

28 5. If counseling services are awarded to the person pursuant to
29 subsection 2, the person may select a relative to receive counseling
30 with the person. As used in this subsection, "relative" means a
31 person who is related by blood, adoption, marriage or domestic
32 partnership within the third degree of consanguinity or affinity.

33 6. A court shall not award payment pursuant to paragraph (b)
34 of subsection 2:

35 (a) In an amount greater than \$100,000 in a calendar year.

36 (b) For a length of time that exceeds the period of time
37 described in subsection 1 during which the person was imprisoned
38 or on parole.

39 7. As used in this section, "qualified health plan" has the
40 meaning ascribed to it in NRS 695I.080.

41 **Sec. 239.** NRS 43.080 is hereby amended to read as follows:

42 43.080 "Municipality" means the State of Nevada, or any
43 corporation, instrumentality or other agency thereof, or any
44 incorporated city, any unincorporated town, or any county, school
45 district, conservancy district, drainage district, irrigation district,



1 general improvement district, other corporate district constituting a
2 political subdivision of this State, housing authority, urban renewal
3 authority, other type of authority, *the University of Nevada*, the
4 Nevada System of Higher Education, the Board of Regents of the
5 University of Nevada, *each board of trustees of a state college or*
6 *community college in this State* or any other body corporate and
7 politic of the State of Nevada, but excluding the Federal
8 Government.

9 **Sec. 240.** NRS 49.117 is hereby amended to read as follows:

10 49.117 As used in NRS 49.117 to 49.123, inclusive, unless the
11 context otherwise requires, “review committee” means:

12 1. An organized committee of:

13 (a) A hospital;

14 (b) An ambulatory surgical center;

15 (c) A health maintenance organization;

16 (d) An organization that provides emergency medical services
17 pursuant to the provisions of chapter 450B of NRS;

18 (e) A medical facility as defined in NRS 449.0151; or

19 (f) An institution ~~of~~ *within the University of Nevada or* the
20 Nevada System of Higher Education or any ~~of its~~ affiliated
21 organizations that provides a clinical program or practice related to
22 the medical treatment or care of patients,

23 ↪ which has the responsibility of evaluating and improving the
24 quality of care rendered by the parent organization;

25 2. A peer review committee of a medical or dental society; or

26 3. A medical review committee of a county or district board of
27 health that certifies, licenses or regulates providers of emergency
28 medical services pursuant to the provisions of chapter 450B of NRS,
29 but only when functioning as a peer review committee.

30 **Sec. 241.** NRS 49.2545 is hereby amended to read as follows:

31 49.2545 “Victim’s advocate” means a person who works for a
32 nonprofit program, a program of a university, state college or
33 community college within the *University of Nevada or the* Nevada
34 System of Higher Education or a program of a tribal organization
35 which provides assistance to victims or who provides services to a
36 victim of an alleged incident of sexual misconduct pursuant to NRS
37 396.125 to 396.1595, inclusive, with or without compensation and
38 who has received at least 20 hours of relevant training.

39 **Sec. 242.** NRS 49.2546 is hereby amended to read as follows:

40 49.2546 1. A communication shall be deemed to be
41 confidential if the communication is between a victim and a victim’s
42 advocate and is not intended to be disclosed to third persons other
43 than:

44 (a) A person who is present to further the interest of the victim;



1 (b) A person reasonably necessary for the transmission of the
2 communication; or

3 (c) A person who is participating in the advice, counseling or
4 assistance of the victim, including, without limitation, a member of
5 the victim's family.

6 2. As used in this section, "communication" includes, without
7 limitation, all records concerning the victim and the services
8 provided to the victim which are within the possession of:

9 (a) The victim's advocate; or

10 (b) The nonprofit program, the program of a university, state
11 college or community college within *the University of Nevada or*
12 the Nevada System of Higher Education or the program of a tribal
13 organization for whom the victim's advocate works.

14 **Sec. 243.** NRS 62C.060 is hereby amended to read as follows:

15 62C.060 1. If a child is taken into custody for an unlawful act
16 that involves the possession, use or threatened use of a firearm, the
17 child must not be released before a detention hearing is held
18 pursuant to NRS 62C.040.

19 2. At the detention hearing, the juvenile court shall, if the child
20 was taken into custody for:

21 (a) Carrying or possessing a firearm while on the property of *the*
22 *University of Nevada*, the Nevada System of Higher Education, a
23 private or public school or child care facility, or while in a vehicle
24 of a private or public school or child care facility, order the child to:

25 (1) Be evaluated by a qualified professional; and

26 (2) Submit to a test to determine whether the child is using
27 any controlled substance.

28 (b) Committing an unlawful act involving a firearm other than
29 the act described in paragraph (a), determine whether to order the
30 child to be evaluated by a qualified professional.

31 3. If the juvenile court orders the child to be evaluated by a
32 qualified professional or to submit to a test to determine whether the
33 child is using any controlled substance, the evaluation or the results
34 from the test must be completed not later than 14 days after the
35 detention hearing. Until the evaluation or the test is completed, the
36 child must be:

37 (a) Detained at a facility for the detention of children; or

38 (b) Placed under a program of supervision in the home of the
39 child that may include electronic surveillance of the child.

40 4. If a child is evaluated by a qualified professional pursuant to
41 this section, the statements made by the child to the qualified
42 professional during the evaluation and any evidence directly or
43 indirectly derived from those statements may not be used for any
44 purpose in a proceeding which is conducted to prove that the child
45 committed a delinquent act or criminal offense. The provisions of



1 this subsection do not prohibit the district attorney from proving that
2 the child committed a delinquent act or criminal offense based upon
3 evidence obtained from sources or by means that are independent of
4 the statements made by the child to the qualified professional during
5 the evaluation.

6 5. As used in this section, "child care facility" has the meaning
7 ascribed to it in paragraph (a) of subsection 5 of NRS 202.265.

8 **Sec. 244.** NRS 171.1223 is hereby amended to read as
9 follows:

10 171.1223 1. Except as otherwise provided in subsection 3, in
11 a county whose population is 100,000 or more, a peace officer with
12 limited jurisdiction who witnesses a category A felony being
13 committed or attempted in the officer's presence, or has reasonable
14 cause for believing a person has committed or attempted to commit
15 a category A felony in an area that is within the officer's
16 jurisdiction, shall immediately notify the primary law enforcement
17 agency in the city or county, as appropriate, where the offense or
18 attempted offense was committed.

19 2. Upon arrival of an officer from the primary law enforcement
20 agency notified pursuant to subsection 1, a peace officer with
21 limited jurisdiction shall immediately transfer the investigation of
22 the offense or attempted offense to the primary law enforcement
23 agency.

24 3. The provisions of subsection 1 do not:

25 (a) Apply to an offense or attempted offense that is a
26 misdemeanor, gross misdemeanor or felony other than a category A
27 felony;

28 (b) Apply to an officer of the Nevada Highway Patrol, a member
29 of ~~[the] a police department [of the Nevada System of Higher~~
30 ~~Education,] created pursuant to NRS 396.325, an agent of the~~
31 Investigation Division of the Department of Public Safety or a
32 ranger of the Division of State Parks of the State Department of
33 Conservation and Natural Resources;

34 (c) Apply to a peace officer with limited jurisdiction if an
35 interlocal agreement between the officer's employer and the primary
36 law enforcement agency in the city or county in which a category A
37 felony was committed or attempted authorizes the peace officer with
38 limited jurisdiction to respond to and investigate the felony without
39 immediately notifying the primary law enforcement agency; or

40 (d) Prohibit a peace officer with limited jurisdiction from:

41 (1) Contacting a primary law enforcement agency for
42 assistance with an offense that is a misdemeanor, gross
43 misdemeanor or felony that is not a category A felony; or

44 (2) Responding to a category A felony until the appropriate
45 primary law enforcement agency arrives at the location where the



1 felony was allegedly committed or attempted, including, without
2 limitation, taking any appropriate action to provide assistance to a
3 victim of the felony, to apprehend the person suspected of
4 committing or attempting to commit the felony, to secure the
5 location where the felony was allegedly committed or attempted and
6 to protect the life and safety of the peace officer and any other
7 person present at that location.

8 4. As used in this section:

9 (a) "Peace officer with limited jurisdiction" means:

10 (1) A school police officer who is appointed or employed
11 pursuant to subsection 5 of NRS 391.281;

12 (2) An airport guard or police officer who is appointed
13 pursuant to NRS 496.130;

14 (3) A person employed to provide police services for an
15 airport authority created by a special act of the Legislature; and

16 (4) A marshal or park ranger who is part of a unit of
17 specialized law enforcement established pursuant to NRS 280.125.

18 (b) "Primary law enforcement agency" means:

19 (1) A police department of an incorporated city;

20 (2) The sheriff's office of a county; or

21 (3) If the county is within the jurisdiction of a metropolitan
22 police department, the metropolitan police department.

23 **Sec. 245.** NRS 171.1455 is hereby amended to read as
24 follows:

25 171.1455 1. A peace officer shall use de-escalation
26 techniques and alternatives to the use of force whenever possible or
27 appropriate and consistent with his or her training, including,
28 without limitation, advisements, warnings, verbal persuasion and
29 other tactics. If it is necessary for the peace officer to use force, the
30 peace officer must:

31 (a) If it is possible to do so safely, identify himself or herself as
32 a peace officer through verbal commands, visual identification,
33 including, without limitation, a clearly marked uniform or vehicle,
34 or other reasonable means; and

35 (b) Use only the level of force that is objectively reasonable
36 under the circumstances to bring an incident or person under control
37 and safely accomplish a lawful purpose. The level of force used by
38 the officer must, to the extent feasible:

39 (1) Be balanced against the level of force or resistance
40 exhibited by the person; and

41 (2) Be carefully controlled.

42 2. A peace officer may, after giving a warning, if feasible, use
43 deadly force to effect the arrest of a person only if there is probable
44 cause to believe that the person:



1 (a) Has committed a felony which involves the infliction or
2 threat of serious bodily harm or the use of deadly force; or

3 (b) Poses an imminent threat of serious bodily harm or death to
4 the peace officer or to others.

5 3. Each law enforcement agency shall adopt a written policy
6 and provide training to a peace officer regarding the potential threat
7 of serious bodily harm or death to the peace officer or others from a
8 person who:

9 (a) Is known or reasonably believed not to be armed with a
10 deadly weapon; and

11 (b) Is known or reasonably believed by the peace officer to be:

12 (1) Under 13 years of age;

13 (2) Over 70 years of age;

14 (3) Physically frail;

15 (4) Mentally or physically disabled;

16 (5) Pregnant;

17 (6) Suffering from a mental or behavioral health issue; or

18 (7) Experiencing a medical emergency.

19 4. The written policy adopted and training provided pursuant to
20 subsection 3 must reflect the best practices with respect to the use of
21 force on the persons described in that subsection.

22 5. In addition to any other information required pursuant to
23 subsection 3, the written policy must include, without limitation:

24 (a) Guidelines for the use of force;

25 (b) Guidelines for the use of deadly force;

26 (c) A requirement that peace officers utilize de-escalation
27 techniques, crisis intervention and other alternatives to force when
28 feasible;

29 (d) A requirement that peace officers utilize de-escalation
30 techniques for responding to persons with mental illness or
31 experiencing a behavioral health crisis;

32 (e) A requirement that the law enforcement agency, when
33 feasible, send a peace officer who has been trained in crisis
34 intervention to respond to an incident involving a person who has
35 made suicidal statements;

36 (f) Factors for evaluating and reviewing all incidents which
37 require the use of force; and

38 (g) The date on which the written policy was adopted by the law
39 enforcement agency.

40 6. As used in this section, unless the context otherwise
41 requires:

42 (a) "Law enforcement agency" means:

43 (1) A police department of an incorporated city;

44 (2) The sheriff's office of a county;

45 (3) A metropolitan police department;



1 (4) The Department of Corrections;

2 (5) ~~[(The] A police department [for the Nevada System of~~
3 ~~Higher Education;]~~ *created pursuant to NRS 396.325;*

4 (6) Any political subdivision of this State employing park
5 rangers to enforce laws within its jurisdiction; or

6 (7) Any political subdivision of this State which has as its
7 primary duty the enforcement of law and which employs peace
8 officers pursuant to NRS 289.150 to 289.360, inclusive, to fulfill its
9 duty.

10 (b) "Level of force" means an escalating series of actions a
11 peace officer may use to resolve or control a situation or person
12 depending on the intensity of the situation or resistance of the
13 person that ranges from the use of no force to the use of deadly
14 force.

15 **Sec. 246.** NRS 178A.310 is hereby amended to read as
16 follows:

17 178A.310 1. There is hereby created the Advisory
18 Committee on Rights of Survivors of Sexual Assault.

19 2. The Advisory Committee consists of:

20 (a) The Attorney General;

21 (b) The Director of the Department of Corrections;

22 (c) One member who is a law enforcement official working for a
23 local law enforcement agency, appointed by the Nevada Sheriffs'
24 and Chiefs' Association;

25 (d) One member who is an attorney, appointed by the governing
26 body of the State Bar of Nevada; and

27 (e) The following members appointed by the Attorney General:

28 (1) One member who is a survivor and a citizen or lawful
29 resident of this State;

30 (2) One member who is a representative of an organization
31 supporting the rights of survivors;

32 (3) One member who is a representative of a center of
33 support for victims of sexual assault;

34 (4) One member who is a representative of a forensic
35 laboratory;

36 (5) One member who is a representative of a university, state
37 college or community college within *the University of Nevada or*
38 *the Nevada System of Higher Education* whose duties of his or her
39 occupation include direct services to victims of sexual assault and
40 whose employer is not under investigation by the United States
41 Department of Education for an alleged violation of 20 U.S.C. §
42 1092 or Title IX of the Education Amendments Act of 1972, 20
43 U.S.C. §§ 1681 et seq.;



1 (6) One member who is a representative of an organization
2 that provides services, education or outreach to minority
3 communities;

4 (7) One member who is a representative of an organization
5 that provides services, education or outreach to lesbian, gay,
6 bisexual, transgender and questioning persons; and

7 (8) One member who is a nurse examiner who specializes in
8 forensic medical examinations for sexual assault.

9 3. The Attorney General may appoint not more than three other
10 persons to the Advisory Committee. The total membership of the
11 Advisory Committee must not exceed 15 members.

12 4. If any organization listed in subsection 2 ceases to exist, the
13 appointment required pursuant to that subsection must be made by
14 the association's successor in interest or, if there is no successor in
15 interest, by the Attorney General.

16 5. Each appointed member serves a term of 2 years. Members
17 may be reappointed for additional terms of 2 years in the same
18 manner as the original appointments. Any vacancy occurring in the
19 membership of the Advisory Committee must be filled in the same
20 manner as the original appointment not later than 30 days after the
21 vacancy occurs.

22 6. At the first regular meeting of each odd-numbered year, the
23 members of the Advisory Committee shall elect a Chair by majority
24 vote who shall serve until the next Chair is elected.

25 7. The Advisory Committee shall meet at least once annually at
26 a time and place specified by the Chair and may meet at such further
27 times as deemed necessary by the Chair.

28 8. A majority of the members of the Advisory Committee
29 constitutes a quorum for the transaction of business, and a majority
30 of those members present at any meeting is sufficient for any
31 official action taken by the Advisory Committee.

32 9. While engaged in the business of the Advisory Committee,
33 to the extent of legislative appropriation, each member of the
34 Advisory Committee is entitled to receive the per diem allowance
35 and travel expenses provided for state officers and employees
36 generally.

37 10. The Attorney General shall provide the staff necessary to
38 carry out the duties of the Advisory Committee.

39 **Sec. 247.** NRS 179D.045 is hereby amended to read as
40 follows:

41 179D.045 "Institution of higher education" means:

42 1. A university, college or community college which is
43 privately owned or which is part of the *University of Nevada or the*
44 Nevada System of Higher Education; and



1 2. A postsecondary educational institution, as defined in NRS
2 394.099, or any other institution of higher education.

3 **Sec. 248.** NRS 193.309 is hereby amended to read as follows:

4 193.309 1. Each law enforcement agency shall annually
5 make available to the public and on a monthly basis submit to the
6 Central Repository a report that includes, without limitation, a
7 compilation of statistics relating to incidents involving the use of
8 force that occurred during the immediately preceding calendar year,
9 or month, as applicable, including, without limitation:

10 (a) The number of complaints against peace officers employed
11 by the law enforcement agency relating to the use of force and the
12 number of such complaints that were substantiated; and

13 (b) A compilation of statistics relating to incidents involving the
14 use of force that, for each incident, includes, without limitation, all
15 information collected by the National Use-of-Force Data Collection
16 of the Federal Bureau of Investigation.

17 2. Each law enforcement agency shall submit the report
18 required pursuant to subsection 1 in a manner approved by the
19 Director of the Department of Public Safety and in accordance with
20 the policies, procedures and definitions of the Department.

21 3. The Central Repository shall make the use-of-force data
22 submitted by each law enforcement agency pursuant to subsection 1
23 available for access by the public on the Internet website of the
24 Central Repository.

25 4. The Central Repository may accept gifts, grants and
26 donations from any source for the purpose of carrying out the
27 provisions of this section.

28 5. To the extent of legislative appropriation, the Office of the
29 Attorney General shall:

30 (a) Review the use-of-force data that is publicly available on the
31 Internet website of the Central Repository;

32 (b) Prepare a report containing any conclusions or
33 recommendations resulting from its review; and

34 (c) On or before December 1 of each year, submit to the
35 Governor and to the Director of the Legislative Counsel Bureau for
36 transmittal to the Legislature the report prepared pursuant to
37 paragraph (b).

38 6. Each law enforcement agency in this State shall participate
39 in the National Use-of-Force Data Collection of the Federal Bureau
40 of Investigation.

41 7. Information collected pursuant to this section must not be
42 introduced into evidence or otherwise used in any way against a
43 peace officer during a criminal proceeding.

44 8. As used in this section:



1 (a) "Central Repository" means the Central Repository for
2 Nevada Records of Criminal History.

3 (b) "Law enforcement agency" means:

4 (1) The sheriff's office of a county;

5 (2) A metropolitan police department;

6 (3) A police department of an incorporated city;

7 (4) The Department of Corrections;

8 (5) ~~[The] A~~ police department ~~[for the Nevada System of~~
9 ~~Higher Education;]~~ *created pursuant to NRS 396.325;*

10 (6) Any political subdivision of this State employing park
11 rangers to enforce laws within its jurisdiction; or

12 (7) Any political subdivision of this State which has as its
13 primary duty the enforcement of law and which employs peace
14 officers to fulfill its duty.

15 **Sec. 249.** NRS 201.530 is hereby amended to read as follows:

16 201.530 "University" means *the University of Nevada or* a
17 university which is privately owned. ~~[for which is part of the Nevada~~
18 ~~System of Higher Education.]~~

19 **Sec. 250.** NRS 202.2483 is hereby amended to read as
20 follows:

21 202.2483 1. Except as otherwise provided in subsection 3,
22 smoking in any form is prohibited within indoor places of
23 employment including, but not limited to, the following:

24 (a) Child care facilities;

25 (b) Movie theatres;

26 (c) Video arcades;

27 (d) Government buildings and public places;

28 (e) Malls and retail establishments;

29 (f) All areas of grocery stores; and

30 (g) All indoor areas within restaurants.

31 2. Without exception, smoking in any form is prohibited within
32 school buildings and on school property.

33 3. Smoking is not prohibited in:

34 (a) Areas within casinos where loitering by minors is already
35 prohibited by state law pursuant to NRS 463.350;

36 (b) Completely enclosed areas with stand-alone bars, taverns
37 and saloons in which patrons under 21 years of age are prohibited
38 from entering;

39 (c) Age-restricted stand-alone bars, taverns and saloons;

40 (d) Strip clubs or brothels;

41 (e) Retail tobacco stores;

42 (f) The area of a convention facility in which a meeting or trade
43 show is being held, during the time the meeting or trade show is
44 occurring, if the meeting or trade show:

45 (1) Is not open to the public;



1 (2) Is being produced or organized by a business relating to
2 tobacco or a professional association for convenience stores; and

3 (3) Involves the display of tobacco products; and

4 (g) Private residences, including private residences which may
5 serve as an office workplace, except if used as a child care, an adult
6 day care or a health care facility.

7 4. A supervisor on duty or employee of an age-restricted stand-
8 alone bar, tavern or saloon or a stand-alone bar, tavern or saloon
9 shall not allow a person who is under 21 years of age to loiter in an
10 age-restricted stand-alone bar, tavern or saloon or an area of a stand-
11 alone bar, tavern or saloon where smoking is allowed pursuant to
12 this section. A person who violates the provisions of this subsection
13 is guilty of a misdemeanor.

14 5. If a supervisor on duty or employee of an age-restricted
15 stand-alone bar, tavern or saloon or a stand-alone bar, tavern or
16 saloon violates the provisions of subsection 4, the age-restricted
17 stand-alone bar, tavern or saloon or stand-alone bar, tavern or saloon
18 is liable for a civil penalty of:

19 (a) For the first offense, \$1,000.

20 (b) For a second or subsequent offense, \$2,000.

21 6. In any prosecution or other proceeding for a violation of the
22 provisions of subsection 4 or 5, it is no excuse for a supervisor,
23 employee, age-restricted bar, tavern or saloon, or stand-alone bar,
24 tavern or saloon alleged to have committed the violation to plead
25 that a supervisor or employee believed that the person who was
26 permitted to loiter was 21 years of age or older.

27 7. In areas or establishments where smoking is not prohibited
28 by this section, nothing in state law shall be construed to prohibit
29 the owners of said establishments from voluntarily creating
30 nonsmoking sections or designating the entire establishment as
31 smoke free.

32 8. Nothing in state law shall be construed to restrict local
33 control or otherwise prohibit a county, city or town from adopting
34 and enforcing local smoking control measures that meet or exceed
35 the minimum applicable standards set forth in this section.

36 9. "No Smoking" signs or the international "No Smoking"
37 symbol shall be clearly and conspicuously posted in every public
38 place and place of employment where smoking is prohibited by this
39 section. Each public place and place of employment where smoking
40 is prohibited shall post, at every entrance, a conspicuous sign clearly
41 stating that smoking is prohibited. All ashtrays and other smoking
42 paraphernalia shall be removed from any area where smoking is
43 prohibited.

44 10. Health authorities, police officers of cities or towns,
45 sheriffs and their deputies shall, within their respective jurisdictions,



1 enforce the provisions of this section and shall issue citations for
2 violations of this section pursuant to NRS 202.2492 and 202.24925.

3 11. No person or employer shall retaliate against an employee,
4 applicant or customer for exercising any rights afforded by, or
5 attempts to prosecute a violation of, this section.

6 12. For the purposes of this section, the following terms have
7 the following definitions:

8 (a) "Age-restricted stand-alone bar, tavern or saloon" means an
9 establishment:

10 (1) Devoted primarily to the sale of alcoholic beverages to be
11 consumed on the premises;

12 (2) In which food service or sales may or may not be
13 incidental food service or sales, in the discretion of the operator of
14 the establishment;

15 (3) In which patrons under 21 years of age are prohibited at
16 all times from entering the premises; and

17 (4) That must be located within:

18 (I) A physically independent building that does not share
19 a common entryway or indoor area with a restaurant, public place or
20 any other indoor workplace where smoking is prohibited by this
21 section; or

22 (II) A completely enclosed area of a larger structure,
23 which may include, without limitation, a strip mall or an airport,
24 provided that indoor windows must remain closed at all times and
25 doors must remain closed when not actively in use.

26 (b) "Casino" means an entity that contains a building or large
27 room devoted to gambling games or wagering on a variety of
28 events. A casino must possess a nonrestricted gaming license as
29 described in NRS 463.0177 and typically uses the word 'casino' as
30 part of its proper name.

31 (c) "Child care facility" has the meaning ascribed to it in
32 NRS 441A.030.

33 (d) "Completely enclosed area" means an area that is enclosed
34 on all sides by any combination of solid walls, windows or doors
35 that extend from the floor to the ceiling.

36 (e) "Government building" means any building or office space
37 owned or occupied by:

38 (1) Any component of *the University of Nevada or* the
39 Nevada System of Higher Education and used for any purpose
40 related to the *University or* System;

41 (2) The State of Nevada and used for any public purpose; or

42 (3) Any county, city, school district or other political
43 subdivision of the State and used for any public purpose.

44 (f) "Health authority" has the meaning ascribed to it in
45 NRS 202.2485.



1 (g) "Incidental food service or sales" means the service of
2 prepackaged food items including, but not limited to, peanuts,
3 popcorn, chips, pretzels or any other incidental food items that are
4 exempt from food licensing requirements pursuant to subsection 2
5 of NRS 446.870.

6 (h) "Place of employment" means any enclosed area under the
7 control of a public or private employer which employees frequent
8 during the course of employment including, but not limited to, work
9 areas, restrooms, hallways, employee lounges, cafeterias, conference
10 and meeting rooms, lobbies and reception areas.

11 (i) "Public places" means any enclosed areas to which the public
12 is invited or in which the public is permitted.

13 (j) "Restaurant" means a business which gives or offers for sale
14 food, with or without alcoholic beverages, to the public, guests or
15 employees, as well as kitchens and catering facilities in which food
16 is prepared on the premises for serving elsewhere.

17 (k) "Retail tobacco store" means a retail store utilized primarily
18 for the sale of tobacco products and accessories and in which the
19 sale of other products is merely incidental.

20 (l) "School building" means all buildings on the grounds of any
21 public school described in NRS 388.020 and any private school as
22 defined in NRS 394.103.

23 (m) "School property" means the grounds of any public school
24 described in NRS 388.020 and any private school as defined in
25 NRS 394.103.

26 (n) "Smoking" means inhaling, exhaling, burning or carrying
27 any liquid or heated cigar, cigarette or pipe or any other lighted or
28 heated tobacco or plant product intended for inhalation, in any
29 manner or in any form. The term includes the use of an electronic
30 smoking device that creates an aerosol or vapor, in any manner or in
31 any form, and the use of any oral smoking device. As used in this
32 paragraph, "electronic smoking device":

33 (1) Means any product containing or delivering nicotine, a
34 product made or derived from tobacco or any other substance
35 intended for human consumption that can be used by a person to
36 simulate smoking in the delivery of nicotine or any other substance
37 through inhalation of vapor or aerosol from the product.

38 (2) Includes any component part of a product described in
39 subparagraph (1), regardless of whether the component part is sold
40 separately.

41 (3) Does not include any product regulated by the United
42 States Food and Drug Administration pursuant to Subchapter V of
43 the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 352 et seq.

44 (o) "Stand-alone bar, tavern or saloon" means an establishment:



1 (1) Devoted primarily to the sale of alcoholic beverages to be
2 consumed on the premises;

3 (2) In which food service or sales may or may not be
4 incidental food service or sales, in the discretion of the operator of
5 the establishment;

6 (3) In which smoke from such establishments does not
7 infiltrate into areas where smoking is prohibited under the
8 provisions of this section; and

9 (4) That must be housed in either:

10 (I) A physically independent building that does not share
11 a common entryway or indoor area with a restaurant, public place or
12 any other indoor workplaces where smoking is prohibited by this
13 section; or

14 (II) A completely enclosed area of a larger structure, such
15 as a strip mall or an airport, provided that indoor windows must
16 remain shut at all times and doors must remain closed when not
17 actively in use.

18 (p) "Video arcade" has the meaning ascribed to it in paragraph
19 (d) of subsection 3 of NRS 453.3345.

20 13. Any statute or regulation inconsistent with this section is
21 null and void.

22 14. The provisions of this section are severable. If any
23 provision of this section or the application thereof is declared by a
24 court of competent jurisdiction to be invalid or unconstitutional,
25 such declaration shall not affect the validity of the section as a
26 whole or any provision thereof other than the part declared to be
27 invalid or unconstitutional.

28 **Sec. 251.** NRS 202.2491 is hereby amended to read as
29 follows:

30 202.2491 1. Except as otherwise provided in subsections 5
31 and 6 and NRS 202.24915, the smoking of tobacco in any form is
32 prohibited if done in any:

33 (a) Public elevator.

34 (b) Public building.

35 (c) Public waiting room, lobby or hallway of any:

36 (1) Medical facility or facility for the dependent as defined in
37 chapter 449 of NRS; or

38 (2) Office of any chiropractic physician, dentist, physical
39 therapist, physician, podiatric physician, psychologist, optician,
40 optometrist or doctor of Oriental medicine.

41 (d) Hotel or motel when so designated by the operator thereof.

42 (e) Public area of a store principally devoted to the sale of food
43 for human consumption off the premises.

44 (f) Child care facility.



1 (g) Bus used by the general public, other than a chartered bus, or
2 in any maintenance facility or office associated with a bus system
3 operated by any regional transportation commission.

4 (h) School bus.

5 (i) Video arcade.

6 2. The person in control of an area listed in paragraph (c), (d),
7 (e) or (g) of subsection 1:

8 (a) Shall post in the area signs prohibiting smoking in any place
9 not designated for that purpose as provided in paragraph (b).

10 (b) May designate separate rooms or portions of the area which
11 may be used for smoking, except for a room or portion of the area of
12 a store described in paragraph (e) of subsection 1 if the room or
13 portion of the area:

14 (1) Is leased to or operated by a person licensed pursuant to
15 NRS 463.160; and

16 (2) Does not otherwise qualify for an exemption set forth in
17 NRS 202.24915.

18 3. The person in control of a public building:

19 (a) Shall post in the area signs prohibiting smoking in any place
20 not designated for that purpose as provided in paragraph (b).

21 (b) Shall, except as otherwise provided in this subsection,
22 designate a separate area which may be used for smoking.

23 ↪ A school district which prohibits the use of tobacco by pupils
24 need not designate an area which may be used by the pupils to
25 smoke.

26 4. The operator of a restaurant with a seating capacity of 50 or
27 more shall maintain a flexible nonsmoking area within the restaurant
28 and offer each patron the opportunity to be seated in a smoking or
29 nonsmoking area.

30 5. A business which derives more than 50 percent of its gross
31 receipts from the sale of alcoholic beverages or 50 percent of its
32 gross receipts from gaming operations may be designated as a
33 smoking area in its entirety by the operator of the business.

34 6. The smoking of tobacco is not prohibited in:

35 (a) Any room or area designated for smoking pursuant to
36 paragraph (b) of subsection 2 or paragraph (b) of subsection 3.

37 (b) A licensed gaming establishment. A licensed gaming
38 establishment may designate separate rooms or areas within the
39 establishment which may or may not be used for smoking.

40 7. As used in this section:

41 (a) "Child care facility" means an establishment operated and
42 maintained to furnish care on a temporary or permanent basis,
43 during the day or overnight, to five or more children under 18 years
44 of age, if compensation is received for the care of any of those



1 children. The term does not include the home of a natural person
2 who provides child care.

3 (b) "Licensed gaming establishment" has the meaning ascribed
4 to it in NRS 463.0169.

5 (c) "Public building" means any building or office space owned
6 or occupied by:

7 (1) Any component of *the University of Nevada or* the
8 Nevada System of Higher Education and used for any purpose
9 related to the *University or* System.

10 (2) The State of Nevada and used for any public purpose,
11 other than that used by the Department of Corrections to house or
12 provide other services to offenders.

13 (3) Any county, city, school district or other political
14 subdivision of the State and used for any public purpose.

15 ➔ If only part of a building is owned or occupied by an entity
16 described in this paragraph, the term means only that portion of the
17 building which is so owned or occupied.

18 (d) "School bus" has the meaning ascribed to it in NRS 483.160.

19 (e) "Video arcade" means a facility legally accessible to persons
20 under 18 years of age which is intended primarily for the use of
21 pinball and video machines for amusement and which contains a
22 minimum of 10 such machines.

23 **Sec. 252.** NRS 202.265 is hereby amended to read as follows:

24 202.265 1. Except as otherwise provided in this section, a
25 person shall not carry or possess while on the property of the
26 *University of Nevada*, Nevada System of Higher Education, a
27 private or public school or child care facility, or while in a vehicle
28 of a private or public school or child care facility:

- 29 (a) An explosive or incendiary device;
- 30 (b) A dirk, dagger or switchblade knife;
- 31 (c) A nunchaku or trefoil;
- 32 (d) A blackjack or billy club or metal knuckles;
- 33 (e) A pneumatic gun;
- 34 (f) A pistol, revolver or other firearm; or
- 35 (g) Any device used to mark any part of a person with paint or
36 any other substance.

37 2. Any person who violates subsection 1 is guilty of a gross
38 misdemeanor.

39 3. This section does not prohibit the possession of a weapon
40 listed in subsection 1 on the property of:

- 41 (a) A private or public school or child care facility by a:
 - 42 (1) Peace officer;
 - 43 (2) School security guard; or
 - 44 (3) Person having written permission from the president of a
45 branch or facility of the *University of Nevada or* Nevada System of



1 Higher Education or the principal of the school or the person
2 designated by a child care facility to give permission to carry or
3 possess the weapon.

4 (b) A child care facility which is located at or in the home of a
5 natural person by the person who owns or operates the facility so
6 long as the person resides in the home and the person complies with
7 any laws governing the possession of such a weapon.

8 4. The provisions of this section apply to a child care facility
9 located at or in the home of a natural person only during the normal
10 hours of business of the facility.

11 5. For the purposes of this section:

12 (a) "Child care facility" means any child care facility that is
13 licensed pursuant to chapter 432A of NRS or licensed by a city or
14 county.

15 (b) "Nunchaku" has the meaning ascribed to it in NRS 202.350.

16 (c) "Pneumatic gun" means any implement designed as a gun
17 that may expel a ball bearing or a pellet by action of pneumatic
18 pressure. The term includes, without limitation, a paintball gun that
19 expels plastic balls filled with paint for the purpose of marking the
20 point of impact.

21 (d) "Switchblade knife" means a spring-blade knife, snap-blade
22 knife or any other knife having the appearance of a pocketknife, any
23 blade of which is 2 or more inches long and which can be released
24 automatically by a flick of a button, pressure on the handle or other
25 mechanical device, or is released by any type of mechanism. The
26 term does not include a knife which has a blade that is held in place
27 by a spring if the blade does not have any type of automatic release.

28 (e) "Trefoil" has the meaning ascribed to it in NRS 202.350.

29 (f) "Vehicle" has the meaning ascribed to "school bus" in
30 NRS 484A.230.

31 **Sec. 253.** NRS 202.3673 is hereby amended to read as
32 follows:

33 202.3673 1. Except as otherwise provided in subsections 2
34 and 3, a permittee may carry a concealed firearm while the
35 permittee is on the premises of any public building.

36 2. A permittee shall not carry a concealed firearm while the
37 permittee is on the premises of a public building that is located on
38 the property of a public airport.

39 3. A permittee shall not carry a concealed firearm while the
40 permittee is on the premises of:

41 (a) A public building that is located on the property of a public
42 school or a child care facility or the property of *the University of*
43 *Nevada or* the Nevada System of Higher Education, unless the
44 permittee has obtained written permission to carry a concealed
45 firearm while he or she is on the premises of the public building



1 pursuant to subparagraph (3) of paragraph (a) of subsection 3 of
2 NRS 202.265.

3 (b) A public building that has a metal detector at each public
4 entrance or a sign posted at each public entrance indicating that no
5 firearms are allowed in the building, unless the permittee is not
6 prohibited from carrying a concealed firearm while he or she is on
7 the premises of the public building pursuant to subsection 4.

8 4. The provisions of paragraph (b) of subsection 3 do not
9 prohibit:

10 (a) A permittee who is a judge from carrying a concealed
11 firearm in the courthouse or courtroom in which the judge presides
12 or from authorizing a permittee to carry a concealed firearm while in
13 the courtroom of the judge and while traveling to and from the
14 courtroom of the judge.

15 (b) A permittee who is a prosecuting attorney of an agency or
16 political subdivision of the United States or of this State from
17 carrying a concealed firearm while he or she is on the premises of a
18 public building.

19 (c) A permittee who is employed in the public building from
20 carrying a concealed firearm while he or she is on the premises of
21 the public building.

22 (d) A permittee from carrying a concealed firearm while he or
23 she is on the premises of the public building if the permittee has
24 received written permission from the person in control of the public
25 building to carry a concealed firearm while the permittee is on the
26 premises of the public building.

27 5. A person who violates subsection 2 or 3 is guilty of a
28 misdemeanor.

29 6. As used in this section:

30 (a) "Child care facility" has the meaning ascribed to it in
31 paragraph (a) of subsection 5 of NRS 202.265.

32 (b) "Public building" means any building or office space
33 occupied by:

34 (1) Any component of *the University of Nevada* or the
35 Nevada System of Higher Education and used for any purpose
36 related to the *University* or System; or

37 (2) The Federal Government, the State of Nevada or any
38 county, city, school district or other political subdivision of the State
39 of Nevada and used for any public purpose.

40 ➤ If only part of the building is occupied by an entity described in
41 this subsection, the term means only that portion of the building
42 which is so occupied.

43 **Sec. 254.** NRS 203.119 is hereby amended to read as follows:

44 203.119 1. A person shall not commit any act in a public
45 building or on the public grounds surrounding the building which



1 interferes with the peaceful conduct of activities normally carried on
2 in the building or on the grounds.

3 2. Any person whose conduct is prohibited by subsection 1
4 who refuses to leave the building or grounds upon request by the
5 proper official is guilty of a misdemeanor.

6 3. Any person who aids, counsels or abets another to commit
7 an act prohibited by subsection 2 is guilty of a misdemeanor.

8 4. For the purpose of this section:

9 (a) "Proper official" means the person or persons designated by
10 the administrative officer or board in charge of the building.

11 (b) "Public building" means any building owned by:

12 (1) Any component of *the University of Nevada or* the
13 Nevada System of Higher Education and used for any purpose
14 related to the *University or* System.

15 (2) The State of Nevada or any county, city, school district or
16 other political subdivision of the State and used for any public
17 purpose.

18 **Sec. 255.** NRS 205.462 is hereby amended to read as follows:

19 205.462 "Public body" means:

20 1. The State of Nevada, or any agency, instrumentality or
21 corporation thereof;

22 2. The *University of Nevada or the* Nevada System of Higher
23 Education;

24 3. Any municipality, county, school district or other type of
25 district, or a city or town, incorporated or unincorporated; or

26 4. Any other body corporate and politic comprising a political
27 subdivision of this State or acting on behalf thereof.

28 **Sec. 256.** NRS 209.391 is hereby amended to read as follows:

29 209.391 The Director shall:

30 1. Establish programs to provide medical, psychological,
31 psychiatric and other appropriate forms of counseling to offenders
32 under the jurisdiction of the Department in accordance with
33 classification requirements.

34 2. Administer programs of general education, vocational
35 training and other rehabilitation for offenders established by the
36 Board.

37 3. Within the limits of legislative appropriations, purchase
38 textbooks for use by offenders who are enrolled in courses of
39 general education and vocational training offered by any branch or
40 facility of *the University of Nevada or* the Nevada System of
41 Higher Education. Any textbooks purchased pursuant to this section
42 must remain the property of the State and must be reissued to
43 offenders as appropriate.

44 4. Within the limits of legislative appropriations, establish
45 programs of research, statistics and planning to:



1 (a) Determine and review periodically the effectiveness of the
2 Department's programs of education, vocational training and other
3 rehabilitation for offenders;

4 (b) Provide annually, and at other times when so requested, to
5 the Board, the Governor and the Legislature information pertaining
6 to:

7 (1) The number of offenders who are participating in and
8 who complete those programs;

9 (2) The effectiveness of those programs in accomplishing
10 their purposes; and

11 (3) The number of offenders who are returned to prison after
12 their release; and

13 (c) Effect appropriate changes in the programs established by
14 the Board.

15 **Sec. 257.** NRS 218A.970 is hereby amended to read as
16 follows:

17 218A.970 1. Except as otherwise provided in subsection 2, a
18 Legislator shall not:

19 (a) Become a named contractor or named subcontractor under
20 any contract or order for supplies or any other kind of contract paid
21 for in whole or in part by money appropriated by the Legislature of
22 which that Legislator is a member for the State or any of its
23 departments, or the Legislature or either House, or to be interested,
24 directly or indirectly, as principal, in any kind of contract so paid.

25 (b) Be interested in any contract made by the Legislature of
26 which that Legislator is a member, or be a purchaser or interested in
27 any purchase or sale made by the Legislature of which that
28 Legislator is a member.

29 2. A Legislator may:

30 (a) Sell or enter into a contract to sell, to the State or any of its
31 departments, any item, commodity, service or capital improvement
32 if:

33 (1) The sources of supply for the item, commodity, service or
34 capital improvement are limited;

35 (2) The contracting process is controlled by rules of open
36 competitive bidding;

37 (3) The Legislator has not taken part in developing the plans
38 or specifications for the sale or contract; and

39 (4) The Legislator will not be personally involved in
40 opening, considering or accepting any bids for the sale or contract.

41 (b) If the Legislator is not named in a contract, receive, as direct
42 salary or wages, compensation for which the original source was a
43 legislative appropriation to any governmental entity or a private
44 entity not owned or controlled by the Legislator.



1 (c) Receive, for services as an instructor or teacher from any
2 county school district , *the University of Nevada* or the Nevada
3 System of Higher Education, compensation for which the original
4 source was a legislative appropriation to any governmental entity or
5 a private entity not owned or controlled by the Legislator.

6 3. Any contract made in violation of subsection 1 may be
7 declared void at the instance of the State or of any other person
8 interested in the contract except the Legislator prohibited by
9 subsection 1 from making or being interested in the contract.

10 4. A person who violates any provision of this section is guilty
11 of a gross misdemeanor and forfeits the person's office.

12 **Sec. 258.** NRS 218D.915 is hereby amended to read as
13 follows:

14 218D.915 1. The following persons, offices or organizations,
15 upon request, are entitled to receive free of charge in any 1 calendar
16 year one copy of any bill, resolution, daily history, daily journal or
17 index:

18 (a) Elected state officers.

19 (b) Offices of all state departments and agencies.

20 (c) County clerks, sheriffs, treasurers, assessors, recorders and
21 auditors.

22 (d) Offices of other county officials.

23 (e) Municipal officers.

24 (f) Districts and other governmental agencies.

25 (g) Justices of the peace.

26 (h) The Division of State Library, Archives and Public Records
27 of the Department of Administration.

28 (i) County and city libraries and libraries of *the University of*
29 *Nevada and* the Nevada System of Higher Education.

30 (j) Accredited members of the press.

31 2. Upon approval of the committee of the Senate or the
32 Assembly which has jurisdiction of issues relating to legislative
33 functions, additional copies must be provided to these persons,
34 offices or organizations without charge, except for the cost of any
35 handling and postage as determined by the Director.

36 3. Township, school and municipal officials may have
37 distributed, free of charge, the number of copies of any legislative
38 measure or publication that is approved by the committee of the
39 Senate or the Assembly which has jurisdiction of issues relating to
40 legislative functions.

41 **Sec. 259.** NRS 218E.625 is hereby amended to read as
42 follows:

43 218E.625 1. The Legislative Bureau of Educational
44 Accountability and Program Evaluation is hereby created within the
45 Fiscal Analysis Division. The Fiscal Analysts shall appoint to the



1 Legislative Bureau of Educational Accountability and Program
2 Evaluation a Chief and such other personnel as the Fiscal Analysts
3 determine are necessary for the Bureau to carry out its duties
4 pursuant to this section.

5 2. The Bureau shall, as the Fiscal Analysts determine is
6 necessary or at the request of the Joint Interim Standing Committee
7 on Education:

8 (a) Collect and analyze data and issue written reports
9 concerning:

10 (1) The effectiveness of the provisions of chapter 385A of
11 NRS in improving the accountability of the schools of this State;

12 (2) The statewide program to reduce the ratio of pupils per
13 class per licensed teacher prescribed in NRS 388.700, 388.710 and
14 388.720;

15 (3) The statewide program to educate persons with
16 disabilities that is set forth in NRS 388.5223 to 388.5243, inclusive;

17 (4) The results of the examinations of the National
18 Assessment of Educational Progress that are administered pursuant
19 to NRS 390.830; and

20 (5) Any program or legislative measure, the purpose of
21 which is to reform the system of education within this State.

22 (b) Conduct studies and analyses to evaluate the performance
23 and progress of the system of public education within this State.
24 Such studies and analyses may be conducted:

25 (1) As the Fiscal Analysts determine are necessary; or

26 (2) At the request of the Legislature.

27 ↪ This paragraph does not prohibit the Bureau from contracting
28 with a person or entity to conduct studies and analyses on behalf of
29 the Bureau.

30 (c) On or before October 1 of each even-numbered year, submit
31 a written report of its findings pursuant to paragraphs (a) and (b) to
32 the Director for transmission to the next regular session. The Bureau
33 shall, on or before October 1 of each odd-numbered year, submit a
34 written report of its findings pursuant to paragraphs (a) and (b) to
35 the Director for transmission to the Legislative Commission and to
36 the Joint Interim Standing Committee on Education.

37 3. The Bureau may, pursuant to NRS 218F.620, require a
38 school, a school district, *the University of Nevada*, the Nevada
39 System of Higher Education or the Department of Education to
40 submit to the Bureau books, papers, records and other information
41 that the Chief of the Bureau determines are necessary to carry out
42 the duties of the Bureau pursuant to this section. An entity whom
43 the Bureau requests to produce records or other information shall
44 provide the records or other information in any readily available
45 format specified by the Bureau.



1 4. Except as otherwise provided in this subsection and NRS
2 239.0115, any information obtained by the Bureau pursuant to this
3 section shall be deemed a work product that is confidential pursuant
4 to NRS 218F.150. The Bureau may, at the discretion of the Chief
5 and after submission to the Legislature or Legislative Commission,
6 as appropriate, publish reports of its findings pursuant to paragraphs
7 (a) and (b) of subsection 2.

8 5. This section does not prohibit the Department of Education
9 or the State Board of Education from conducting analyses,
10 submitting reports or otherwise reviewing educational programs in
11 this State.

12 **Sec. 260.** NRS 223.600 is hereby amended to read as follows:

13 223.600 1. The Office of Science, Innovation and
14 Technology is hereby established in the Office of the Governor.

15 2. The Governor shall appoint the Director of the Office of
16 Science, Innovation and Technology. In making the appointment,
17 the Governor:

18 (a) Shall give consideration to any recommendation which is
19 submitted by the Chancellor of the *University of Nevada* ~~System~~
20 *or the Director of the Nevada Office* of Higher Education ~~[-]~~
21 *Administrative Services.*

22 (b) May assemble a panel of persons with appropriate
23 experience in science and technology to make recommendations of
24 qualified candidates for the position of Director.

25 3. The Director shall devote his or her entire time and attention
26 to the business of his or her office and shall not engage in any other
27 gainful employment or occupation.

28 4. The Director is in the unclassified service of the State and
29 serves at the pleasure of the Governor.

30 **Sec. 261.** NRS 223.640 is hereby amended to read as follows:

31 223.640 1. The Advisory Council on Science, Technology,
32 Engineering and Mathematics is hereby created within the Office of
33 Science, Innovation and Technology. The Council consists of:

34 (a) The following ex officio members:

35 (1) The Superintendent of Public Instruction or his or her
36 designee;

37 (2) The Chancellor of the *University of Nevada* ~~System of~~
38 ~~Higher Education~~ or his or her designee;

39 (3) *The Director of the Nevada Office of Higher Education*
40 *Administrative Services or his or her designee;*

41 (4) The Executive Director of the Office of Economic
42 Development or his or her designee; and

43 ~~(4)~~ (5) The Director of the Department of Employment,
44 Training and Rehabilitation or his or her designee;



1 (b) Three members appointed by the Governor pursuant to
2 subsection 2;

3 (c) Two members appointed by the Majority Leader of the
4 Senate pursuant to subsection 2;

5 (d) Two members appointed by the Speaker of the Assembly
6 pursuant to subsection 2;

7 (e) Two members appointed by the Minority Leader of the
8 Senate pursuant to subsection 2; and

9 (f) Two members appointed by the Minority Leader of the
10 Assembly pursuant to subsection 2.

11 2. The Governor, the Majority Leader and the Minority Leader
12 of the Senate and the Speaker and the Minority Leader of the
13 Assembly shall coordinate their respective appointments of
14 members to the Council:

15 (a) On a geographic basis to ensure statewide representation;
16 and

17 (b) To ensure representation from:

18 (1) Classroom teachers or administrators in the field of
19 science, technology, engineering or mathematics;

20 (2) Higher education in the field of science, technology,
21 engineering or mathematics; and

22 (3) Businesses operating in the sectors relating to science,
23 technology, engineering or mathematics.

24 3. Any vacancy occurring in the membership of the Council
25 must be filled in the same manner as the original appointment not
26 later than 30 days after the vacancy occurs.

27 4. The Council shall meet at least six times each year at the call
28 of the Chair. Two meetings of the Council must be held in person
29 and any other meeting may be held by videoconference.

30 5. A majority of the members of the Council constitutes a
31 quorum for the transaction of business, and a majority of those
32 members present at any meeting is sufficient for any official action
33 taken by the Council.

34 6. The Chair may appoint such subcommittees of the Council
35 as the Chair determines necessary to carry out the duties of the
36 Council.

37 7. The members of the Council serve without compensation,
38 except that each member is entitled to receive the per diem
39 allowance and travel expenses provided for state officers and
40 employees generally while engaged in the official business of the
41 Council.

42 **Sec. 262.** NRS 223.650 is hereby amended to read as follows:

43 223.650 1. The Advisory Council on Science, Technology,
44 Engineering and Mathematics created by NRS 223.640 shall:



1 (a) Develop a strategic plan for the development of educational
2 resources in the fields of science, technology, engineering and
3 mathematics to serve as a foundation for workforce development,
4 college preparedness and economic development in this State;

5 (b) Develop a plan for identifying and awarding recognition to
6 pupils in this State who demonstrate exemplary achievement in the
7 fields of science, technology, engineering and mathematics;

8 (c) Develop a plan for identifying and awarding recognition to
9 schools in this State that demonstrate exemplary performance in the
10 fields of science, technology, engineering and mathematics;

11 (d) Conduct a survey of education programs and proposed
12 programs relating to the fields of science, technology, engineering
13 and mathematics in this State and in other states to identify
14 recommendations for the implementation of such programs by
15 public schools and institutions of higher education in this State and
16 report the information gathered by the survey to the State Board of
17 Education and ~~[the Board of Regents of the University of Nevada;]~~
18 *each higher education governing body;*

19 (e) Apply for grants on behalf of the State of Nevada relating to
20 the development and expansion of education programs in the fields
21 of science, technology, engineering and mathematics;

22 (f) Identify a nonprofit corporation to assist in the
23 implementation of the plans developed pursuant to paragraphs (a),
24 (b) and (c);

25 (g) Prepare a written report which includes, without limitation,
26 recommendations based on the survey conducted pursuant to
27 paragraph (d) and any other recommendations concerning the
28 instruction and curriculum in courses of study in science,
29 technology, engineering and mathematics in public schools in this
30 State and, on or before January 31 of each odd-numbered year,
31 submit a copy of the report to the State Board of Education, ~~[the
32 Board of Regents of the University of Nevada,]~~ *each higher
33 education governing body*, the Governor and the Director of the
34 Legislative Counsel Bureau for transmittal to the Legislature;

35 (h) Conduct surveys for and make recommendations as deemed
36 necessary to the Office of Economic Development and the
37 Governor's Workforce Investment Board; and

38 (i) Appoint a subcommittee on computer science consisting of at
39 least three members to provide advice and recommendations to:

40 (1) The State Board of Education, the Council to Establish
41 Academic Standards for Public Schools, the boards of trustees of
42 school districts and the governing bodies of charter schools and
43 university schools for profoundly gifted pupils concerning the
44 curriculum and materials for courses in computer science and



1 computer education and technology and professional development
2 for teachers who teach such courses; and

3 (2) The Commission on Professional Standards in Education
4 concerning the qualifications for licensing teachers and other
5 educational personnel who teach courses in computer science or
6 computer education and technology.

7 2. Each year the Council:

8 (a) Shall establish an event in southern Nevada and an event in
9 northern Nevada to recognize pupils in this State who demonstrate
10 exemplary achievement in the fields of science, technology,
11 engineering and mathematics.

12 (b) Shall establish a statewide event to recognize schools in this
13 State that have demonstrated exemplary performance in the fields of
14 science, technology, engineering and mathematics.

15 (c) May accept any gifts, grants or donations from any source
16 for use in carrying out the provisions of this subsection.

17 3. The Council or a subcommittee of the Council may seek the
18 input, advice and assistance of persons and organizations that have
19 knowledge, interest or expertise relevant to the duties of the
20 Council.

21 4. The State Board of Education and ~~the Board of Regents of~~
22 ~~the University of Nevada] each higher education governing body~~
23 shall consider the plans developed by the Advisory Council on
24 Science, Technology, Engineering and Mathematics pursuant to
25 paragraphs (a), (b) and (c) of subsection 1 and the written report
26 submitted pursuant to paragraph (g) of subsection 1. The State
27 Board of Education shall adopt such regulations as the State Board
28 deems necessary to carry out the recommendations in the written
29 report.

30 5. *As used in this section, "higher education governing body"*
31 *has the meaning ascribed to it in NRS 396.005.*

32 **Sec. 263.** NRS 227.205 is hereby amended to read as follows:

33 227.205 1. The State Controller shall establish an electronic
34 payment system to pay the salaries and wages of state officers and
35 employees through the use of direct deposit.

36 2. Except as otherwise provided in subsection 3, the State
37 Controller shall pay the salaries and wages of state officers and
38 employees using the electronic payment system.

39 3. Upon application by a state officer or employee, the State
40 Controller may waive the participation of the state officer or
41 employee in the electronic payment system established pursuant to
42 subsection 1 if:

43 (a) The State Controller determines that participation in the
44 system by the state officer or employee would cause the state officer
45 or employee to suffer undue hardship or extreme inconvenience; or



1 (b) The state officer or employee does not have an account at a
2 financial institution that accepts direct deposit.

3 4. The State Controller may adopt such regulations as he or she
4 determines to be necessary or advisable to carry out the provisions
5 of this section.

6 5. As used in this section:

7 (a) "Direct deposit" means payment of the salary and wages of a
8 person by causing the net amount of such person's salary and wages
9 to be deposited in an account maintained in a financial institution in
10 the name of the person.

11 (b) "State employee" means any person who performs public
12 duties under the direction and control of a state officer for
13 compensation paid by or through the State except any employee of:

14 (1) The *University of Nevada or the* Nevada System of
15 Higher Education; or

16 (2) The Legislative Department of the State Government.

17 (c) "State officer" means a person elected or appointed to a
18 position with the State Government, except *the University of*
19 *Nevada*, the Nevada System of Higher Education or the Legislative
20 Department of State Government, which involves the exercise of a
21 state power, trust or duty, including:

22 (1) Actions taken in an official capacity which involve a
23 substantial and material exercise of administrative discretion in the
24 formulation of state policy;

25 (2) The expenditure of state money; and

26 (3) The enforcement of laws and regulations of the State.

27 **Sec. 264.** NRS 231.033 is hereby amended to read as follows:

28 231.033 1. There is hereby created the Board of Economic
29 Development, consisting of:

30 (a) The following voting members:

31 (1) The Governor;

32 (2) The Lieutenant Governor;

33 (3) The Secretary of State; and

34 (4) Six members who must be selected from the private
35 sector and appointed as follows:

36 (I) Three members appointed by the Governor;

37 (II) One member appointed by the Speaker of the
38 Assembly;

39 (III) One member appointed by the Majority Leader of
40 the Senate; and

41 (IV) One member appointed by the Minority Leader of
42 the Assembly or the Minority Leader of the Senate. The Minority
43 Leader of the Senate shall appoint the member for the initial term,
44 the Minority Leader of the Assembly shall appoint the member for
45 the next succeeding term, and thereafter, the authority to appoint the



1 member for each subsequent term alternates between the Minority
2 Leader of the Assembly and the Minority Leader of the Senate.

3 (b) The following nonvoting members:

4 (1) The Chancellor of the *University of Nevada* ~~[System of~~
5 ~~Higher Education]~~ or his or her designee;

6 (2) *The Director of the Nevada Office of Higher Education*
7 *Administrative Services or his or her designee;*

8 (3) The Director of the Department of Business and Industry;
9 and

10 ~~[(3)]~~ (4) The Director of the Department of Employment,
11 Training and Rehabilitation.

12 2. In appointing the members of the Board described in
13 subsection 1, the appointing authorities shall coordinate the
14 appointments when practicable so that the members of the Board
15 represent the diversity of this State, including, without limitation,
16 different strategically important industries, different geographic
17 regions of this State and different professions.

18 3. The Governor shall serve as the Chair of the Board.

19 4. Except as otherwise provided in this subsection, the
20 members of the Board appointed pursuant to subparagraph (4) of
21 paragraph (a) of subsection 1 are appointed for terms of 4 years. The
22 initial members of the Board shall by lot select three of the initial
23 members of the Board appointed pursuant to subparagraph (4) of
24 paragraph (a) of subsection 1 to serve an initial term of 2 years.

25 5. The Governor, the Lieutenant Governor or the Secretary of
26 State may designate a person to serve as a member of the Board for
27 the Governor, Lieutenant Governor or Secretary of State,
28 respectively. Any person designated to serve pursuant to this
29 subsection shall serve for the term of the officer appointing him or
30 her and serves at the pleasure of that officer. If the Governor
31 designates a person to serve on his or her behalf, that person shall
32 serve as the Chair of the Board. Vacancies in the appointed
33 positions on the Board must be filled by the appointing authority for
34 the unexpired term.

35 6. The Executive Director shall serve as the nonvoting
36 Secretary of the Board.

37 7. A majority of the voting members of the Board constitutes a
38 quorum, and the affirmative vote of a majority of the voting
39 members of the Board is required to exercise any power conferred
40 on the Board.

41 8. The Board shall meet at least once each quarter but may
42 meet more often at the call of the Chair or a majority of the voting
43 members of the Board.

44 9. The members of the Board serve without compensation but
45 are entitled to receive the per diem allowance and travel expenses



1 provided for state officers and employees generally while engaged
2 in the official business of the Board.

3 **Sec. 265.** NRS 231.055 is hereby amended to read as follows:

4 231.055 Under the direction of the Executive Director, the
5 Office:

6 1. Shall provide administrative and technical support to the
7 Board.

8 2. Shall support the efforts of the Board, the regional
9 development authorities designated by the Executive Director
10 pursuant to subsection 4 of NRS 231.053 and the private sector to
11 encourage the creation and expansion of businesses in Nevada and
12 the relocation of businesses to Nevada.

13 3. Shall coordinate and oversee all economic development
14 programs in this State to ensure that such programs are consistent
15 with the State Plan for Economic Development developed by the
16 Executive Director pursuant to subsection 2 of NRS 231.053,
17 including, without limitation:

18 (a) Coordinating the economic development activities of
19 agencies of this State, local governments in this State and local and
20 regional organizations for economic development to avoid
21 duplication of effort or conflicting efforts;

22 (b) Working with local, state and federal authorities to
23 streamline the process for obtaining abatements, financial
24 incentives, grants, loans and all necessary permits, licenses and
25 registrations for the creation or expansion of businesses in Nevada
26 or the relocation of businesses to Nevada; and

27 (c) Reviewing, analyzing and making recommendations for the
28 approval or disapproval of applications for abatements, financial
29 incentives, development resources, and grants and loans of money
30 provided by the Office.

31 4. Shall, upon request, assist an electric utility with the
32 marketing of vacant or decommissioned assets for sale and
33 redevelopment pursuant to NRS 704.734.

34 5. Shall, in consultation with *the University of Nevada*, the
35 Nevada System of Higher Education, the Department of
36 Employment, Training and Rehabilitation, the Department of
37 Education and any other person or entity which the Executive
38 Director determines is appropriate, develop and implement one or
39 more programs to provide customized workforce development
40 services to persons that create and expand businesses in Nevada and
41 relocate businesses to Nevada.

42 6. Shall prepare a list of authorized providers that are eligible
43 to provide programs of workforce recruitment, assessment and
44 training pursuant to NRS 231.1467.

45 7. May:



1 (a) Participate in any federal programs for economic
2 development that are consistent with the State Plan for Economic
3 Development developed by the Executive Director pursuant to
4 subsection 2 of NRS 231.053; and

5 (b) When practicable and authorized by federal law, act as the
6 agency of this State to administer such federal programs.

7 **Sec. 266.** NRS 231.1415 is hereby amended to read as
8 follows:

9 231.1415 “Authorized provider” means any institution within
10 *the University of Nevada or* the Nevada System of Higher
11 Education, a state or local agency, a school district, a charter school,
12 a nonprofit organization, a labor organization or a private
13 postsecondary educational institution that provides a program of
14 workforce development approved by the Office.

15 **Sec. 267.** NRS 231.1475 is hereby amended to read as
16 follows:

17 231.1475 An institution within *the University of Nevada or* the
18 Nevada System of Higher Education or a private postsecondary
19 educational institution in this State that is an authorized provider
20 shall allow a student, including, without limitation, a student who is
21 enrolled in a dual credit course at a public high school, who
22 successfully completes a program of workforce development that is
23 provided by the institution to apply the credit received for the
24 completion of the program toward the total number of credits
25 required for a related credential, certificate or degree from that
26 institution.

27 **Sec. 268.** NRS 231.1591 is hereby amended to read as
28 follows:

29 231.1591 As used in NRS 231.1591 to 231.1597, inclusive,
30 unless the context otherwise requires:

31 1. “Chancellor” means the Chancellor of the *University of*
32 Nevada [~~System of Higher Education~~] or his or her designee.

33 2. “Research universities” means the University of Nevada,
34 Las Vegas, and the University of Nevada, Reno.

35 **Sec. 269.** NRS 232.0081 is hereby amended to read as
36 follows:

37 232.0081 1. The head of each agency of the Executive
38 Department shall designate one or more employees of the agency to
39 be responsible for developing and biennially revising a language
40 access plan for the agency that meets the requirements of
41 subsection 2.

42 2. A language access plan must assess existing needs of
43 persons served by the agency for language services and the degree
44 to which the agency has met those needs. The plan must include



1 recommendations to expand language services if needed to improve
2 access to the services provided by the agency. The plan must:

3 (a) Outline the compliance of the agency and any contractors,
4 grantees, assignees, transferees or successors of the agency with
5 existing federal and state laws and regulations and any requirements
6 associated with funding received by the agency concerning the
7 availability of language services and accessibility of the services
8 provided by the agency or any contractors, grantees, assignees,
9 transferees or successors to persons with limited English
10 proficiency;

11 (b) List the relevant demographics of persons served by or
12 eligible to receive services from the agency, including, without
13 limitation:

14 (1) The types of services received by such persons or for
15 which such persons are eligible;

16 (2) The preferred language and literacy level of such persons;

17 (3) The ability of such persons to access the services of the
18 agency electronically;

19 (4) The number and percentage of such persons who are
20 indigenous; and

21 (5) The number and percentage of such persons who are
22 refugees;

23 (c) Provide an inventory of language services currently
24 provided, including, without limitation:

25 (1) Procedures for designating certain information and
26 documents as vital and providing such information and documents
27 to persons served by the agency in the preferred language of such
28 persons, in aggregate and disaggregated by language and type of
29 service to which the information and documents relate;

30 (2) Oral language services offered by language and type;

31 (3) A comparison of the number of employees of the agency
32 who regularly have contact with the public to the number of such
33 employees who are fluent in more than one language, in aggregate
34 and disaggregated by language;

35 (4) A description of any position at the agency designated for
36 a dual-role interpreter;

37 (5) Procedures and resources used by the agency for outreach
38 to persons with limited English proficiency who are served by the
39 agency or eligible to receive services from the agency, including,
40 without limitation, procedures for building relationships with
41 community-based organizations that serve such persons; and

42 (6) Any resources made available to employees of the agency
43 related to cultural competency;

44 (d) Provide an inventory of the training and resources provided
45 to employees of the agency who serve persons with limited English



1 proficiency, including, without limitation, training and resources
2 regarding:

3 (1) Obtaining language services internally or from a
4 contractor;

5 (2) Responding to persons with limited English proficiency
6 over the telephone, in writing or in person;

7 (3) Ensuring the competency of interpreters and translation
8 services;

9 (4) Recording in the electronic records of the agency that a
10 person served by the agency is a person with limited English
11 proficiency, the preferred language of the person and his or her
12 literacy level in English and in his or her preferred language;

13 (5) Communicating with the persons in charge of the agency
14 concerning the needs of the persons served by and eligible to receive
15 the services from the agency for language services; and

16 (6) Notifying persons with limited English proficiency who
17 are eligible for or currently receiving services from the agency of
18 the services available from the agency in the preferred language of
19 those persons at a literacy level and in a format that is likely to be
20 understood by such persons;

21 (e) Review the ability of the agency to make language services
22 available during the emergency described in the Declaration of
23 Emergency for COVID-19 issued on March 12, 2020; and

24 (f) Identify areas in which the services described in paragraph
25 (c) and the training and resources described in paragraph (d) do not
26 meet the needs of persons with limited English proficiency served
27 by the agency, including, without limitation:

28 (1) Estimates of additional funding required to meet those
29 needs;

30 (2) Targets for employing persons who are fluent in more
31 than one language;

32 (3) Additional requirements necessary to ensure:

33 (I) Adequate credentialing and oversight of translators
34 and interpreters employed by or serving as independent contractors
35 for the agency; and

36 (II) That translators and interpreters used by the agency
37 adequately represent the preferred languages spoken by persons
38 served by the agency or eligible to receive services from the agency;
39 and

40 (4) Additional requirements, trainings, incentives and
41 recruiting initiatives to employ or contract with interpreters who
42 speak the preferred languages of persons with limited English
43 proficiency who are eligible for or currently receiving services from
44 the agency and ways to partner with entities involved in workforce



1 development in imposing those requirements, offering those
2 trainings and incentives and carrying out those recruiting initiatives.

3 3. If there is insufficient information available to develop or
4 update the language access plan in accordance with the requirements
5 of this section, the employee or employees designated pursuant to
6 subsection 1 shall develop procedures to obtain that information and
7 include the information in any revision to the language access plan.

8 4. Each agency of the Executive Department shall:

9 (a) Solicit public comment concerning the language access plan
10 developed pursuant to this section and each revision thereof;

11 (b) Make recommendations to the Legislature concerning any
12 statutory changes necessary to implement or improve a language
13 access plan; and

14 (c) Include any funding necessary to carry out a language access
15 plan, including, without limitation, any additional funding necessary
16 to meet the needs of persons with limited English proficiency served
17 by the agency as identified pursuant to paragraph (f) of subsection 2,
18 in the proposed budget for the agency submitted pursuant to
19 NRS 353.210.

20 5. As used in this section:

21 (a) "Agency of the Executive Department" means an agency,
22 board, commission, bureau, council, department, division, authority
23 or other unit of the Executive Department of the State Government.
24 The term does not include *the University of Nevada or* the Nevada
25 System of Higher Education.

26 (b) "Dual-role interpreter" means a multilingual employee who:

27 (1) Has been tested for language skills and trained as an
28 interpreter; and

29 (2) Engages in interpreting as part of his or her job duties.

30 (c) "Language services" means oral language services and
31 translation services.

32 (d) "Oral language services" means services to convey verbal
33 information to persons with limited English proficiency. The term:

34 (1) Includes, without limitation, staff interpreters, dual-role
35 interpreters, other multilingual employees, telephone interpreter
36 programs, audiovisual interpretation services and non-governmental
37 interpreters.

38 (2) Does not include family members, friends and other
39 acquaintances of persons with limited English proficiency who have
40 no formal training in interpreting.

41 (e) "Person with limited English proficiency" means a person
42 who reads, writes or speaks a language other than English and who
43 cannot readily understand or communicate in the English language
44 in written or spoken form, as applicable, based on the manner in
45 which information is being communicated.



1 (f) "Translation services" means services used to provide written
2 information to persons with limited English proficiency. The term
3 does not include translation tools that are accessed using the
4 Internet.

5 **Sec. 270.** NRS 232.920 is hereby amended to read as follows:
6 232.920 The Director:

7 1. Shall:

8 (a) Organize the Department into divisions and other operating
9 units as needed to achieve the purposes of the Department;

10 (b) Upon request, provide the Director of the Department of
11 Administration with a list of organizations and agencies in this State
12 whose primary purpose is the training and employment of persons
13 with disabilities;

14 (c) Except as otherwise provided by a specific statute, direct the
15 divisions to share information in their records with agencies of local
16 governments which are responsible for the collection of debts or
17 obligations if the confidentiality of the information is otherwise
18 maintained under the terms and conditions required by law;

19 (d) Provide the employment and wage information to ~~the Board~~
20 ~~of Regents of the University of Nevada]~~ *each higher education*
21 *governing body, as defined in NRS 396.005*, for purposes of the
22 reporting required of the ~~Board of Regents]~~ *governing body* by
23 subsection 4 of NRS 396.531; and

24 (e) Provide to the Director of the Legislative Counsel Bureau a
25 written report each quarter containing the rate of unemployment of
26 residents of this State regarding whom the Department has
27 information, organized by county and, for each county, the rate of
28 unemployment disaggregated by demographic information,
29 including, without limitation, age, race and gender. The Director of
30 the Department shall:

31 (1) Post on the Internet website of the Department the report
32 required by this paragraph;

33 (2) Provide the report to the Governor's Workforce
34 Investment Board and all applicable agencies for the purposes of
35 subsection 5 of NRS 232.935; and

36 (3) Post on the Internet website of the Department the written
37 report provided by the Governor's Workforce Investment Board
38 pursuant to subsection 5 of NRS 232.935.

39 2. Is responsible for the administration, through the divisions
40 of the Department, of the provisions of NRS 394.383 to 394.560,
41 inclusive, 426.010 to 426.715, inclusive, 426.740, 426.790 and
42 426.800, and chapters 612 and 615 of NRS, and all other provisions
43 of law relating to the functions of the Department and its divisions,
44 but is not responsible for the professional line activities of the



1 divisions or other operating units except as otherwise provided by
2 specific statute.

3 3. May employ, within the limits of legislative appropriations,
4 such staff as is necessary for the performance of the duties of the
5 Department.

6 **Sec. 271.** NRS 232.980 is hereby amended to read as follows:

7 232.980 The following public agencies shall submit
8 educational and workforce data for inclusion in the statewide
9 longitudinal data system maintained pursuant to paragraph (e) of
10 subsection 4 of NRS 232.975:

11 1. The Department of Employment, Training and
12 Rehabilitation.

13 2. The Department of Education.

14 3. The *University of Nevada and the* Nevada System of Higher
15 Education.

16 4. The Department of Motor Vehicles.

17 5. Any other public agency which is directed by the Governor
18 to submit such data.

19 **Sec. 272.** NRS 233B.039 is hereby amended to read as
20 follows:

21 233B.039 1. The following agencies are entirely exempted
22 from the requirements of this chapter:

23 (a) The Governor.

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

26 (c) The *University of Nevada and the* Nevada System of Higher
27 Education.

28 (d) The Office of the Military.

29 (e) The Nevada Gaming Control Board.

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

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

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

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

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

43 (k) The Administrator of the Division of Industrial Relations of
44 the Department of Business and Industry in establishing and



1 adjusting the schedule of fees and charges for accident benefits
2 pursuant to subsection 2 of NRS 616C.260.

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

5 (m) The Silver State Health Insurance Exchange.

6 (n) The Cannabis Compliance Board.

7 2. Except as otherwise provided in subsection 5 and NRS
8 391.323, the Department of Education, the Board of the Public
9 Employees' Benefits Program and the Commission on Professional
10 Standards in Education are subject to the provisions of this chapter
11 for the purpose of adopting regulations but not with respect to any
12 contested case.

13 3. The special provisions of:

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

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

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

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

25 ↪ prevail over the general provisions of this chapter.

26 4. The provisions of NRS 233B.122, 233B.124, 233B.125 and
27 233B.126 do not apply to the Department of Health and Human
28 Services in the adjudication of contested cases involving the
29 issuance of letters of approval for health facilities and agencies.

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

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

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

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

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

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



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

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

8 (h) The adoption, amendment or repeal of regulations by the
9 Director of the Department of Health and Human Services pursuant
10 to NRS 447.335 to 447.350, inclusive;

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

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

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

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

25 **Sec. 273.** NRS 236.015 is hereby amended to read as follows:

26 236.015 1. The following days are declared to be legal
27 holidays for state, county and city governmental offices:
28

29 January 1 (New Year's Day)

30 Martin Luther King, Jr.'s birthday is on January 15 but is to
31 be observed on the third Monday in January

32 Washington's birthday is on February 22 but is to be
33 observed on the third Monday in February

34 Last Monday in May (Memorial Day)

35 July 4 (Independence Day)

36 First Monday in September (Labor Day)

37 Nevada Day is October 31 but is to be observed on the last
38 Friday in October

39 November 11 (Veterans Day)

40 Fourth Thursday in November (Thanksgiving Day)

41 Friday following the fourth Thursday in November (Family
42 Day)

43 December 25 (Christmas Day)

44 Any day that may be appointed by the President of the United
45 States for public fast, thanksgiving or as a legal holiday



1 except for any Presidential appointment of the fourth
2 Monday in October as Veterans Day.

3
4 2. Except as otherwise provided by NRS 293.560 and
5 293C.527, all state, county and city offices, courts, public schools,
6 *the University of Nevada* and the Nevada System of Higher
7 Education must close on the legal holidays enumerated in subsection
8 1 unless in the case of appointed holidays all or a part thereof are
9 specifically exempted.

10 3. If January 1, July 4, November 11 or December 25 falls
11 upon a:

12 (a) Sunday, the Monday following must be observed as a legal
13 holiday.

14 (b) Saturday, the Friday preceding must be observed as a legal
15 holiday.

16 **Sec. 274.** NRS 237.300 is hereby amended to read as follows:

17 237.300 1. Notwithstanding any other provision of law, not
18 later than September 1 of each year, each county which possesses or
19 maintains a digital parcel base map for the county shall provide the
20 digital parcel base map for the county, as of June 30 of that year, to
21 the State Demographer at no charge. The State Demographer may
22 not require a county to provide a digital parcel base map in a
23 particular electronic format or to use any specific software to
24 provide the digital parcel base map. The State Demographer shall
25 keep confidential the information provided to him or her pursuant to
26 this subsection, except that the State Demographer shall provide
27 such information at no charge to a state agency which satisfies the
28 requirements of this section.

29 2. A state agency engaged in activities related to economic
30 development or population estimate research may request the digital
31 parcel base maps for each county that possesses or maintains a
32 digital parcel base map by submitting a written request to the State
33 Demographer. The written request must include, without limitation:

34 (a) The name and address of the state agency;

35 (b) A statement of the purpose for which the state agency is
36 seeking the digital parcel base maps; and

37 (c) A summary of the research or statistical reports which will
38 be produced from the digital parcel base maps.

39 3. Except as otherwise provided in subsection 4, if the State
40 Demographer finds that a written request complies with subsection
41 2, the State Demographer shall provide to the state agency at no
42 charge the digital parcel base maps provided to the State
43 Demographer pursuant to subsection 1.

44 4. The State Demographer may refuse a request submitted by a
45 state agency pursuant to subsection 2 if the State Demographer has



1 provided the requested information to the state agency during the
2 calendar year in which the request is made.

3 5. A state agency receiving a digital parcel base map pursuant
4 to this section shall provide to the county that provided the digital
5 parcel base map and the Office of Economic Development, at no
6 charge, a summary of the research produced from that information.

7 6. A state agency receiving a digital parcel base map pursuant
8 to this section shall keep the digital parcel base map confidential,
9 and, except as otherwise provided in subsection 5, the State
10 Demographer, or any employee or other agent of a state agency
11 receiving a digital parcel base map for a county pursuant to this
12 section, shall not provide the digital parcel base map to any person
13 or governmental agency.

14 7. As used in this section:

15 (a) "Digital parcel base map" means a map in an electronic
16 format that contains the boundaries of the parcels in the county.

17 (b) "State agency" means:

18 (1) The State of Nevada, or any agency, instrumentality or
19 corporation thereof; and

20 (2) Faculty of *University of Nevada or* the Nevada System of
21 Higher Education or any branch or facility thereof.

22 (c) "State Demographer" means the demographer employed
23 pursuant to NRS 360.283.

24 **Sec. 275.** NRS 239.005 is hereby amended to read as follows:

25 239.005 As used in this chapter, unless the context otherwise
26 requires:

27 1. "Actual cost" means the direct cost incurred by a
28 governmental entity in the provision of a public record, including,
29 without limitation, the cost of ink, toner, paper, media and postage.
30 The term does not include a cost that a governmental entity incurs
31 regardless of whether or not a person requests a copy of a particular
32 public record.

33 2. "Agency of the Executive Department" means an agency,
34 board, commission, bureau, council, department, division, authority
35 or other unit of the Executive Department of the State Government.
36 The term does not include *the University of Nevada or* the Nevada
37 System of Higher Education.

38 3. "Committee" means the Committee to Approve Schedules
39 for the Retention and Disposition of Official State Records.

40 4. "Division" means the Division of State Library, Archives
41 and Public Records of the Department of Administration.

42 5. "Governmental entity" means:

43 (a) An elected or appointed officer of this State or of a political
44 subdivision of this State;



1 (b) An institution, board, commission, bureau, council,
2 department, division, authority or other unit of government of this
3 State, including, without limitation, an agency of the Executive
4 Department, or of a political subdivision of this State;

5 (c) A university foundation, as defined in NRS 396.405;

6 (d) An educational foundation, as defined in NRS 388.750, to
7 the extent that the foundation is dedicated to the assistance of public
8 schools; or

9 (e) A library foundation, as defined in NRS 379.0056, to the
10 extent that the foundation is dedicated to the assistance of a public
11 library.

12 6. "Official state record" includes, without limitation:

13 (a) Papers, unpublished books, maps and photographs;

14 (b) Information stored on magnetic tape or computer, laser or
15 optical disc;

16 (c) Materials that are capable of being read by a machine,
17 including, without limitation, microforms and audio and visual
18 materials; and

19 (d) Materials that are made or received by a state agency and
20 preserved by that agency or its successor as evidence of the
21 organization, operation, policy or any other activity of that agency
22 or because of the information contained in the material.

23 7. "Privatization contract" means a contract executed by or on
24 behalf of a governmental entity which authorizes a private entity to
25 provide public services that are:

26 (a) Substantially similar to the services provided by the public
27 employees of the governmental entity; and

28 (b) In lieu of the services otherwise authorized or required to be
29 provided by the governmental entity.

30 **Sec. 276.** NRS 241.017 is hereby amended to read as follows:

31 241.017 ~~[The Board of Regents of the University of Nevada]~~

32 **1. Each higher education governing body** shall establish for
33 the student governments within *the University of Nevada and* the
34 Nevada System of Higher Education requirements equivalent to
35 those of this chapter and shall provide for their enforcement.

36 **2. As used in this section, "higher education governing body"**
37 **has the meaning ascribed to it in NRS 396.005.**

38 **Sec. 277.** NRS 241.031 is hereby amended to read as follows:

39 241.031 1. Except as otherwise provided in subsection 2, a
40 public body shall not hold a closed meeting to consider the
41 character, alleged misconduct or professional competence of:

42 (a) An elected member of a public body; or

43 (b) A person who is an appointed public officer or who serves at
44 the pleasure of a public body as a chief executive or administrative
45 officer or in a comparable position, including, without limitation, a



1 president of a university, state college or community college within
2 *the University of Nevada or* the Nevada System of Higher
3 Education, a superintendent of a county school district, a county
4 manager and a city manager.

5 2. The prohibition set forth in subsection 1 does not apply if
6 the consideration of the character, alleged misconduct or
7 professional competence of the person does not pertain to his or her
8 role as an elected member of a public body or an appointed public
9 officer or other officer described in paragraph (b) of subsection 1, as
10 applicable.

11 **Sec. 278.** NRS 242.111 is hereby amended to read as follows:

12 242.111 The Administrator shall adopt regulations necessary
13 for the administration of this chapter, including:

14 1. The policy for the information systems of the Executive
15 Branch of Government, excluding *the University of Nevada*, the
16 Nevada System of Higher Education and the Nevada Criminal
17 Justice Information System, as that policy relates, but is not limited,
18 to such items as standards for systems and programming and criteria
19 for selection, location and use of information systems to meet the
20 requirements of state agencies and officers at the least cost to the
21 State;

22 2. The procedures of the Division in providing information
23 services, which may include provision for the performance, by an
24 agency which uses the services or equipment of the Division, of
25 preliminary procedures, such as data recording and verification,
26 within the agency;

27 3. The effective administration of the Division, including,
28 without limitation, security to prevent unauthorized access to
29 information systems and plans for the recovery of systems and
30 applications after they have been disrupted;

31 4. The development of standards to ensure the security of the
32 information systems of the Executive Branch of Government; and

33 5. Specifications and standards for the employment of all
34 personnel of the Division.

35 **Sec. 279.** NRS 242.115 is hereby amended to read as follows:

36 242.115 1. Except as otherwise provided in subsection 2, the
37 Administrator shall:

38 (a) Develop policies and standards for the information systems
39 of the Executive Branch of Government;

40 (b) Coordinate the development of a biennial state plan for the
41 information systems of the Executive Branch of Government;

42 (c) Develop guidelines to assist state agencies in the
43 development of short- and long-term plans for their information
44 systems; and



1 (d) Develop guidelines and procedures for the procurement and
2 maintenance of the information systems of the Executive Branch of
3 Government.

4 2. This section does not apply to *the University of Nevada*, the
5 Nevada System of Higher Education or the Nevada Criminal Justice
6 Information System used to provide support for the operations of
7 law enforcement agencies in this State.

8 **Sec. 280.** NRS 242.131 is hereby amended to read as follows:

9 242.131 1. The Division shall provide state agencies and
10 elected state officers with all their required design of information
11 systems. All agencies and officers must use those services and
12 equipment, except as otherwise provided in subsection 2.

13 2. The following agencies may negotiate with the Division for
14 its services or the use of its equipment, subject to the provisions of
15 this chapter, and the Division shall provide those services and the
16 use of that equipment as may be mutually agreed:

17 (a) The Court Administrator;

18 (b) The Department of Motor Vehicles;

19 (c) The Department of Public Safety;

20 (d) The Department of Transportation;

21 (e) The Employment Security Division of the Department of
22 Employment, Training and Rehabilitation;

23 (f) The Department of Wildlife;

24 (g) The Housing Division of the Department of Business and
25 Industry;

26 (h) The Legislative Counsel Bureau;

27 (i) The State Controller;

28 (j) The Nevada Gaming Control Board and Nevada Gaming
29 Commission; and

30 (k) *The University of Nevada and the* Nevada System of Higher
31 Education.

32 3. Any state agency or elected state officer who uses the
33 services of the Division and desires to withdraw substantially from
34 that use must apply to the Administrator for approval. The
35 application must set forth justification for the withdrawal. If the
36 Administrator denies the application, the agency or officer must:

37 (a) If the Legislature is in regular or special session, obtain the
38 approval of the Legislature by concurrent resolution.

39 (b) If the Legislature is not in regular or special session, obtain
40 the approval of the Interim Finance Committee. The Administrator
41 shall, within 45 days after receipt of the application, forward the
42 application together with his or her recommendation for approval or
43 denial to the Interim Finance Committee. The Interim Finance
44 Committee has 45 days after the application and recommendation
45 are submitted to its Secretary within which to consider the



1 application. Any application which is not considered by the
2 Committee within the 45-day period shall be deemed approved.

3 4. If the demand for services or use of equipment exceeds the
4 capability of the Division to provide them, the Division may
5 contract with other agencies or independent contractors to furnish
6 the required services or use of equipment and is responsible for the
7 administration of the contracts.

8 **Sec. 281.** NRS 244.3675 is hereby amended to read as
9 follows:

10 244.3675 Subject to the limitations set forth in NRS 244.368,
11 278.02315, 278.580, 278.582, 278.584, 278.5846, 278.586, 444.340
12 to 444.430, inclusive, and 477.030, the boards of county
13 commissioners within their respective counties may:

14 1. Regulate all matters relating to the construction,
15 maintenance and safety of buildings, structures and property within
16 the county.

17 2. Adopt any building, electrical, housing, plumbing or safety
18 code necessary to carry out the provisions of this section and
19 establish such fees as may be necessary. Except as otherwise
20 provided in NRS 278.580, these fees do not apply to the State of
21 Nevada, *the University of Nevada* or the Nevada System of Higher
22 Education.

23 **Sec. 282.** NRS 250.087 is hereby amended to read as follows:

24 250.087 1. Notwithstanding any other provision of law, not
25 later than September 1 of each year, a county assessor shall provide
26 to the State Demographer at no charge the parcel dataset of the
27 county assessor as of June 30 of that year. The State Demographer
28 may not require a county assessor to provide information pursuant
29 to this subsection in a particular digital or electronic format or to use
30 any specific software to provide the information. The State
31 Demographer shall keep confidential the information provided to
32 him or her pursuant to this subsection, except that the State
33 Demographer shall provide such information at no charge to a state
34 agency which satisfies the requirements of this section.

35 2. A state agency engaged in activities related to economic
36 development or population estimate research may request the parcel
37 datasets provided to the State Demographer pursuant to subsection 1
38 by submitting a written request to the State Demographer. The
39 written request must include, without limitation:

40 (a) The name and address of the state agency;

41 (b) A statement of the purpose for which the state agency is
42 seeking the parcel datasets; and

43 (c) A summary of the research or statistical reports which will
44 be produced from the parcel datasets.



1 3. Except as otherwise provided in subsection 4, if the State
2 Demographer finds that a written request complies with subsection
3 2, the State Demographer shall provide to the state agency at no
4 charge the parcel datasets provided to the State Demographer
5 pursuant to subsection 1.

6 4. The State Demographer may refuse a request submitted by a
7 state agency pursuant to subsection 2 if the State Demographer has
8 provided the requested information to the state agency during the
9 calendar year in which the request is made.

10 5. A state agency receiving parcel datasets pursuant to this
11 section shall provide to the county that provided the parcel datasets
12 and the Office of Economic Development, at no charge, a summary
13 of the research produced from that information.

14 6. The State Demographer or any employee or other agent of a
15 state agency receiving parcel datasets pursuant to this section shall
16 not knowingly:

17 (a) Publish or otherwise disclose any information made
18 confidential pursuant to NRS 250.100 to 250.230, inclusive; or

19 (b) Use any information made confidential pursuant to NRS
20 250.100 to 250.230, inclusive, to contact any person.

21 7. A person who violates subsection 6 is guilty of a
22 misdemeanor and, in addition, the court may order a person who
23 violates subsection 6 to pay a civil penalty in an amount not to
24 exceed \$2,500 for each act.

25 8. A state agency receiving a parcel dataset pursuant to this
26 section shall keep the parcel dataset confidential, and, except as
27 otherwise provided in subsection 5, the State Demographer, or any
28 employee or other agent of a state agency receiving a parcel dataset
29 pursuant to this section, shall not provide the parcel dataset to any
30 person or governmental agency.

31 9. As used in this section:

32 (a) "Parcel dataset" means data or files maintained in digital or
33 electronic format by a county assessor in the course of his or her
34 duties that contain information on each parcel in the county,
35 including, without limitation, information concerning ownership,
36 parcel number, address, land designations and zoning,
37 improvements and, if applicable, the date and price of sale.

38 (b) "State agency" means:

39 (1) The State of Nevada, or any agency, instrumentality or
40 corporation thereof; and

41 (2) Faculty of *the University of Nevada or* the Nevada
42 System of Higher Education or any branch or facility thereof.

43 (c) "State Demographer" means the demographer employed
44 pursuant to NRS 360.283.



1 **Sec. 283.** NRS 268.413 is hereby amended to read as follows:
2 268.413 Subject to the limitations contained in NRS 244.368,
3 278.02315, 278.580, 278.582, 278.584, 278.5846, 278.586, 444.340
4 to 444.430, inclusive, and 477.030, the city council or other
5 governing body of an incorporated city may:

6 1. Regulate all matters relating to the construction,
7 maintenance and safety of buildings, structures and property within
8 the city.

9 2. Adopt any building, electrical, plumbing or safety code
10 necessary to carry out the provisions of this section and establish
11 such fees as may be necessary. Except as otherwise provided in
12 NRS 278.580, those fees do not apply to the State of Nevada , *the*
13 *University of Nevada* or the Nevada System of Higher Education.

14 **Sec. 284.** NRS 277.067 is hereby amended to read as follows:

15 277.067 1. Except as otherwise provided in subsection 2, any
16 two or more political subdivisions of this State, agencies of the State
17 , *the University of Nevada* or the Nevada System of Higher
18 Education may enter into a cooperative agreement for the purchase
19 of insurance or the establishment of a self-insurance reserve or fund
20 for coverage under a plan of:

21 (a) Casualty insurance, as that term is defined in
22 NRS 681A.020;

23 (b) Marine and transportation insurance, as that term is defined
24 in NRS 681A.050;

25 (c) Property insurance, as that term is defined in NRS 681A.060;

26 (d) Surety insurance, as that term is defined in NRS 681A.070;

27 (e) Health insurance, as that term is defined in NRS 681A.030;

28 or

29 (f) Insurance for any combination of these kinds of protection.

30 2. Any political subdivision of the State, any agency of the
31 State , *the University of Nevada* or the Nevada System of Higher
32 Education which participates in the Public Employees' Benefits
33 Program shall obtain the approval of the Board of the Public
34 Employees' Benefits Program before it enters into a cooperative
35 agreement for the purchase of health insurance pursuant to
36 paragraph (e) of subsection 1.

37 3. Any such agreement may obligate the respective parties to
38 pledge revenues or contribute money to secure the obligations or
39 pay the expenses of the cooperative undertaking and may provide
40 for the establishment of a separate entity to administer the
41 undertaking.

42 **Sec. 285.** NRS 277.069 is hereby amended to read as follows:

43 277.069 1. Except as otherwise provided in subsections 2 and
44 3, any party to an agreement entered into pursuant to NRS 277.067,
45 or any entity established by such an agreement, may:



1 (a) Obligate itself to contribute money for the purchase of
2 insurance, the establishment of a reserve or fund for coverage, the
3 payment of any debt, or for any other purpose related to the
4 undertaking;

5 (b) Borrow money for any such purpose;

6 (c) Issue notes and bonds evidencing the borrowing; and

7 (d) Secure payment of the notes and bonds by a pledge of
8 revenues.

9 2. Except as otherwise provided in subsection 3, any obligation
10 to contribute money which is undertaken pursuant to a cooperative
11 agreement:

12 (a) Is binding notwithstanding that it is intended to remain in
13 force beyond the current budget year or the terms of office of the
14 present members of the governing body of the obligor.

15 (b) If undertaken to pay any debt, does not remain in force more
16 than 30 years after the date of the borrowing.

17 (c) If undertaken to pay claims and administrative expenses,
18 does not remain in force more than 10 years, except with respect to
19 claims arising from occurrences during the period it is in force.

20 3. Except for a pledge of revenues or obligation to contribute
21 money which pledges revenues or commits money derived from a
22 source other than taxation, any pledge or obligation which is made
23 or undertaken pursuant to a cooperative agreement by an agency of
24 the State, *the University of Nevada* or the Nevada System of
25 Higher Education does not remain in force after the end of the
26 biennium in which it is made or undertaken.

27 **Sec. 286.** NRS 277.0695 is hereby amended to read as
28 follows:

29 277.0695 1. NRS 277.067 and 277.069 provide full authority
30 for the exercise of the powers granted in those sections. No other act
31 or law relating to the authorization or issuance of securities that
32 provides for an election applies to any proceedings taken or acts
33 done pursuant to those sections.

34 2. An issuance of bonds or notes, pledge of revenues, or
35 obligation to contribute money which is made or undertaken
36 pursuant to NRS 277.067 and 277.069 shall be deemed not to create
37 indebtedness for the purposes of any limitation on indebtedness
38 contained in any general or special law or charter.

39 3. Except as otherwise provided in this section and in NRS
40 277.067 and 277.069, the issuance of any bonds or notes pursuant to
41 NRS 277.069 must be made in accordance with:

42 (a) The Local Government Securities Law, if the bonds or notes
43 are issued by or on behalf of a municipality as that term is defined in
44 NRS 350.538;



1 (b) The State Securities Law, if the bonds or notes are issued by
2 or on behalf of an agency of the State; or

3 (c) The University Securities Law, if the bonds or notes are
4 issued by or on behalf of *the University of Nevada* or the Nevada
5 System of Higher Education.

6 **Sec. 287.** NRS 278.580 is hereby amended to read as follows:

7 278.580 1. Subject to the limitation set forth in NRS 244.368
8 and 278.586, the governing body of any city or county may adopt a
9 building code, specifying the design, soundness and materials of
10 structures, and may adopt rules, ordinances and regulations for the
11 enforcement of the building code.

12 2. The governing body may also fix a reasonable schedule of
13 fees for the issuance of building permits. A schedule of fees so fixed
14 does not apply to the State of Nevada, *the University of Nevada* or
15 the Nevada System of Higher Education, except that such entities
16 may enter into a contract with the governing body to pay such fees
17 for the issuance of building permits, the review of plans and the
18 inspection of construction. Except as it may agree to in such a
19 contract, a governing body is not required to provide for the review
20 of plans or the inspection of construction with respect to a structure
21 of the State of Nevada, *the University of Nevada* or the Nevada
22 System of Higher Education.

23 3. Notwithstanding any other provision of law, the State and its
24 political subdivisions shall comply with all zoning regulations
25 adopted pursuant to this chapter, except for the expansion of any
26 activity existing on April 23, 1971.

27 4. A governing body shall amend its building codes and, if
28 necessary, its zoning ordinances and regulations to permit the use
29 of:

30 (a) Straw or other materials and technologies which conserve
31 scarce natural resources or resources that are renewable in the
32 construction of a structure; and

33 (b) Systems which use solar or wind energy to reduce the costs
34 of energy for a structure if such systems and structures are otherwise
35 in compliance with applicable building codes and zoning
36 ordinances, including those relating to the design, location and
37 soundness of such systems and structures,

38 ↪ to the extent the local climate allows for the use of such
39 materials, technologies, resources and systems.

40 5. The amendments required by subsection 4 may address,
41 without limitation:

42 (a) The inclusion of characteristics of land and structures that
43 are most appropriate for the construction and use of systems using
44 solar and wind energy.



1 (b) The recognition of any impediments to the development of
2 systems using solar and wind energy.

3 (c) The preparation of design standards for the construction,
4 conversion or rehabilitation of new and existing systems using solar
5 and wind energy.

6 6. A governing body shall amend its building codes to include:

7 (a) The seismic provisions of the International Building Code
8 published by the International Code Council; and

9 (b) Standards for the investigation of hazards relating to seismic
10 activity, including, without limitation, potential surface ruptures and
11 liquefaction.

12 **Sec. 288.** NRS 278C.140 is hereby amended to read as
13 follows:

14 278C.140 "Undertaking" means any enterprise to acquire,
15 improve or equip, or any combination thereof:

16 1. In the case of counties:

17 (a) A drainage and flood control project, as defined in
18 NRS 244A.027;

19 (b) An overpass project, as defined in NRS 244A.037;

20 (c) A sewerage project, as defined in NRS 244A.0505;

21 (d) A street project, as defined in NRS 244A.053;

22 (e) An underpass project, as defined in NRS 244A.055; or

23 (f) A water project, as defined in NRS 244A.056.

24 2. In the case of cities:

25 (a) A drainage project or flood control project, as defined in
26 NRS 268.682;

27 (b) An overpass project, as defined in NRS 268.700;

28 (c) A sewerage project, as defined in NRS 268.714;

29 (d) A street project, as defined in NRS 268.722;

30 (e) An underpass project, as defined in NRS 268.726; or

31 (f) A water project, as defined in NRS 268.728.

32 3. In the case of a city with respect to any tax increment area
33 created pursuant to a cooperative agreement between the city and
34 the Nevada System of Higher Education pursuant to NRS 278C.155,
35 in addition to the projects described in subsection 2:

36 (a) A project for any other infrastructure necessary or desirable
37 for the principal campus of the Nevada State College that is
38 approved by the ~~{Board}~~ *board* of ~~{Regents}~~ *trustees* of the
39 ~~{University of}~~ Nevada ~~{}~~ *State College* or *the Nevada Office of*
40 *Higher Education Administrative Services;*

41 (b) An educational facility or other capital project for the
42 principal campus of the Nevada State College that is owned by the
43 Nevada System of Higher Education and approved by the ~~{Board}~~
44 *board* of ~~{Regents}~~ *trustees* of the ~~{University of}~~ Nevada ~~{}~~ *State*



1 *College or the Nevada Office of Higher Education Administrative*
2 *Services.*

3 4. In the case of a county or city with respect to any tax
4 increment area created by an ordinance adopted pursuant to NRS
5 278C.157, in addition to the projects described in subsections 1
6 and 2:

- 7 (a) A natural resources project; or
- 8 (b) A rail project.

9 **Sec. 289.** NRS 278C.155 is hereby amended to read as
10 follows:

11 278C.155 1. A tax increment area may be created pursuant to
12 this section by a cooperative agreement between a city in which the
13 principal campus of the Nevada State College is located or intended
14 to be located and the Nevada System of Higher Education, if the
15 boundaries of the tax increment area include only land:

16 (a) On which the principal campus of the Nevada State College
17 is located or intended to be located; and

18 (b) Which:

- 19 (1) Consists of not more than 509 acres;
- 20 (2) Was transferred by the city creating the tax increment
21 area to the Nevada System of Higher Education for the use of the
22 Nevada State College;
- 23 (3) Has never been subject to property taxation; and
- 24 (4) The Nevada System of Higher Education has agreed to

25 continue to own for the term of the tax increment area.

26 ↪ The provisions of NRS 278C.160, subsections 4, 6 and 7 of NRS
27 278C.170, NRS 278C.220, subsections 2 and 3 of NRS 278C.250
28 and paragraph (d) of subsection 6 of NRS 278C.250 do not apply to
29 a tax increment area created pursuant to this section, but such a tax
30 increment area is subject to the provisions of subsections 2 to 9,
31 inclusive.

32 2. Whenever the governing body of a city in which the
33 principal campus of the Nevada State College is located or intended
34 to be located and the ~~{Board}~~ *board* of ~~{Regents}~~ *trustees* of the
35 ~~{University of}~~ Nevada *State College or the Nevada Office of*
36 *Higher Education Administrative Services* determine that the
37 interests of the city, the Nevada System of Higher Education and the
38 public require an undertaking, the governing body and the ~~{Board}~~
39 *board* of ~~{Regents}~~ *trustees or the Office* may enter into a
40 cooperative agreement pursuant to NRS 277.080 to 277.180,
41 inclusive, which describes by reference to the general types of
42 undertakings authorized pursuant to NRS 278C.140 and the
43 undertakings proposed for the tax increment area, and which
44 contains or refers to an exhibit filed with the clerk of the city and



1 ~~[the Secretary of]~~ the ~~[Board]~~ *board* of ~~[Regents]~~ *trustees or the*
2 *Office* which contains:

3 (a) A statement of the last finalized amount of the assessed
4 valuation of the real property within the boundaries of the tax
5 increment area, which boundaries must be in compliance with
6 subsection 1, and a statement that, based upon the records of the
7 county treasurer, no property taxes were collected on any of that
8 property, or on any interest therein, during the most recent year for
9 which those records are available; and

10 (b) A description of the tax increment area or its location, so that
11 the various tracts of taxable real property and any taxable personal
12 property may be identified and determined to be within or without
13 the tax increment area, except that the description need not describe
14 in complete detail each tract of real property proposed to be
15 included within the tax increment area.

16 3. The governing body may, at any time after the effective date
17 of a cooperative agreement entered into pursuant to this section,
18 adopt a resolution that provisionally orders the undertakings and
19 creation of the tax increment area.

20 4. The notice of the meeting required pursuant to subsection 3
21 of NRS 278C.170 must:

22 (a) Describe by reference the general types of undertakings
23 authorized pursuant to NRS 278C.140 and the undertakings
24 proposed for the tax increment area;

25 (b) Describe the last finalized amount of the assessed valuation
26 of the real property within the boundaries of the tax increment area,
27 and state that, based upon the records of the county treasurer, no
28 property taxes were collected on any of that property, or on any
29 interest therein, during the most recent year for which those records
30 are available;

31 (c) Describe the tax increment area or its location, so that the
32 various tracts of taxable real or personal property may be identified
33 and determined to be within or without the tax increment area; and

34 (d) State the date, time and place of the meeting described in
35 subsection 1 of NRS 278C.170.

36 5. If, after considering all properly submitted and relevant
37 written and oral complaints, protests, objections and other relevant
38 comments and after considering any other relevant material, the
39 governing body determines that the undertaking is in the public
40 interest and defines that public interest, the governing body shall
41 determine whether to proceed with the undertaking. If the governing
42 body has ordered any modification to an undertaking and has
43 determined to proceed, the governing body must consult with the
44 ~~[Board]~~ *board* of ~~[Regents]~~ *trustees or the Office* to obtain ~~[its]~~
45 consent to the proposed modification. When the ~~[Board]~~ *board* of



1 ~~{Regents}~~ *trustees or the Office* and the governing body are in
2 agreement on the modification, if any, and a statement of the
3 modification is filed with the clerk, if the governing body wants to
4 proceed with the undertaking, the governing body shall adopt an
5 ordinance in the same manner as any other ordinance:

6 (a) Overruling all complaints, protests and objections not
7 otherwise acted upon;

8 (b) Ordering the undertaking;

9 (c) Describing the tax increment area to which the undertaking
10 pertains; and

11 (d) Creating a tax increment account for the undertaking.

12 6. Money deposited in the tax increment account as described
13 in subparagraph (2) of paragraph (a) of subsection 1 of NRS
14 278C.250 may be used to pay the capital costs of the undertaking
15 directly, in addition to being used to pay the bond requirements of
16 loans, money advanced or indebtedness incurred to finance or
17 refinance an undertaking, and may continue to be used for those
18 purposes until the expiration of the tax increment area pursuant to
19 NRS 278C.300.

20 7. The ~~{Board}~~ *board* of ~~{Regents}~~ *trustees or the Office* may
21 pledge to any securities it issues under a delegation pursuant to
22 subsection 8, or irrevocably dedicate to the city that will issue
23 securities hereunder, any revenues of the Nevada System of Higher
24 Education derived from the campus of the Nevada System of Higher
25 Education whose boundaries are included in whole or in part in the
26 tax increment area, other than revenues from state appropriations
27 and from student fees, and subject to any covenants or restrictions in
28 any instruments authorizing other securities. Such an irrevocable
29 dedication must be for the term of the securities issued by the city
30 and any securities refunding those securities and may also extend
31 for the term of the tax increment area.

32 8. The city may delegate to the ~~{Board}~~ *board* of ~~{Regents}~~
33 *trustees or the Office* the authority to issue any security other than a
34 general obligation security which the city is authorized to issue
35 pursuant to this chapter, and in connection therewith, may
36 irrevocably dedicate to the ~~{Board}~~ *board* of ~~{Regents}~~ *trustees or*
37 *the Office* the revenues that are authorized pursuant to this chapter
38 to be pledged or used to repay those securities, including, without
39 limitation, all money in the tax increment account created pursuant
40 to subsection 5. The irrevocable dedication of any security pursuant
41 to this subsection must be for the term of the security issued by the
42 Nevada System of Higher Education and any security refunding
43 those securities and may also extend for the term of the tax
44 increment area.



1 9. If the boundaries of a county school district include a tax
2 increment area created pursuant to this section and the county
3 school district operates a public school on property within the
4 boundaries of that tax increment area, the county school district and
5 the Nevada System of Higher Education shall consult with one
6 another regarding funding for the operating costs of that public
7 school.

8 **Sec. 290.** NRS 281.060 is hereby amended to read as follows:

9 281.060 1. Only citizens or wards of the United States or
10 persons who have been honorably discharged from the military
11 service of the United States may be employed by any officer of the
12 State of Nevada, by any political subdivision of the State, or by any
13 person acting under or for such an officer in any office or
14 department of the State of Nevada or political subdivision of the
15 State.

16 2. In all cases where persons are so employed, preference must
17 be given, if the qualifications of the applicants are equal:

18 (a) First: To honorably discharged military personnel of the
19 United States who are citizens of the State of Nevada.

20 (b) Second: To other citizens of the State of Nevada.

21 3. Nothing in this section prevents:

22 (a) The working of prisoners by the State of Nevada or by any
23 political subdivision of the State, on street or road work or other
24 public work.

25 (b) The employment of aliens, who have not forfeited their right
26 to citizenship by claiming exemption from military service, as
27 common laborers in the construction of public roads, when it can be
28 shown that citizens or wards of the United States or persons who
29 have been honorably discharged from the military service of the
30 United States are not available for such employment. Any alien so
31 employed must be replaced by a citizen, ward or ex-service person
32 of the United States applying for employment.

33 (c) The employment of any teacher, instructor or professor
34 authorized to teach in the United States under the teacher-exchange
35 programs as authorized by federal laws enacted by the Congress of
36 the United States.

37 (d) Except as otherwise provided in this paragraph, the
38 employment of aliens by *the University of Nevada or* the Nevada
39 System of Higher Education in the technical, graduate assistant and
40 student categories. Except in the foreign language departments, not
41 more than 5 percent of the total number of persons employed in the
42 technical, graduate assistant and student categories may be aliens.

43 (e) Employment of aliens in any state or political subdivision
44 hospital.



1 4. Subject to the exceptions contained in this section, money
2 must not be paid out of the State Treasury or out of the treasury of
3 any political subdivision of the State to any person employed on any
4 of the work mentioned in this section unless the person is a citizen
5 or ward or naturalized citizen of the United States.

6 5. Any officer of the State of Nevada, or of any political
7 subdivision of the State, or any person acting under or for such an
8 officer, or any other person who violates any of the provisions of
9 this section is guilty of a misdemeanor. The penalties provided for
10 in this section do not apply where the violations result from
11 misrepresentations made by the employee by the production of
12 fraudulent papers evidencing citizenship in the United States.

13 **Sec. 291.** NRS 281.122 is hereby amended to read as follows:

14 281.122 1. Except as otherwise provided in this section, a
15 public body shall not enter into an employment contract that entitles
16 an officer or employee of the public body to receive:

17 (a) Any fringe benefit, unless the public body has adopted a
18 policy authorizing all persons employed by the public body in a
19 similar position to receive the benefit.

20 (b) Any bonus, unless the bonus is based on merit and awarded
21 at a public meeting.

22 (c) Upon the termination of the employment of the officer or
23 employee for cause or the resignation of the officer or employee
24 when an investigation relating to his or her employment is pending,
25 any:

26 (1) Wages in lieu of notice or administrative leave;

27 (2) Salary, benefits or equivalent compensation, including,
28 without limitation, severance pay;

29 (3) Bonus; or

30 (4) Other form of payment.

31 2. Upon the termination of the employment of an officer or
32 employee of a public body, the person:

33 (a) Must be paid for any portion of accumulated annual leave
34 and compensatory time and unused sick leave authorized by law or
35 policy of the public body.

36 (b) Remains entitled to any pension or retirement benefit
37 provided by the Public Employees' Retirement System or other
38 retirement or pension program of which he or she is a member.

39 3. Nothing in this section shall be construed to limit or
40 prohibit:

41 (a) A person from:

42 (1) Receiving compensation for past services upon his or her
43 termination;



1 (2) Bringing any cause of action for wrongful or unlawful
2 acts committed against the person relating to his or her employment
3 or termination; or

4 (3) Accepting any legal or equitable relief awarded or
5 recovered for wrongful or unlawful acts committed against the
6 person relating to his or her employment or termination.

7 (b) A public body from entering into an agreement to pay the
8 cost of purchasing credit for service on behalf of an officer or
9 employee pursuant to NRS 286.3007 or under any other retirement
10 or pension program, if applicable.

11 4. The provisions of this section do not apply to:

12 (a) Any contract negotiated pursuant to a collective bargaining
13 agreement.

14 (b) Officers and employees of *the University of Nevada* or the
15 Nevada System of Higher Education.

16 5. As used in this section, “public body” has the meaning
17 ascribed to it in NRS 241.015.

18 **Sec. 292.** NRS 281.123 is hereby amended to read as follows:

19 281.123 1. Except as otherwise provided in subsection 3 or
20 NRS 281.1233, or as authorized by statute referring specifically to
21 that position, the salary of a person employed by the State or any
22 agency of the State must not exceed 95 percent of the salary for the
23 office of Governor during the same period.

24 2. As used in subsection 1, the term “salary”:

25 (a) Includes any:

26 (1) Payment received by an employee for being available to
27 work although the employee was not actually required to perform
28 the work;

29 (2) Increase in salary provided to compensate for a rise in the
30 cost of living; and

31 (3) Payment received as compensation for purportedly
32 performing additional duties.

33 (b) Excludes any:

34 (1) Payment received as compensation for overtime even if
35 that payment is otherwise authorized by law; and

36 (2) Rent or utilities supplied to an employee if the employee
37 is required by statute or regulation to live in a particular dwelling.

38 3. The provisions of subsection 1 do not apply to the salaries
39 of:

40 (a) Dentists and physicians employed full-time by the State; or

41 (b) Officers and employees of *the University of Nevada* and the
42 Nevada System of Higher Education.

43 **Sec. 293.** NRS 281.210 is hereby amended to read as follows:

44 281.210 1. Except as otherwise provided in this section, it is
45 unlawful for any person acting as a school trustee, state, township,



1 municipal or county officer, or as an employing authority of *the*
2 *University of Nevada* or the Nevada System of Higher Education,
3 any school district or of the State, any town, city or county, or for
4 any state or local board, agency or commission, elected or
5 appointed, to employ in any capacity on behalf of the State of
6 Nevada, or any county, township, municipality or school district
7 thereof, or *the University of Nevada* or the Nevada System of
8 Higher Education, any relative of such a person or of any member of
9 such a board, agency or commission who is within the third degree
10 of consanguinity or affinity.

11 2. This section does not apply:

12 (a) To school districts, when the teacher or other school
13 employee is not related to more than one of the trustees or person
14 who is an employing authority by consanguinity or affinity and
15 receives a unanimous vote of all members of the board of trustees
16 and approval by the Department of Education.

17 (b) To school districts, when the teacher or other school
18 employee has been employed by an abolished school district or
19 educational district, which constitutes a part of the employing
20 county school district, and the county school district for 4 years or
21 more before April 1, 1957.

22 (c) To the spouse of the warden of an institution or manager of a
23 facility of the Department of Corrections.

24 (d) To relatives of officers and employees who are blind of the
25 Bureau of Services to Persons Who Are Blind or Visually Impaired
26 of the Rehabilitation Division of the Department of Employment,
27 Training and Rehabilitation when those relatives are employed as
28 automobile drivers for those officers and employees.

29 3. Nothing in this section:

30 (a) Prevents any officer in this State, employed under a flat
31 salary, from employing any suitable person to assist in any such
32 employment, when the payment for the service is met out of the
33 personal money of the officer.

34 (b) Disqualifies any widow with a dependent as an employee of
35 any officer or board in this State, or any of its counties, townships,
36 municipalities or school districts.

37 4. A person employed contrary to the provisions of this section
38 must not be compensated for the employment.

39 5. Any person violating any provisions of this section is guilty
40 of a gross misdemeanor.

41 **Sec. 294.** NRS 281.221 is hereby amended to read as follows:

42 281.221 1. Except as otherwise provided in this section and
43 NRS 281A.430, it is unlawful for a state officer, who is not a
44 member of the Legislature subject to the restrictions set forth in
45 NRS 218A.970, to:



1 (a) Become a contractor under any contract or order for supplies
2 or other kind of contract authorized by or for the State or any of its
3 departments, or the Legislature or either of its houses, or to be
4 interested, directly or indirectly, as principal, in any kind of contract
5 so authorized.

6 (b) Be interested in any contract made by the officer or to be a
7 purchaser or interested in any purchase under a sale made by the
8 officer in the discharge of the officer's official duties.

9 2. A member of any board, commission or similar body who is
10 engaged in the profession, occupation or business regulated by the
11 board, commission or body may supply or contract to supply, in the
12 ordinary course of his or her business, goods, materials or services
13 to any state or local agency, except the board, commission or body
14 of which he or she is a member, if the member has not taken part in
15 developing the contract plans or specifications and the member will
16 not be personally involved in opening, considering or accepting
17 offers.

18 3. A full- or part-time faculty member in *the University of*
19 *Nevada or* the Nevada System of Higher Education may bid on or
20 enter into a contract with a governmental agency, or may benefit
21 financially or otherwise from a contract between a governmental
22 agency and a private entity, if the contract complies with the
23 policies established by the ~~{Board of Regents of the University of~~
24 ~~Nevada}~~ *relevant higher education governing body* pursuant to
25 NRS 396.255.

26 4. A state officer, other than an officer described in subsection
27 2 or 3, may bid on or enter into a contract with a governmental
28 agency if the contracting process is controlled by rules of open
29 competitive bidding, the sources of supply are limited, the officer
30 has not taken part in developing the contract plans or specifications
31 and the officer will not be personally involved in opening,
32 considering or accepting offers.

33 5. Any contract made in violation of this section may be
34 declared void at the instance of the State or of any other person
35 interested in the contract except an officer prohibited from making
36 or being interested in the contract.

37 6. A person who violates this section is guilty of a gross
38 misdemeanor and shall forfeit his or her office.

39 7. *As used in this section, "higher education governing body"*
40 *has the meaning ascribed to it in NRS 396.005.*

41 **Sec. 295.** NRS 281.230 is hereby amended to read as follows:

42 281.230 1. Except as otherwise provided in this section and
43 NRS 218A.970, 281A.430 and 332.800, the following persons shall
44 not, in any manner, directly or indirectly, receive any commission,
45 personal profit or compensation of any kind resulting from any



1 contract or other significant transaction in which the employing
2 state, county, municipality, township, district or quasi-municipal
3 corporation is in any way directly interested or affected:

4 (a) State, county, municipal, district and township officers of the
5 State of Nevada;

6 (b) Deputies and employees of state, county, municipal, district
7 and township officers; and

8 (c) Officers and employees of quasi-municipal corporations.

9 2. A member of any board, commission or similar body who is
10 engaged in the profession, occupation or business regulated by the
11 board, commission or body may, in the ordinary course of his or her
12 business, bid on or enter into a contract with any governmental
13 agency, except the board, commission or body of which he or she is
14 a member, if the member has not taken part in developing the
15 contract plans or specifications and the member will not be
16 personally involved in opening, considering or accepting offers.

17 3. A full- or part-time faculty member or employee of *the*
18 *University of Nevada* or the Nevada System of Higher Education
19 may bid on or enter into a contract with a governmental agency, or
20 may benefit financially or otherwise from a contract between a
21 governmental agency and a private entity, if the contract complies
22 with the policies established by the ~~Board of Regents of the~~
23 ~~University of Nevada~~ *relevant higher education governing body*
24 pursuant to NRS 396.255.

25 4. A public officer or employee, other than an officer or
26 employee described in subsection 2 or 3, may bid on or enter into a
27 contract with a governmental agency if the contracting process is
28 controlled by rules of open competitive bidding, the sources of
29 supply are limited, the public officer or employee has not taken part
30 in developing the contract plans or specifications and the public
31 officer or employee will not be personally involved in opening,
32 considering or accepting offers. If a public officer who is authorized
33 to bid on or enter into a contract with a governmental agency
34 pursuant to this subsection is a member of the governing body of the
35 agency, the public officer, pursuant to the requirements of NRS
36 281A.420, shall disclose his or her interest in the contract and shall
37 not vote on or advocate the approval of the contract.

38 5. A person who violates any of the provisions of this section
39 shall be punished as provided in NRS 197.230 and:

40 (a) Where the commission, personal profit or compensation is
41 \$650 or more, for a category D felony as provided in NRS 193.130.

42 (b) Where the commission, personal profit or compensation is
43 less than \$650, for a misdemeanor.

44 6. A person who violates the provisions of this section shall
45 pay any commission, personal profit or compensation resulting from



1 the contract or transaction to the employing state, county,
2 municipality, township, district or quasi-municipal corporation as
3 restitution.

4 *7. As used in this section, "higher education governing body"*
5 *has the meaning ascribed to it in NRS 396.005.*

6 **Sec. 296.** NRS 281.755 is hereby amended to read as follows:

7 281.755 1. Except as otherwise provided in subsections 2 and
8 5, a public body shall provide an employee who is the mother of a
9 child under 1 year of age with:

10 (a) Reasonable break time, with or without compensation, for
11 the employee to express breast milk as needed; and

12 (b) A place, other than a bathroom, that is reasonably free from
13 dirt or pollution, protected from the view of others and free from
14 intrusion by others where the employee may express breast milk.

15 2. If the public body determines that complying with the
16 provisions of subsection 1 will cause an undue hardship considering
17 the size, financial resources, nature and structure of the public body,
18 the public body may meet with the employee to agree upon a
19 reasonable alternative. If the parties are not able to reach an
20 agreement, the public body may require the employee to accept a
21 reasonable alternative selected by the public body and the employee
22 may appeal the decision by filing a complaint in the manner set
23 forth in subsection 4.

24 3. An officer or agent of a public body shall not retaliate, or
25 direct or encourage another person to retaliate, against an employee
26 of the public body because the employee has:

27 (a) Taken break time or used the space provided pursuant to
28 subsection 1 or 2 to express breast milk; or

29 (b) Taken any action to require the public body to comply with
30 the requirements of this section, including, without limitation, filing
31 a complaint, testifying, assisting or participating in any manner in an
32 investigation, proceeding or hearing to enforce the provisions of this
33 section.

34 4. An employee who is aggrieved by the failure of a public
35 body to comply with the provisions of this section may:

36 (a) If the employee is employed by the Executive Department of
37 State Government, is not an employee of an entity described in NRS
38 284.013 and is not an employee in a bargaining unit pursuant to
39 NRS 288.400 to 288.630, inclusive, file a complaint with the
40 Employee-Management Committee in accordance with the
41 procedures provided pursuant to NRS 284.384;

42 (b) If the employee is employed by the Legislative Department
43 of State Government, file a complaint with the Director of the
44 Legislative Counsel Bureau;



1 (c) If the employee is employed by the Judicial Department of
2 State Government, file a complaint with the Court Administrator;
3 and

4 (d) If the employee is employed by a political subdivision of this
5 State or any public or quasi-public corporation organized under the
6 laws of this State or if the employee is employed by the Executive
7 Department of State Government and is an employee in a bargaining
8 unit pursuant to NRS 288.400 to 288.630, inclusive, file a complaint
9 with the Government Employee-Management Relations Board in
10 the manner set forth in NRS 288.115.

11 5. The requirements of this section do not apply to the
12 Department of Corrections. The Department is encouraged to
13 comply with the provisions of this section to the extent practicable.

14 6. As used in this section, "public body" means:

15 (a) The State of Nevada, or any agency, instrumentality or
16 corporation thereof;

17 (b) *The University of Nevada or the* Nevada System of Higher
18 Education; or

19 (c) Any political subdivision of this State or any public or quasi-
20 public corporation organized under the laws of this State, including,
21 without limitation, counties, cities, unincorporated towns, school
22 districts, charter schools, hospital districts, irrigation districts and
23 other special districts.

24 **Sec. 297.** NRS 281A.182 is hereby amended to read as
25 follows:

26 281A.182 1. Any person who serves in one of the following
27 positions is designated as a public officer solely and exclusively for
28 the purposes of this chapter:

29 (a) A president of a university, state college or community
30 college within *the University of Nevada or* the Nevada System of
31 Higher Education.

32 (b) A superintendent of a county school district.

33 (c) A county manager or a city manager.

34 2. The provisions of subsection 1 apply to such a person
35 regardless of whether the person serves in the position:

36 (a) By appointment, contract or employment;

37 (b) With or without compensation; or

38 (c) On a temporary, interim or acting basis.

39 3. A person who is not otherwise a public officer is designated
40 as a public officer solely and exclusively for the purposes of this
41 chapter if the person:

42 (a) Enters into a contract with any state or local agency;

43 (b) Is paid compensation with public money; and



1 (c) Serves in a position which involves the exercise of a public
2 power, trust or duty and which ordinarily would be held or filled by
3 a public officer.

4 4. A person who is not otherwise a public employee is
5 designated as a public employee solely and exclusively for the
6 purposes of this chapter if:

7 (a) The person enters into a contract with any state or local
8 agency;

9 (b) The person is paid compensation with public money;

10 (c) The person serves in a position which involves the
11 performance of public duties under the substantial and continuing
12 direction and control of a public officer or supervisory public
13 employee;

14 (d) The position ordinarily would be held or filled by a public
15 employee and would require the public employee to hold a valid
16 professional or occupational license or similar type of authorization
17 issued by a state or local agency to perform the public duties of the
18 position, other than a general business license or similar type of
19 authorization;

20 (e) The position is entrusted with public duties of a substantial
21 and continuing nature which ordinarily would require a public
22 employee to avoid conflicts between the private interests of the
23 public employee and those of the general public whom the public
24 employee serves; and

25 (f) The person occupies the position on a full-time basis or its
26 equivalent for a substantial and continuing period of time.

27 5. The provisions of subsections 3 and 4 must be interpreted
28 and applied to ensure that a person does not evade the provisions of
29 this chapter because a state or local agency elects to use a
30 contractual relationship instead of an employment relationship for a
31 position which ordinarily would be held or filled by a public officer
32 or employee.

33 6. If, pursuant to this section, any person is designated as a
34 public officer or employee for the purposes of this chapter, that
35 designation:

36 (a) Does not make the person a public officer or employee for
37 the purposes of any other law or for any other purposes; and

38 (b) Must not be used, interpreted or applied in any manner to
39 establish, suggest or prove that the person is a public officer or
40 employee for the purposes of any other law or for any other
41 purposes.

42 **Sec. 298.** NRS 281A.430 is hereby amended to read as
43 follows:

44 281A.430 1. Except as otherwise provided in this section and
45 NRS 218A.970 and 332.800, a public officer or employee shall not



1 bid on or enter into a contract between an agency and any business
2 entity in which the public officer or employee has a significant
3 pecuniary interest.

4 2. A member of any board, commission or similar body who is
5 engaged in the profession, occupation or business regulated by such
6 board, commission or body may, in the ordinary course of his or her
7 business, bid on or enter into a contract with an agency, except the
8 board, commission or body on which he or she is a member, if the
9 member has not taken part in developing the contract plans or
10 specifications and the member will not be personally involved in
11 opening, considering or accepting offers.

12 3. A full- or part-time faculty member or employee of *the*
13 *University of Nevada* or the Nevada System of Higher Education
14 may bid on or enter into a contract with an agency, or may benefit
15 financially or otherwise from a contract between an agency and a
16 private entity, if the contract complies with the policies established
17 by the ~~[Board of Regents of the University of Nevada]~~ *relevant*
18 *higher education governing body* pursuant to NRS 396.255.

19 4. Except as otherwise provided in subsection 2, 3 or 5, a
20 public officer or employee may bid on or enter into a contract with
21 an agency if:

22 (a) The contracting process is controlled by the rules of open
23 competitive bidding or the rules of open competitive bidding or for a
24 solicitation are not employed as a result of the applicability of NRS
25 332.112 or 332.148;

26 (b) The sources of supply are limited;

27 (c) The public officer or employee has not taken part in
28 developing the contract plans or specifications; and

29 (d) The public officer or employee will not be personally
30 involved in opening, considering or accepting offers.

31 ➤ If a public officer who is authorized to bid on or enter into a
32 contract with an agency pursuant to this subsection is a member of
33 the governing body of the agency, the public officer, pursuant to the
34 requirements of NRS 281A.420, shall disclose the public officer's
35 interest in the contract and shall not vote on or advocate the
36 approval of the contract.

37 5. A member of a local legislative body shall not, either
38 individually or through any business entity in which the member has
39 a significant pecuniary interest, sell goods or services to the local
40 agency governed by his or her local legislative body unless:

41 (a) The member, or the business entity in which the member has
42 a significant pecuniary interest, offers the sole source of supply of
43 the goods or services within the territorial jurisdiction of the local
44 agency governed by his or her local legislative body;



1 (b) The local legislative body includes in the public notice and
2 agenda for the meeting at which it will consider the purchase of
3 such goods or services a clear and conspicuous statement that it is
4 considering purchasing such goods or services from one of its
5 members, or from a business entity in which the member has a
6 significant pecuniary interest;

7 (c) At the meeting, the member discloses his or her significant
8 pecuniary interest in the purchase of such goods or services and
9 does not vote upon or advocate the approval of the matter pursuant
10 to the requirements of NRS 281A.420; and

11 (d) The local legislative body approves the purchase of such
12 goods or services in accordance with all other applicable provisions
13 of law.

14 6. The Commission may relieve a public officer or employee
15 from the strict application of the provisions of this section if:

16 (a) The public officer or employee files a request for an advisory
17 opinion from the Commission pursuant to NRS 281A.675; and

18 (b) The Commission determines that such relief is not contrary
19 to:

20 (1) The best interests of the public;

21 (2) The continued ethical integrity of each agency affected
22 by the matter; and

23 (3) The provisions of this chapter.

24 7. For the purposes of subsection 6, the request for an advisory
25 opinion, the advisory opinion and all meetings, hearings and
26 proceedings of the Commission in such a matter are governed by the
27 provisions of NRS 281A.670 to 281A.690, inclusive.

28 **8. *As used in this section, "higher education governing body"***
29 ***has the meaning ascribed to it in NRS 396.005.***

30 **Sec. 299.** NRS 284.140 is hereby amended to read as follows:

31 284.140 The unclassified service of the State consists of the
32 following state officers or employees in the Executive Department
33 of the State Government who receive annual salaries for their
34 services:

35 1. Members of boards and commissions, and heads of
36 departments, agencies and institutions required by law to be
37 appointed.

38 2. Except as otherwise provided in NRS 223.085, 223.600 and
39 232.461 all persons required by law to be appointed by the
40 Governor or heads of departments or agencies appointed by the
41 Governor or by boards.

42 3. All employees other than clerical in the Office of the
43 Attorney General and the State Public Defender required by law to
44 be appointed by the Attorney General or the State Public Defender.



1 4. Except as otherwise provided by ~~[the Board of Regents of~~
2 ~~the University of Nevada]~~ *a higher education governing body*
3 pursuant to NRS 396.251, officers and members of the teaching
4 staff and the staffs of the Agricultural Extension Department and
5 Experiment Station of the *University of Nevada*, ~~[System of Higher~~
6 ~~Education,]~~ or any other state institution of learning, and student
7 employees of these institutions. Custodial, clerical or maintenance
8 employees of these institutions are in the classified service. The
9 Board of Regents of the University of Nevada *and any other higher*
10 *education governing body, as applicable*, shall assist the
11 Administrator in carrying out the provisions of this chapter
12 applicable to *the University of Nevada or* the Nevada System of
13 Higher Education. *As used in this subsection, "higher education*
14 *governing body" has the meaning ascribed to it in NRS 396.005.*

15 5. All other officers and employees authorized by law to be
16 employed in the unclassified service.

17 **Sec. 300.** NRS 284.325 is hereby amended to read as follows:

18 284.325 1. The Commission shall adopt regulations not
19 inconsistent with this section for the certification of qualified
20 persons for temporary service.

21 2. Except as otherwise provided in subsection 3, temporary
22 positions which occur, terminate or recur periodically must be filled
23 by certification in accordance with the regulations adopted by the
24 Commission.

25 3. An agency may appoint persons temporarily for less than
26 160 cumulative hours during any calendar year without regard to the
27 regulations adopted by the Commission pursuant to subsection 1.

28 4. The limitation on hours set forth in subsection 3 does not
29 apply to temporary or part-time service by:

30 (a) A pupil attending the pupil's last 2 years of high school;

31 (b) A student employed by the college or university the student
32 attends;

33 (c) A person certified for temporary service in accordance with
34 NRS 284.327;

35 (d) An employee of an events center, museum or research center
36 of *the University of Nevada or* the Nevada System of Higher
37 Education;

38 (e) A person employed by *the University of Nevada or* the
39 Nevada System of Higher Education in a temporary position which
40 recurs periodically for the registration of students; or

41 (f) A person employed by *the University of Nevada* the Nevada
42 System of Higher Education to provide such assistance to a student
43 with a disability or to a student with an identified academic
44 disadvantage as it determines is necessary for the academic success



1 of the student, including, without limitation, a person employed as a
2 tutor, note taker, reader, sign interpreter or test proctor.

3 5. The acceptance or refusal by an eligible person of a
4 temporary appointment does not affect the person's standing on the
5 register for permanent employment, nor may the period of
6 temporary service be counted as part of the probationary period in
7 case of subsequent appointment to a permanent position.

8 6. Successive temporary appointments to the same position
9 must not be made under this section.

10 7. As used in this section, "student with an identified academic
11 disadvantage" includes, without limitation, a student who *the*
12 *University of Nevada or* the Nevada System of Higher Education
13 has determined requires the services of a tutor for success in a
14 course of study.

15 **Sec. 301.** NRS 284.343 is hereby amended to read as follows:

16 284.343 1. Except as otherwise provided in this subsection,
17 after consultation with appointing authorities, and in cooperation
18 with the State Board of Examiners, the Commission shall adopt
19 regulations for all training of employees in the state service.
20 Professional employees of the teaching staff, Agricultural Extension
21 Service and Nevada Agricultural Experiment Station staffs of the
22 *University of Nevada*, ~~[System of Higher Education,]~~ or any other
23 state institution of learning and student employees of such an
24 institution are exempt from the provisions of this section.

25 2. The regulations adopted pursuant to subsection 1 must:

26 (a) Include requirements for the training of supervisors and
27 managerial employees concerning implicit bias.

28 (b) Set forth the conditions under which educational leave
29 stipends may be paid to any officer or employee of the State. Except
30 as otherwise provided in NRS 612.230 and with the exception of
31 intermittent course work not leading to the awarding of a degree, no
32 person may be granted educational leave stipends until the person
33 has entered into a contract with the person's employing agency
34 whereby the person agrees to pursue only those courses required for
35 a degree related to the person's employment with the State and to
36 return to the employ of the person's employing agency on the basis
37 of 1 year for each 9 months of educational leave taken or to refund
38 the total amount of the stipends regardless of the balance at the time
39 of separation.

40 3. This section does not prevent the granting of sabbatical
41 leaves by ~~[the Board of Regents of the University of Nevada.]~~ *a*
42 *higher education governing body, as defined in NRS 396.005, or*
43 *the Nevada Office of Higher Education Administrative Services.*



1 4. Where practicable all training for state employees must be
2 presented through established educational institutions within the
3 State.

4 5. The Division shall coordinate all training activities related to
5 remedial programs and programs for career development designed
6 to correct educational and training deficiencies of state employees
7 and create employment opportunities for the disadvantaged. In
8 connection with these activities, the Division, with the approval of
9 the Governor, is designated to enter into contractual arrangements
10 with the Federal Government and others that provide grants or other
11 money for educational and training activities.

12 **Sec. 302.** NRS 284.345 is hereby amended to read as follows:

13 284.345 1. Except as otherwise provided in subsection 2, the
14 Commission shall adopt regulations for attendance and leave with or
15 without pay or reduced pay in the various classes of positions in the
16 public service.

17 2. ~~[The Board of Regents of the University of Nevada]~~ *Each*
18 *higher education governing body* shall adopt regulations for
19 attendance and for leave with or without pay or with reduced pay,
20 sabbatical leave, sick leave, emergency leave, annual leave, terminal
21 leave, military leave and such other leave as the ~~[Board of Regents]~~
22 *higher education governing body* determines to be necessary or
23 desirable for officers and members of the faculty of *the University*
24 *of Nevada and* the Nevada System of Higher Education ~~[]~~, *as*
25 *applicable*. Sabbatical leave with pay may not be granted to more
26 than 2 percent of the teaching personnel of a branch or facility of the
27 *University or* System with the rank of instructor or higher in any 1
28 year. No sabbatical leave with pay may be granted unless the person
29 requesting the leave agrees in writing with the branch or facility to
30 return to the branch or facility after the leave for a period not less
31 than that required by the person's most recent contract of
32 employment if *University of Nevada or* the Nevada System of
33 Higher Education desires the person's continued service.

34 3. *As used in this section, "higher education governing body"*
35 *has the meaning ascribed to it in NRS 396.005.*

36 **Sec. 303.** NRS 284.350 is hereby amended to read as follows:

37 284.350 1. Except as otherwise provided in subsections 2, 3
38 and 4, an employee in the public service, whether in the classified or
39 unclassified service, is entitled to annual leave with pay of 1 1/4
40 working days for each month of continuous public service. The
41 annual leave may be cumulative from year to year not to exceed 30
42 working days. The Commission may by regulation provide for
43 additional annual leave for long-term employees and for prorated
44 annual leave for part-time employees.



1 2. Except as otherwise provided in this subsection, any annual
2 leave in excess of 30 working days must be used before January 1 of
3 the year following the year in which the annual leave in excess of 30
4 working days is accumulated or the amount of annual leave in
5 excess of 30 working days is forfeited on that date. If an employee:

6 (a) On or before October 15, requests permission to take annual
7 leave; and

8 (b) The employee's request for leave is denied in writing for any
9 reason,

10 ↪ the employee is entitled to payment for any annual leave in
11 excess of 30 working days which the employee requested to take
12 and which the employee would otherwise forfeit as the result of the
13 denial of the employee's request, unless the employee has final
14 authority to approve use of the employee's own accrued leave and
15 the employee received payment pursuant to this subsection for any
16 unused annual leave in excess of 30 working days accumulated
17 during the immediately preceding calendar year. The payment for
18 the employee's unused annual leave must be made to the employee
19 not later than January 31.

20 3. Officers and members of the faculty of *the University of*
21 *Nevada and* the Nevada System of Higher Education are entitled to
22 annual leave as provided by the regulations adopted pursuant to
23 subsection 2 of NRS 284.345.

24 4. The Commission shall establish by regulation a schedule for
25 the accrual of annual leave for employees who regularly work more
26 than 40 hours per week or 80 hours biweekly. The schedule must
27 provide for the accrual of annual leave at the same rate
28 proportionately as employees who work a 40-hour week accrue
29 annual leave.

30 5. No elected state officer may be paid for accumulated annual
31 leave upon termination of the officer's service.

32 6. During the first 6 months of employment of any employee in
33 the public service, annual leave accrues as provided in subsection 1,
34 but no annual leave may be taken during that period.

35 7. No employee in the public service may be paid for
36 accumulated annual leave upon termination of employment unless
37 the employee has been employed for 6 months or more.

38 8. Upon the request of an employee, the appointing authority of
39 the employee may approve the reduction or satisfaction of an
40 overpayment of the salary of the employee that was not obtained by
41 the fraud or willful misrepresentation of the employee with a
42 corresponding amount of the accrued annual leave of the employee.

43 **Sec. 304.** NRS 284.355 is hereby amended to read as follows:

44 284.355 1. Except as otherwise provided in this section, all
45 employees in the public service, whether in the classified or



1 unclassified service, are entitled to sick and disability leave with pay
2 of 1 1/4 working days for each month of service, which may be
3 cumulative from year to year. After an employee has accumulated
4 90 working days of sick leave, the amount of additional unused sick
5 leave which the employee is entitled to carry forward from 1 year to
6 the next is limited to one-half of the unused sick leave accrued
7 during that year, but the Commission may by regulation provide for
8 subsequent use of unused sick leave accrued but not carried forward
9 because of this limitation in cases where the employee is suffering
10 from a long-term or chronic illness and has used all sick leave
11 otherwise available to the employee.

12 2. Upon the retirement of an employee, the employee's
13 termination through no fault of the employee or the employee's
14 death while in public employment, the employee or the
15 employee's beneficiaries are entitled to payment:

16 (a) For the employee's unused sick leave in excess of 30 days,
17 exclusive of any unused sick leave accrued but not carried forward,
18 according to the employee's number of years of public service,
19 except service with a political subdivision of the State, as follows:

20 (1) For 10 years of service or more but less than 15 years, not
21 more than \$2,500.

22 (2) For 15 years of service or more but less than 20 years, not
23 more than \$4,000.

24 (3) For 20 years of service or more but less than 25 years, not
25 more than \$6,000.

26 (4) For 25 years of service, not more than \$8,000.

27 (b) For the employee's unused sick leave accrued but not carried
28 forward, an amount equal to one-half of the sum of:

29 (1) The employee's hours of unused sick leave accrued but
30 not carried forward; and

31 (2) An additional 120 hours.

32 3. The Commission may by regulation provide for additional
33 sick and disability leave for long-term employees and for prorated
34 sick and disability leave for part-time employees.

35 4. An employee entitled to payment for unused sick leave
36 pursuant to subsection 2 may elect to receive the payment in any
37 one or more of the following forms:

38 (a) A lump-sum payment.

39 (b) An advanced payment of the premiums or contributions for
40 insurance coverage for which the employee is otherwise eligible
41 pursuant to chapter 287 of NRS. If the insurance coverage is
42 terminated and the money advanced for premiums or contributions
43 pursuant to this subsection exceeds the amount which is payable for
44 premiums or contributions for the period for which the former
45 employee was actually covered, the unused portion of the advanced



1 payment must be paid promptly to the former employee or, if the
2 employee is deceased, to the employee's beneficiary.

3 (c) The purchase of additional retirement credit, if the employee
4 is otherwise eligible pursuant to chapter 286 of NRS.

5 5. Officers and members of the faculty of *the University of*
6 *Nevada and* the Nevada System of Higher Education are entitled to
7 sick and disability leave as provided by the regulations adopted
8 pursuant to subsection 2 of NRS 284.345.

9 6. The Commission may by regulation provide policies
10 concerning employees with mental or emotional disorders which:

11 (a) Use a liberal approach to the granting of sick leave or leave
12 without pay to such an employee if it is necessary for the employee
13 to be absent for treatment or temporary hospitalization.

14 (b) Provide for the retention of the job of such an employee for a
15 reasonable period of absence, and if an extended absence
16 necessitates separation or retirement, provide for the reemployment
17 of such an employee if at all possible after recovery.

18 (c) Protect employee benefits, including, without limitation,
19 retirement, life insurance and health benefits.

20 7. The Commission shall establish by regulation a schedule for
21 the accrual of sick leave for employees who regularly work more
22 than 40 hours per week or 80 hours biweekly. The schedule must
23 provide for the accrual of sick leave at the same rate proportionately
24 as employees who work a 40-hour week accrue sick leave.

25 8. The Division may investigate any instance in which it
26 believes that an employee has taken sick or disability leave to which
27 the employee was not entitled. If, after notice to the employee and a
28 hearing, the Commission determines that the employee has taken
29 sick or disability leave to which the employee was not entitled, the
30 Commission may order the forfeiture of all or part of the employee's
31 accrued sick leave.

32 **Sec. 305.** NRS 284.360 is hereby amended to read as follows:

33 284.360 1. Any person holding a permanent position in the
34 classified service may be granted a leave of absence without pay.
35 Leave of absence may be granted to any person holding a position in
36 the classified service to permit acceptance of an appointive position
37 in the unclassified service. Leave of absence must be granted to any
38 person holding a position in the classified service to permit
39 acceptance of a position in the Legislative Branch during a regular
40 or special session of the Legislature, including a reasonable period
41 before and after the session if the entire period of employment in the
42 Legislative Branch is continuous.

43 2. If a person is granted a leave of absence without pay to
44 permit acceptance of an appointive position in the unclassified



1 service or a position in the Legislative Branch, any benefits earned
2 while the person is in the:

3 (a) Classified service are retained and must be paid by the
4 employer in the classified service, whether or not the person returns
5 to the classified service.

6 (b) Unclassified service or employed by the Legislative Branch
7 are retained and must be paid by the appointing authority in the
8 unclassified service or by the Legislative Branch, if the person does
9 not return to the classified service, or by the employer in the
10 classified service, if the person returns to the classified service.

11 3. Any person in the unclassified service, except members of
12 the academic staff of *the University of Nevada and* the Nevada
13 System of Higher Education, may be granted by the appointing
14 authority a leave of absence without pay for a period not to exceed 6
15 months.

16 4. Officers and members of the faculty of *the University of*
17 *Nevada and* the Nevada System of Higher Education may be
18 granted leaves of absence without pay as provided by the
19 regulations prescribed pursuant to subsection 2 of NRS 284.345.

20 5. Except as otherwise provided in subsection 6, a person in the
21 classified or unclassified service who:

22 (a) Is the natural parent of a child who is less than 6 months old;
23 or

24 (b) Has recently adopted a child,
25 ↪ must be granted, upon request, a leave of absence without pay for
26 a period not to exceed 12 weeks. Such a request by natural parents
27 must be submitted at least 3 months before the date upon which the
28 requested leave will begin, unless a shorter notice is approved by the
29 employer. Such a request by adoptive parents must be submitted not
30 fewer than 2 working days after the parents receive notice of the
31 approval of the adoption. This subsection does not affect the rights
32 of an employee set forth in NRS 284.350 or 284.355.

33 6. The provisions of subsection 5 are effective only if the
34 Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.,
35 or a subsequent federal law ceases to provide for a parental leave of
36 absence of at least 12 weeks.

37 **Sec. 306.** NRS 284.385 is hereby amended to read as follows:

38 284.385 1. An appointing authority may:

39 (a) Dismiss or demote any permanent classified employee when
40 the appointing authority considers that the good of the public service
41 will be served thereby.

42 (b) Except as otherwise provided in NRS 284.148, suspend
43 without pay, for disciplinary purposes, a permanent employee for a
44 period not to exceed 30 days.



1 2. Before a permanent classified employee is dismissed,
2 involuntarily demoted or suspended, the appointing authority must
3 consult with the Attorney General or, if the employee is employed
4 by *the University of Nevada* or the Nevada System of Higher
5 Education, the appointing authority's general counsel, regarding the
6 proposed discipline. After such consultation, the appointing
7 authority may take such lawful action regarding the proposed
8 discipline as it deems necessary under the circumstances.

9 3. A dismissal, involuntary demotion or suspension does not
10 become effective until the employee is notified in writing of the
11 dismissal, involuntary demotion or suspension and the reasons
12 therefor. The Commission shall adopt regulations setting forth the
13 procedures for properly notifying the employee of the dismissal,
14 involuntary demotion or suspension and the reasons therefor.

15 4. No employee in the classified service may be dismissed for
16 any reason relating to his or her religion, race, sexual orientation, or
17 gender identity or expression.

18 **Sec. 307.** NRS 286.130 is hereby amended to read as follows:

19 286.130 1. Three members of the Board must be persons
20 who:

21 (a) Have had at least 10 years of service as employees of the
22 State of Nevada or its political subdivisions;

23 (b) Are not elected officers of the State of Nevada or its political
24 subdivisions;

25 (c) Are active members of the System; and

26 (d) Are appointed from written nominations submitted by the
27 following groups:

28 (1) Employees of the State, *the University of Nevada* and
29 the Nevada System of Higher Education;

30 (2) The academic staff of school districts;

31 (3) Employees of cities, excluding Carson City;

32 (4) Employees of counties, including Carson City and
33 excluding employees of county hospitals;

34 (5) Employees of county hospitals, public utilities, power
35 districts, sanitation districts, classified school employees and
36 employees of other districts as determined by the Board; and

37 (6) Employees whose current positions entitle them to
38 participate in the Police and Firefighters' Retirement Fund.

39 ↪ Each nominee must be a member of the group or organization
40 that is nominating the nominee.

41 2. Two members of the Board must be persons who:

42 (a) Have had at least 10 years of service as employees of the
43 State of Nevada or its political subdivisions;

44 (b) Are not elected officers of the State of Nevada or its political
45 subdivisions;



1 (c) Are active members of the System; and
2 (d) Are appointed from written nominations submitted by the
3 following groups:

4 (1) Administrators of school districts or members of boards
5 of trustees of school districts; and

6 (2) Members of boards of county commissioners or the
7 governing bodies of cities or administrators of counties or cities.

8 3. One member of the Board must be a person who:

9 (a) Is an employee of the State of Nevada or its political
10 subdivisions with at least 10 years of service;

11 (b) Is serving in a position at least equivalent to the manager of
12 a department or division;

13 (c) Is not an elected officer of the State of Nevada or its political
14 subdivisions; and

15 (d) Is an active member of the System.

16 4. One member of the board must be a person who:

17 (a) Has had at least 10 years of service as an employee of the
18 State of Nevada or its political subdivisions;

19 (b) Is not an elected officer of the State of Nevada or its political
20 subdivisions; and

21 (c) Is receiving an allowance for service or disability retirement
22 pursuant to this chapter.

23 5. A member of the Board shall serve for 4 years, so long
24 as the member has the qualifications required by this section, and
25 until the member's successor is appointed and takes office. A
26 member of the Board who no longer has the qualifications specified
27 in the subsection under which the member was appointed may serve
28 the remainder of the member's term if the member loses those
29 qualifications in the final 24 months of the member's term.

30 **Sec. 308.** NRS 286.297 is hereby amended to read as follows:

31 286.297 The following persons are not eligible to become
32 members of the System:

33 1. Inmates of state institutions even though they may be
34 receiving compensation for services performed for the institution.

35 2. Independent contractors or persons rendering professional
36 services on a fee, retainer or contract basis.

37 3. Except as otherwise provided in NRS 286.525, persons
38 retired under the provisions of this chapter who are employed by a
39 participating public employer.

40 4. Members of boards or commissions of the State of Nevada
41 or of its political subdivisions when such boards or commissions are
42 advisory or directive and when membership thereon is not
43 compensated except for expenses incurred. Receipt of a fee for
44 attendance at official sessions of a particular board or commission
45 does not constitute compensation for the purpose of this subsection.



1 5. Substitute teachers and students who are employed by the
2 institution which they attend.

3 6. District judges, judges of the Court of Appeals and justices
4 of the Supreme Court first elected or appointed on or after July 1,
5 1977, who are not enrolled in the System at the time of election or
6 appointment.

7 7. Members of the professional staff of *the University of*
8 *Nevada or* the Nevada System of Higher Education who are
9 employed on or after July 1, 1977.

10 8. Persons employed on or after July 1, 1979, under the
11 Comprehensive Employment and Training Act.

12 9. Except as otherwise provided in NRS 286.293, persons
13 assigned to intermittent or temporary positions unless the
14 assignment exceeds 6 consecutive months.

15 10. Persons employed on or after July 1, 1981, as part-time
16 guards at school crossings.

17 11. Nurses who:

18 (a) Are not full-time employees;

19 (b) Are paid an hourly wage on a daily basis;

20 (c) Do not receive the employee benefits received by other
21 employees of the same employer; and

22 (d) Do not work a regular schedule or are requested to work for
23 a shift at a time.

24 **Sec. 309.** NRS 286.501 is hereby amended to read as follows:

25 286.501 Each member who is employed by a school district for
26 less than 12 months per school year and each member of the
27 professional staff of *the University of Nevada or* the Nevada
28 System of Higher Education employed for the academic year who is
29 employed for less than 12 months per fiscal year is credited with
30 service as follows:

31 1. Service is credited on the basis of a full year if the member
32 works full-time for the full school year.

33 2. Employment for a part of a school year is credited on a ratio
34 of one and one-third days for each day worked, but credit may not
35 be given in advance or until the appropriate period has expired.

36 3. A full year of service is not credited until the full 12-month
37 period has expired. If the employee begins work under a new
38 contract before the expiration of the 12-month period for the old
39 contract, credit must be granted for the period of overlap, as
40 certified by the school district, at the first period in which there is a
41 lapse in service.

42 4. Service credit under this section must be computed
43 according to:

44 (a) The school year for school district employees.



1 (b) The fiscal year for members of the professional staff of *the*
2 *University of Nevada or* the Nevada System of Higher Education.

3 5. A member receives full credit while on sabbatical leave if
4 the public employer certifies that the compensation and
5 contributions reported for the member are the same as if the member
6 were employed full-time. If the employer does not so certify, the
7 member receives credit in the proportion that the member's actual
8 compensation bears to the member's previous compensation.

9 ➔ No member may receive less credit under this section than was
10 provided under the law in force when the credit was earned.

11 **Sec. 310.** NRS 286.523 is hereby amended to read as follows:

12 286.523 1. It is the policy of this State to ensure that the
13 reemployment of a retired public employee pursuant to this section
14 is limited to positions of extreme need. An employer who desires to
15 employ such a retired public employee to fill a position for which
16 there is a critical labor shortage must make the determination of
17 reemployment based upon the appropriate and necessary delivery of
18 services to the public.

19 2. The provisions of subsections 1 and 2 of NRS 286.520 do
20 not apply to a retired employee who accepts employment or an
21 independent contract with a public employer under the System if:

22 (a) The retired employee fills a position for which there is a
23 critical labor shortage; and

24 (b) At the time of the retired employee's reemployment, the
25 retired employee is receiving:

26 (1) A benefit that is not actuarially reduced pursuant to
27 subsection 6 of NRS 286.510; or

28 (2) A benefit actuarially reduced pursuant to subsection 6 of
29 NRS 286.510 and has reached the required age at which the retired
30 employee could have retired with a benefit that was not actuarially
31 reduced pursuant to subsection 6 of NRS 286.510.

32 3. A retired employee who is reemployed under the
33 circumstances set forth in subsection 2 may reenroll in the System
34 as provided in NRS 286.525.

35 4. Positions for which there are critical labor shortages must be
36 determined in an open public meeting held by the designating
37 authority as follows:

38 (a) Except as otherwise provided in this subsection, the State
39 Board of Examiners shall designate positions in State Government
40 for which there are critical labor shortages.

41 (b) The Supreme Court shall designate positions in the Judicial
42 Branch of State Government for which there are critical labor
43 shortages.

44 (c) ~~[The Board of Regents]~~ *Each higher education governing*
45 *body, as that term is defined in NRS 396.005,* shall designate



1 positions in *the University of Nevada and* the Nevada System of
2 Higher Education for which there are critical labor shortages.

3 (d) The board of trustees of each school district shall designate
4 positions within the school district for which there are critical labor
5 shortages.

6 (e) The governing body of a charter school shall designate
7 positions within the charter school for which there are critical labor
8 shortages.

9 (f) The governing body of a local government shall designate
10 positions with the local government for which there are critical labor
11 shortages.

12 (g) The Board shall designate positions within the System for
13 which there are critical labor shortages.

14 5. In determining whether a position is a position for which
15 there is a critical labor shortage, the designating authority shall
16 make findings based upon the criteria set forth in this subsection that
17 support the designation. Before making a designation, the
18 designating authority shall consider all efforts made by the
19 applicable employer to fill the position through other means. The
20 written findings made by the designating authority must include:

21 (a) The history of the rate of turnover for the position;

22 (b) The number of openings for the position and the number of
23 qualified candidates for those openings after all other efforts of
24 recruitment have been exhausted;

25 (c) The length of time the position has been vacant;

26 (d) The difficulty in filling the position due to special
27 circumstances, including, without limitation, special educational or
28 experience requirements for the position; and

29 (e) The history and success of the efforts to recruit for the
30 position, including, without limitation, advertising, recruitment
31 outside of this State and all other efforts made.

32 6. A designating authority that designates a position as a
33 critical need position shall submit to the System its written findings
34 which support that designation made pursuant to subsection 5 on a
35 form prescribed by the System. The System shall compile the forms
36 received from each designating authority and provide a biennial
37 report on the compilation to the Interim Retirement and Benefits
38 Committee of the Legislature.

39 7. A designating authority shall not designate a position
40 pursuant to subsection 4 as a position for which there is a critical
41 labor shortage for a period longer than 2 years. To be redesignated
42 as such a position, the designating authority must consider and make
43 new findings in an open public meeting as to whether the position
44 continues to meet the criteria set forth in subsection 5.



1 **Sec. 311.** NRS 286.802 is hereby amended to read as follows:

2 286.802 1. ~~{The Board of Regents of the University of~~
3 ~~Nevada}~~ *Each higher education governing body or the Nevada*
4 *Office of Higher Education Administrative Services* shall provide a
5 retirement program separate from the Public Employees' Retirement
6 System. The program must provide retirement and death benefits for
7 members of the professional staff. The State and the participants
8 shall contribute to the cost of the program.

9 2. A person employed as a member of the professional staff
10 who is enrolled in the Public Employees' Retirement System at the
11 time of the person's employment shall remain a member of that
12 System. Any other eligible employee must be enrolled in the
13 retirement program.

14 3. *As used in this section, "higher education governing body"*
15 *has the meaning ascribed to it in NRS 396.005.*

16 **Sec. 312.** NRS 286.808 is hereby amended to read as follows:

17 286.808 1. ~~{The Board of Regents of the University of~~
18 ~~Nevada}~~ *Each higher education governing body or the Nevada*
19 *Office of Higher Education Administrative Services* shall
20 contribute on behalf of each participant an amount equal to 10
21 percent of the participant's gross compensation during continuance
22 of employment. Each participant shall also contribute 10 percent of
23 the participant's gross compensation, but the contributions required
24 by this section must not be less than those authorized by NRS
25 286.410 and 286.450. Payment of the contributions required by this
26 section must be made by the disbursing officer for the ~~{Nevada~~
27 ~~System of Higher Education}~~ *higher education governing body or*
28 *the Nevada Office of Higher Education Administrative Services,*
29 *as applicable,* to the designated investment entities for the benefit of
30 each participant.

31 2. ~~{The Board of Regents of the University of Nevada}~~ *Each*
32 *higher education governing body or the Nevada Office of Higher*
33 *Education Administrative Services* may, on behalf of each
34 participant, pay the contribution required to be paid by the
35 participant in subsection 1. Any such payment must be:

36 (a) Made in lieu of an equivalent increase in the basic salary or
37 in the cost of living for the participant, or both; or

38 (b) Counterbalanced by an equivalent reduction in the
39 participant's salary.

40 3. *As used in this section, "higher education governing body"*
41 *has the meaning ascribed to it in NRS 396.005.*

42 **Sec. 313.** NRS 286.810 is hereby amended to read as follows:

43 286.810 ~~{The Board of Regents of the University of Nevada}~~

44 1. *Each higher education governing body or the Nevada*
45 *Office of Higher Education Administrative Services* shall designate



1 the investment entities to provide investment services under the
2 retirement program and shall approve the form and contents of the
3 contracts. In making the designation and giving the approval, ~~the~~
4 ~~Board~~ *each higher education governing body or the Office* shall
5 consider:

6 ~~1-1~~ (a) The nature and extent of the rights and benefits to be
7 provided by such contracts for staff members and their beneficiaries;

8 ~~2-2~~ (b) The relation of such rights and benefits to the amount of
9 contributions to be made;

10 ~~3-3~~ (c) The suitability of such rights and benefits to the needs
11 of the staff members and the interests of *the University of Nevada*
12 *and* the Nevada System of Higher Education in the recruitment and
13 retention of staff members; and

14 ~~4-4~~ (d) The ability of the designated investment entities to
15 provide such suitable rights and benefits under such contracts.

16 2. *As used in this section, "higher education governing body"*
17 *has the meaning ascribed to it in NRS 396.005.*

18 **Sec. 314.** NRS 286.812 is hereby amended to read as follows:

19 286.812 ~~[The Board of Regents of the University of Nevada]~~

20 1. *Each higher education governing body or the Nevada*
21 *Office of Higher Education Administrative Services* shall provide
22 for the administration of the program and perform all functions
23 which may be necessary for the accomplishment of the program.

24 2. *As used in this section, "higher education governing body"*
25 *has the meaning ascribed to it in NRS 396.005.*

26 **Sec. 315.** NRS 286.814 is hereby amended to read as follows:

27 286.814 Any member of the professional staff of *the*
28 *University of Nevada or* the Nevada System of Higher Education
29 enrolled in the retirement program is ineligible for membership in
30 the Public Employees' Retirement System so long as the member
31 remains continuously employed in any position by the *University of*
32 *Nevada or the* Nevada System of Higher Education and continues in
33 the retirement program.

34 **Sec. 316.** NRS 286.816 is hereby amended to read as follows:

35 286.816 1. A retirement, death or other benefit must not be
36 paid by the State of Nevada ~~for the Board of Regents of the~~
37 ~~University of Nevada~~, *a higher education governing body or the*
38 *Nevada Office of Higher Education Administrative Services* under
39 the retirement program. Benefits are payable to participating
40 employees or their beneficiaries only by the designated investment
41 entities in accordance with the terms of the contracts.

42 2. *As used in this section, "higher education governing body"*
43 *has the meaning ascribed to it in NRS 396.005.*



1 **Sec. 317.** NRS 287.04054 is hereby amended to read as
2 follows:

3 287.04054 “Participating state agency” means a department,
4 commission, board, bureau or other agency of the Executive,
5 Legislative and Judicial Branches of State Government, including,
6 without limitation, the Public Employees’ Retirement System , *the*
7 *University of Nevada* and the Nevada System of Higher Education.

8 **Sec. 318.** NRS 287.041 is hereby amended to read as follows:

9 287.041 1. There is hereby created the Board of the Public
10 Employees’ Benefits Program. The Board consists of 11 members
11 appointed as follows:

12 (a) Two members who are professional employees of *the*
13 *University of Nevada* or the Nevada System of Higher Education,
14 appointed by the Governor upon consideration of any
15 recommendations of organizations that represent employees of *the*
16 *University of Nevada* or the Nevada System of Higher Education.
17 One such member must reside in northern Nevada and the other
18 member must reside in southern Nevada.

19 (b) Two members who are retired from public employment,
20 appointed by the Governor upon consideration of any
21 recommendations of organizations that represent retired public
22 employees.

23 (c) Two members who are employees in the classified service of
24 the State, appointed by the Governor upon consideration of any
25 recommendations of organizations that represent state employees.

26 (d) One member who is employed by this State in a managerial
27 capacity and has substantial and demonstrated experience in risk
28 management, group insurance programs, health care administration
29 or employee benefits programs appointed by the Governor.

30 (e) Two members who have substantial and demonstrated
31 experience in risk management, group insurance programs, health
32 care administration or employee benefits programs appointed by the
33 Governor.

34 (f) One member who is an employee in the classified service of
35 the State, appointed by the Governor from a list of nominations of
36 10 classified state employees submitted by the labor organization
37 representing the largest number of classified state employees
38 participating in the Program.

39 (g) The Director of the Department of Administration or a
40 designee of the Director approved by the Governor.

41 2. Of the nine persons appointed to the Board pursuant to
42 paragraphs (a) to (e), inclusive, of subsection 1, at least four
43 members must have a bachelor’s degree or a more advanced degree,
44 or equivalent professional experience, in business administration,
45 economics, medicine, accounting, actuarial science, insurance, risk



1 management or health care administration, and at least two members
2 must have education or proven experience in the management of
3 employees' benefits, insurance, risk management, health care
4 administration or business administration.

5 3. Each person appointed as a member of the Board must:

6 (a) Except for a member appointed pursuant to paragraph (e) of
7 subsection 1, have been a participant in the Program for at least 1
8 year before the person's appointment;

9 (b) Except for a member appointed pursuant to paragraph (e) of
10 subsection 1, be a current employee of the State of Nevada or
11 another public employer that participates in the Program or a retired
12 public employee who is a participant in the Program;

13 (c) Not be an elected officer of the State of Nevada or any of its
14 political subdivisions; and

15 (d) Not participate in any business enterprise or investment:

16 (1) With any vendor or provider to the Program; or

17 (2) In real or personal property if the Program owns or has a
18 direct financial interest in that enterprise or property.

19 4. Except as otherwise provided in this subsection, after the
20 initial terms, the term of an appointed member of the Board is 4
21 years and until the member's successor is appointed and takes office
22 unless the member no longer possesses the qualifications for
23 appointment set forth in this section or is removed by the Governor.
24 If a member loses the requisite qualifications within the last 12
25 months of the member's term, the member may serve the remainder
26 of the member's term. If the labor organization that submitted the
27 name of the member appointed pursuant to paragraph (f) of
28 subsection 1 ceases to represent the largest number of classified
29 state employees participating in the Program during the member's
30 term, the member continues to serve for the remainder of his or her
31 unexpired term. Members are eligible for reappointment. A vacancy
32 occurring in the membership of the Board must be filled in the same
33 manner as the original appointment.

34 5. The appointed members of the Board serve at the pleasure of
35 the Governor.

36 **Sec. 319.** NRS 287.045 is hereby amended to read as follows:

37 287.045 1. Except as otherwise provided in this section,
38 every state officer or employee who is employed in a full-time
39 position is eligible to participate in the Program on:

40 (a) The first day of full-time employment of the state officer or
41 employee, if that date is the first day of the month; or

42 (b) The first day of the month immediately following the first
43 day of full-time employment of the state officer or employee.



1 2. Professional employees of *the University of Nevada* or the
2 Nevada System of Higher Education who have annual employment
3 contracts are eligible to participate in the Program on:

4 (a) The effective dates of their respective employment contracts,
5 if those dates are on the first day of a month; or

6 (b) The first day of the month immediately following the
7 effective dates of their respective employment contracts, if those
8 dates are not on the first day of a month.

9 3. Every officer or employee who is employed by a
10 participating local governmental agency on a permanent and full-
11 time basis on the date on which the participating local governmental
12 agency enters into an agreement to participate in the Program
13 pursuant to paragraph (a) of subsection 1 of NRS 287.025, and
14 every officer or employee who commences employment with that
15 participating local governmental agency after that date, is eligible to
16 participate in the Program on:

17 (a) The first day of full-time employment of the officer or
18 employee, if that date is the first day of the month; or

19 (b) The first day of the month immediately following the first
20 day of full-time employment of the officer or employee,

21 ↪ unless that officer or employee is excluded pursuant to sub-
22 subparagraph (III) of subparagraph (2) of paragraph (h) of
23 subsection 2 of NRS 287.043.

24 4. Every member of the Senate and Assembly is eligible to
25 participate in the Program on:

26 (a) The first day of the initial term of office of the member, if
27 that date is the first day of the month; or

28 (b) The first day of the month immediately following the first
29 day of the initial term of office of the member.

30 5. For each eligible person identified in subsections 1 to 4,
31 inclusive, the Program must receive the notice required pursuant to
32 NRS 287.0439 before the date on which the person is eligible to
33 enroll in the Program. If the Program does not receive the notice
34 required pursuant to NRS 287.0439 before the date on which the
35 person is eligible to enroll in the Program, the person will not be
36 eligible to enroll in the Program until the first day of the month
37 immediately after the Program received the notice required pursuant
38 to NRS 287.0439 for that person.

39 6. Each person identified in subsections 1, 2 and 3 must enroll
40 or decline coverage in the Program before the end of the first month
41 in which he or she is eligible to enroll in the Program. If the person
42 fails to enroll or decline coverage in the Program before the end of
43 the first month in which he or she is eligible to enroll in the
44 Program, he or she will be automatically enrolled on an individual



1 basis, without coverage for dependents, in the base plan offered by
2 the Program. Such a person must be allowed to:

3 (a) Change the plan in which the person is enrolled during the
4 next period of open enrollment; and

5 (b) Add eligible dependents during the next period of open
6 enrollment or after meeting the applicable terms and conditions of
7 the Program.

8 7. Notwithstanding the provisions of subsections 1, 3 and 4, if
9 the Board does not, pursuant to NRS 689B.580, elect to exclude the
10 Program from compliance with NRS 689B.340 to 689B.580,
11 inclusive, and if the coverage under the Program is provided by a
12 health maintenance organization authorized to transact insurance in
13 this State pursuant to chapter 695C of NRS, any affiliation period
14 imposed by the Program may not exceed the statutory limit for an
15 affiliation period set forth in NRS 689B.500.

16 8. As used in this section, "base plan" means the plan
17 designated by the Board as the default plan for the year as described
18 in the Program documents.

19 **Sec. 320.** NRS 287.046 is hereby amended to read as follows:

20 287.046 1. The Office of Finance shall establish an
21 assessment that is to be used to pay for a portion of the cost of
22 premiums or contributions for the Program for persons who were
23 initially hired before January 1, 2012, and have retired with state
24 service.

25 2. The money assessed pursuant to subsection 1 must be
26 deposited into the Retirees' Fund and must be based upon a base
27 amount approved by the Legislature each session to pay for a
28 portion of the current and future health and welfare benefits for
29 persons who retired before January 1, 1994, or for persons who
30 retire on or after January 1, 1994, as adjusted by subsection 5.

31 3. Except as otherwise provided in subsections 7 and 9, the
32 portion to be paid to the Program from the Retirees' Fund on behalf
33 of such persons must be equal to a portion of the cost for each
34 retiree and the retiree's dependents who are enrolled in the plan, as
35 defined for each year of the plan by the Program.

36 4. Except as otherwise provided in subsection 6, the portion of
37 the amount approved by the Legislature as described in subsection 2
38 to be paid to the Program from the Retirees' Fund for persons who
39 retired before January 1, 1994, with state service is the base funding
40 level defined for each year of the plan by the Program.

41 5. Except as otherwise provided in subsection 6, adjustments to
42 the portion of the amount approved by the Legislature as described
43 in subsection 2 to be paid by the Retirees' Fund for persons who
44 retire on or after January 1, 1994, with state service must be as
45 follows:



1 (a) For each year of service less than 15 years, excluding service
2 purchased pursuant to NRS 1A.310 or 286.300, the portion paid by
3 the Retirees' Fund must be reduced by an amount equal to 7.5
4 percent of the base funding level defined by the Legislature. In no
5 event may the adjustment exceed 75 percent of the base funding
6 level defined by the Legislature.

7 (b) For each year of service greater than 15 years, excluding
8 service purchased pursuant to NRS 1A.310 or 286.300, the portion
9 paid by the Retirees' Fund must be increased by an amount equal to
10 7.5 percent of the base funding level defined by the Legislature. In
11 no event may the adjustment exceed 37.5 percent of the base
12 funding level defined by the Legislature.

13 6. The portion to be paid to the Program from the Retirees'
14 Fund on behalf of a retired person whose coverage is provided
15 through the TRICARE program, as established pursuant to 32
16 C.F.R. § 199.17, or provided through the Program by an individual
17 medical plan offered pursuant to the Health Insurance for the Aged
18 Act, 42 U.S.C. §§ 1395 et seq., must be:

19 (a) For persons who retired before January 1, 1994, the base
20 funding level defined by the Legislature multiplied by 15.

21 (b) For persons who retired on or after January 1, 1994, the base
22 funding level defined by the Legislature multiplied by the number of
23 years of service of the person, excluding service purchased pursuant
24 to NRS 1A.310 or 286.300, up to a maximum of 20 years of service.

25 ↪ The Board may approve the payment of an additional amount to
26 retired persons described in this subsection that is in excess of the
27 amount paid pursuant to paragraph (a) or (b), or both, for those
28 persons from any money that is available for that purpose.

29 7. Except as otherwise provided in subsection 8, no money
30 may be paid by the Retirees' Fund on behalf of a retired person who
31 is initially hired by the State:

32 (a) On or after January 1, 2010, but before January 1, 2012, and
33 who:

34 (1) Has not participated in the Program on a continuous basis
35 since retirement from such employment; or

36 (2) Does not have at least 15 years of service, which must
37 include state service and may include local governmental service,
38 unless the retired person does not have at least 15 years of service as
39 a result of a disability for which disability benefits are received
40 under the Public Employees' Retirement System or a retirement
41 program for professional employees offered by or through *the*
42 *University of Nevada or* the Nevada System of Higher Education,
43 and has participated in the Program on a continuous basis since
44 retirement from such employment.



1 (b) On or after January 1, 2012. The provisions of this paragraph
2 must not be construed to prohibit a retired person who was hired on
3 or after January 1, 2012, from participating in the Program until the
4 retired person is eligible for coverage under an individual medical
5 plan offered pursuant to the Health Insurance for the Aged Act, 42
6 U.S.C. §§ 1395 et seq. The retired person shall pay the entire
7 premium or contribution for his or her participation in the Program.

8 8. The provisions of subsection 7 do not apply to a person who
9 was employed by the State on or before January 1, 2012, who has a
10 break in service and returns to work for the State at the same or
11 another participating state agency after that date, regardless of the
12 length of the break in service, so long as the person did not
13 withdraw from and was eligible to participate in the Public
14 Employees' Retirement System before or during the break in
15 service.

16 9. If the amount calculated pursuant to subsection 5 or 6
17 exceeds the actual premium or contribution for the plan of the
18 Program that the retired participant selects, the balance must be
19 credited to the Program Fund.

20 10. For the purposes of this section:

21 (a) Credit for service must be calculated in the manner provided
22 by chapter 286 of NRS.

23 (b) No proration may be made for a partial year of service.

24 11. The Office of Finance shall agree through the Board with
25 the insurer for billing of remaining premiums or contributions for
26 the retired participant and the retired participant's dependents to the
27 retired participant and to the retired participant's dependents who
28 elect to continue coverage under the Program after the retired
29 participant's death.

30 **Sec. 321.** NRS 287.245 is hereby amended to read as follows:

31 287.245 1. The State may agree with any of its employees,
32 and ~~the Board of Regents of the University of Nevada~~ *each higher*
33 *education governing body* may agree with any of its employees, to
34 reduce the amount of taxable compensation due to an employee in
35 accordance with a program established pursuant to 26 U.S.C. § 125
36 by the Board of the Public Employees' Benefits Program.

37 2. Political subdivisions of this State may agree with any of
38 their employees to reduce the amount of taxable compensation due
39 to an employee in accordance with a program established pursuant
40 to 26 U.S.C. § 125.

41 3. The employer shall deduct an amount from the taxable
42 compensation of an employee pursuant to the agreement between
43 the employer and the employee.

44 4. An employer shall not make any reduction in the taxable
45 compensation of an employee pursuant to this section until the



1 program established meets the requirements of 26 U.S.C. § 125 for
2 eligibility.

3 5. The Board of the Public Employees' Benefits Program may
4 establish and administer a program pursuant to 26 U.S.C. § 125. The
5 Board may:

6 (a) Create an appropriate fund for administration of money and
7 other assets resulting from the money deducted pursuant to the
8 program.

9 (b) Delegate to one or more state agencies or institutions of *the*
10 *University of Nevada or* the Nevada System of Higher Education
11 the responsibility for administering the program for their respective
12 employees, including, without limitation:

13 (1) Collection of money deducted;

14 (2) Transmittal of money collected to depositories within the
15 State designated by the Board; and

16 (3) Payment for eligible uses.

17 (c) Contract with a natural person, corporation, institution or
18 other entity, directly or through a state agency or institution of *the*
19 *University of Nevada or* the Nevada System of Higher Education,
20 for services necessary to the administration of the plan, including,
21 without limitation:

22 (1) Consolidated billing;

23 (2) The keeping of records for each participating employee
24 and the program;

25 (3) The control and safeguarding of assets;

26 (4) Programs for communication with employees; and

27 (5) The administration and coordination of the program.

28 6. Each employee who participates in a program established by
29 the Board of the Public Employees' Benefits Program pursuant to
30 this section shall pay a proportionate share of the cost to administer
31 the program as determined by the Board.

32 7. The provisions of this section do not supersede, make
33 inoperative or reduce the benefits provided by the Public
34 Employees' Retirement System or by any other retirement, pension
35 or benefit program established by law.

36 8. *As used in this section, "higher education governing body"*
37 *has the meaning ascribed to it in NRS 396.005.*

38 **Sec. 322.** NRS 287.270 is hereby amended to read as follows:

39 287.270 "Deferred compensation" means income which a state
40 employee or employee of *the University of Nevada or* the Nevada
41 System of Higher Education may legally set aside under the
42 Program, which may consist of one or more plans authorized by 26
43 U.S.C. § 401(a), 401(k), 403(b), 457 or 3121, including, without
44 limitation, a FICA alternative plan, or any other plan authorized by
45 any federal law to reduce taxable compensation or other forms of



1 compensation, and which income, while invested under the
2 Program, is exempt from federal income taxes on the employee's
3 contributions and interest, dividends and capital gains.

4 **Sec. 323.** NRS 287.320 is hereby amended to read as follows:

5 287.320 1. The State may agree with any of its employees,
6 and ~~[the Board of Regents of the University of Nevada]~~ *each higher*
7 *education governing body* may agree with any of its employees, to
8 defer the compensation due to them in accordance with a program
9 approved by the Committee which may consist of one or more plans
10 authorized by 26 U.S.C. § 401(a), 401(k), 403(b), 457 or 3121,
11 including, without limitation, a FICA alternative plan, or any other
12 plan authorized by any federal law to reduce taxable compensation
13 or other forms of compensation. ~~[The Board of Regents]~~ *Each*
14 *higher education governing body* may agree with any of its
15 employees to defer the compensation due to them as authorized by
16 26 U.S.C. § 403(b) without submitting the program to the
17 Committee for its approval. An employee may defer compensation
18 under one or more plans in the Program.

19 2. The employer shall withhold the amount of compensation
20 which an employee has, by such an agreement, directed the
21 employer to defer.

22 3. The employer may invest the withheld money in any
23 investment approved by the Committee or, in the case of deferred
24 compensation under 26 U.S.C. § 403(b) for employees of *the*
25 *University of Nevada or* the Nevada System of Higher Education by
26 the ~~[Board of Regents of the University of Nevada.]~~ *higher*
27 *education governing body.*

28 4. The investments must be underwritten and offered in
29 compliance with all applicable federal and state laws and
30 regulations, and may be offered only by persons who are authorized
31 and licensed under all applicable state and federal regulations.

32 5. All amounts of compensation deferred pursuant to the
33 Program, all property and all rights purchased with those amounts
34 and all income attributable to those amounts, property or rights
35 must, in accordance with 26 U.S.C. § 401(a), 401(k), 403(b), 457(g)
36 or 3121, including, without limitation, a FICA alternative plan, or
37 any other federal law authorizing a plan to reduce taxable
38 compensation or other forms of compensation, as applicable, be held
39 in trust for the exclusive benefit of the participants in the Program
40 and their beneficiaries.

41 6. *As used in this section, "higher education governing body"*
42 *has the meaning ascribed to it in NRS 396.005.*



1 **Sec. 324.** NRS 287.325 is hereby amended to read as follows:

2 287.325 1. The Governor shall appoint the Committee to
3 Administer the Public Employees' Deferred Compensation
4 Program. The Committee must consist of:

5 (a) Two members who are employed by state agencies whose
6 payrolls are administered by the Division of Human Resource
7 Management of the Department of Administration;

8 (b) One member who is employed by:

9 (1) A state agency whose payroll is administered by the
10 Division of Human Resource Management of the Department of
11 Administration; or

12 (2) A political subdivision that participates in the Program;

13 (c) One member who is employed by a state agency whose
14 payroll is administered by an entity other than the Division of
15 Human Resource Management of the Department of
16 Administration; and

17 (d) One member who has retired from employment by the State
18 of Nevada , *the University of Nevada* or the Nevada System of
19 Higher Education.

20 ↳ Each member of the Committee must be a participant in the
21 Program, have participated in the Program for not less than 2 years
22 and have been nominated for membership by five or more persons
23 who have each participated in the Program for not less than 6
24 months.

25 2. After their initial terms, members of the Committee serve
26 terms of 4 years or until their successors have been appointed and
27 have qualified.

28 3. A vacancy on the Committee occurs when a member dies,
29 resigns or becomes ineligible for membership on the Committee. A
30 person becomes ineligible for membership on the Committee when:

31 (a) The person ceases to be a participant in the Program; or

32 (b) Except as otherwise provided in this paragraph, the person
33 ceases to have the qualifications for membership required by the
34 paragraph of subsection 1 under which the person was appointed. A
35 member of the Committee who ceases to have those qualifications
36 may serve the remainder of the member's term if that period does
37 not exceed 24 months.

38 4. The member appointed pursuant to paragraph (d) of
39 subsection 1 must be compensated \$80 per day from money
40 appropriated from the Program pursuant to NRS 287.365 for
41 attending a meeting of the Committee and for acting at the direction
42 of or on behalf of the Committee.

43 5. For the purposes of this section, "participant in the Program"
44 means a person who is:

45 (a) Deferring compensation pursuant to the Program;



1 (b) Maintaining deferred compensation in the Program; or
2 (c) Receiving payments of deferred compensation pursuant to
3 the Program.

4 **Sec. 325.** NRS 287.330 is hereby amended to read as follows:

5 287.330 1. The Committee shall:

6 (a) At its first meeting each year, designate one of its members
7 to serve as Chair of the Committee for a term of 1 year or until the
8 Chair's successor has been designated.

9 (b) Act in such a manner as to promote the collective best
10 interests of the participants in the Program.

11 2. The Committee may:

12 (a) Create an appropriate account for administration of money
13 and other assets resulting from compensation deferred pursuant to
14 the Program.

15 (b) With the approval of the Governor, delegate to one or more
16 state agencies or institutions of *the University of Nevada or* the
17 Nevada System of Higher Education the responsibility for
18 administering the Program for their respective employees,
19 including:

20 (1) Collection of deferred compensation;

21 (2) Transmittal of money collected to depositories within the
22 State designated by the Committee; and

23 (3) Payment of deferred compensation to participating
24 employees.

25 (c) Contract with a private person, corporation, institution or
26 other entity, directly or through a state agency or institution of *the*
27 *University of Nevada or* the Nevada System of Higher Education,
28 for services necessary to the administration of the plan, including,
29 without limitation:

30 (1) Consolidated billing;

31 (2) The keeping of records for each participating employee
32 and the Program;

33 (3) The purchase, control and safeguarding of assets;

34 (4) Programs for communication with employees; and

35 (5) The administration and coordination of the Program.

36 3. The Committee and its individual members are not liable for
37 any decision relating to investments if the Committee has:

38 (a) Obtained the advice of qualified counsel on investments.

39 (b) Established proper objectives and policies relating to
40 investments.

41 (c) Discharged its duties regarding the decision:

42 (1) Solely in the interest of the participants in the Program;
43 and

44 (2) With the care, skill, prudence and diligence that, under
45 the circumstances existing at the time of the decision, a prudent



1 person who is familiar with similar investments would use while
2 acting in a similar capacity in conducting an enterprise of similar
3 character and purpose.

4 (d) Solicited proposals from qualified providers, record keepers
5 or third-party administrators of plans at least once every 5 years.

6 (e) Monitored the plan and investments to ensure that fees and
7 expenses are reasonable.

8 4. The Committee may delegate administrative duties for
9 the Program to the Executive Officer. The Executive Officer and the
10 staff of the Program shall act to discharge their duties in the
11 collective best interest of the participants of the Program and with
12 the care, skill, prudence and diligence that, under the circumstances
13 existing at the time of the actions, a prudent person who is familiar
14 with similar programs would use while acting in a similar capacity
15 in conducting an enterprise of similar character and purpose.

16 **Sec. 326.** NRS 287.360 is hereby amended to read as follows:

17 287.360 The Program must be established in addition to other
18 retirement, pension and benefit systems established by the State ,
19 *the University of Nevada* or the Nevada System of Higher
20 Education, and does not supersede, make inoperative, or reduce
21 benefits provided by the Public Employees' Retirement System or
22 by any other retirement, pension or benefit program established by
23 law.

24 **Sec. 327.** NRS 287.370 is hereby amended to read as follows:

25 287.370 No appropriated money of the State may be spent in
26 connection with the administration of the Program except as
27 compensation for employees who participated in the administration
28 as part of their regular duties, including without limitation:

29 1. Members of the Committee;

30 2. The Executive Officer and employees of the Program; and

31 3. Employees of the state agency or the institution of *the*
32 *University of Nevada or* the Nevada System of Higher Education
33 selected to administer the Program.

34 **Sec. 328.** NRS 288.042 is hereby amended to read as follows:

35 288.042 "Executive Department" means an agency, board,
36 bureau, commission, department, division, elected officer or any
37 other unit of the Executive Department of State Government. The
38 term includes *the University of Nevada and* the Nevada System of
39 Higher Education.

40 **Sec. 329.** NRS 288.425 is hereby amended to read as follows:

41 288.425 1. "Employee" means a person who:

42 (a) Is employed in the classified service of the State pursuant to
43 chapter 284 of NRS; or

44 (b) Is employed by *the University of Nevada or* the Nevada
45 System of Higher Education in the classified service of the State or



1 is required to be paid in accordance with the pay plan for the
2 classified service of the State.

3 2. The term does not include:

4 (a) A managerial employee whose primary function, as
5 determined by the Board, is to administer and control the business
6 of any agency, board, bureau, commission, department, division,
7 elected officer or any other unit of the Executive Department and
8 who is vested with discretion and independent judgment with regard
9 to the general conduct and control of that agency, board, bureau,
10 commission, department, division, elected officer or unit;

11 (b) An elected official or any person appointed to fill a vacancy
12 in an elected office;

13 (c) A confidential employee;

14 (d) A temporary employee who is employed for a fixed period
15 of 4 months or less;

16 (e) A commissioned officer or an enlisted member of the
17 Nevada National Guard;

18 (f) Any person employed by *the University of Nevada* or the
19 Nevada System of Higher Education who is not in the classified
20 service of the State or required to be paid in accordance with the pay
21 plan of the classified service of the State; or

22 (g) Any person employed by the Public Employees' Retirement
23 System who is required to be paid in accordance with the pay plan
24 of the classified service of the State.

25 **Sec. 330.** NRS 288.480 is hereby amended to read as follows:

26 288.480 1. The Division of Human Resource Management of
27 the Department of Administration shall charge an annual fee to the
28 Executive Department for each employee position that is within a
29 bargaining unit and eligible to be represented by a labor
30 organization. The Executive Department shall pay the annual fee to
31 the Division on or before the date on which the payment is due, as
32 specified by the Division. The Division may specify different due
33 dates for the annual fee for each agency, board, bureau, commission,
34 department, division, elected officer or other unit of the Executive
35 Department of State Government, including, without limitation, *the*
36 *University of Nevada and* the Nevada System of Higher Education.

37 2. The Executive Department shall not impose the annual fee
38 charged pursuant to subsection 1 against its employees.

39 3. The Executive Department may not receive a reduction in
40 the amount of the annual fee charged pursuant to subsection 1 or a
41 refund of any amount of the annual fee based on:

42 (a) A vacancy in an employee position; or

43 (b) Whether an exclusive representative has been designated for
44 the bargaining unit in which the employee position is classified
45 pursuant to NRS 288.515.



1 4. Any money received from the fees collected pursuant to
2 subsection 1 must be accounted for separately and may be used only
3 by the Division of Human Resource Management to provide support
4 to the Executive Department to carry out the provisions of NRS
5 288.400 to 288.630, inclusive, including, without limitation, the
6 personnel and operating costs of the Division in providing such
7 support.

8 5. To carry out the provisions of this section, the Division of
9 Human Resource Management may verify by any reasonable means
10 the number of employee positions in the Executive Department
11 within a bargaining unit that are eligible to be represented by a labor
12 organization or that are represented by a labor organization.

13 **Sec. 331.** NRS 289.350 is hereby amended to read as follows:

14 289.350 1. A person employed and compensated as a
15 member of ~~[the] a~~ police department ~~[of the Nevada System of~~
16 ~~Higher Education.]~~ *created pursuant to NRS 396.325*, when
17 appointed pursuant to subsection 1 of NRS 396.325 and duly sworn,
18 is a peace officer, but may exercise the officer's power or authority
19 only:

20 (a) Upon the campuses of *the University of Nevada or* the
21 Nevada System of Higher Education, *as applicable*, including that
22 area to the center line of public streets adjacent to a campus;

23 (b) When in hot pursuit of a violator leaving such a campus or
24 area;

25 (c) In or about other grounds or properties of *the University of*
26 *Nevada or* the Nevada System of Higher Education ~~[]~~, *as*
27 *applicable*; or

28 (d) Except as limited by subsection 2, in accordance with
29 interlocal agreements entered into with other law enforcement
30 agencies.

31 2. An interlocal agreement between ~~[the] a~~ police department
32 ~~[for the Nevada System of Higher Education]~~ *created pursuant to*
33 *NRS 396.325* and other law enforcement agencies may allow a
34 peace officer of ~~[the] a~~ police department ~~[of the Nevada System of~~
35 ~~Higher Education]~~ *created pursuant to NRS 396.325* to exercise the
36 officer's power or authority:

37 (a) On any public street that is adjacent to property owned by
38 *the University of Nevada or* the Nevada System of Higher
39 Education ~~[]~~, *as applicable*.

40 (b) On any property that is consistently used by an organization
41 whose recognition by *the University of Nevada or* the Nevada
42 System of Higher Education, *as applicable*, is a necessary condition
43 for its continued operation.

44 (c) On any property that is rented or leased by *the University of*
45 *Nevada or* the Nevada System of Higher Education, *as applicable*,



1 for an event that is approved by *the University of Nevada or* the
2 Nevada System of Higher Education.

3 (d) For mutual assistance specifically agreed upon with the other
4 law enforcement agencies that are parties to the interlocal
5 agreement.

6 **Sec. 332.** NRS 321.001 is hereby amended to read as follows:

7 321.001 1. The Division shall acquire and hold in the name
8 of the State of Nevada all lands and interests in land owned or
9 required by the State except:

10 (a) Lands or interests used or acquired for highway purposes;

11 (b) Lands or interests the title to which is vested in ~~the Board of~~
12 ~~Regents of the University of Nevada;~~ *a higher education*
13 *governing body or the Nevada Office of Higher Education*
14 *Administrative Services;*

15 (c) Offices outside state buildings leased by the Administrator of
16 the State Public Works Division of the Department of
17 Administration for the use of state officers and employees; or

18 (d) Lands or interests used or acquired for the Legislature or its
19 staff,

20 ↪ and shall administer all lands it holds which are not assigned for
21 administration to another state agency.

22 2. If additional land or an interest in land is required for the use
23 of any state agency except the Department of Transportation , *the*
24 *University of Nevada* or the Nevada System of Higher Education,
25 the agency and the Division shall select land for use by the agency.
26 The Division shall obtain the approval of the Administrator of the
27 State Public Works Division of the Department of Administration if
28 the land will be used for a building pursuant to NRS 341.141. The
29 Division shall determine the value of that land and obtain the land or
30 interest by negotiation or, if necessary, by exercising the State's
31 power of eminent domain. Title must be taken in the name of the
32 State of Nevada.

33 3. The Division may acquire and hold land and interests in land
34 required for any public purpose, including the production of public
35 revenue. Title must be taken in the name of the State of Nevada.

36 4. *As used in this section, "higher education governing body"*
37 *has the meaning ascribed to it in NRS 396.005.*

38 **Sec. 333.** NRS 321.610 is hereby amended to read as follows:

39 321.610 1. All applications to the Bureau of Land
40 Management by the State filed on behalf of a state agency except:

41 (a) The Department of Transportation;

42 (b) The *University of Nevada or the* Nevada System of Higher
43 Education; or

44 (c) The Legislature,



1 ↪ to lease or purchase lands pursuant to the provisions of the
2 Recreation and Public Purposes Act of 1926, 44 Stat. 741, as
3 amended, must be submitted to the State Land Registrar for
4 approval.

5 2. The State Land Registrar shall:

6 (a) Examine those applications and determine whether they are
7 in proper form, contain the required information and are
8 accompanied by the required fees;

9 (b) Determine from the records of the Bureau of Land
10 Management whether the lands to be leased or purchased are subject
11 to disposition pursuant to the Act; and

12 (c) File each application the State Land Registrar approves with
13 the Bureau of Land Management.

14 3. If the State Land Registrar denies an application submitted
15 pursuant to subsection 1, the State Land Registrar shall mail a
16 written notice of the denial to the state agency within 7 days after
17 the application is denied. The notice must include a statement that
18 sets forth:

19 (a) The reason the application was denied; and

20 (b) Any conditions that the state agency must satisfy before the
21 State Land Registrar will approve the application.

22 4. If the state agency satisfies the conditions set forth in the
23 notice, the State Land Registrar shall approve the application and
24 file it with the Bureau of Land Management.

25 5. The Department of Transportation, *the University of*
26 *Nevada*, the Nevada System of Higher Education, the Legislature or
27 a political subdivision of the State may request the assistance of the
28 State Land Registrar in filing an application with the Bureau of
29 Land Management to lease or purchase lands pursuant to the
30 provisions of the Recreation and Public Purposes Act of 1926, 44
31 Stat. 741, as amended. The State Land Registrar shall provide the
32 assistance requested, including, but not limited to, an examination of
33 any application submitted to the State Land Registrar for his or her
34 review. The State Land Registrar shall, upon the completion of the
35 examination, return the application to the Department of
36 Transportation, *the University of Nevada*, the Nevada System of
37 Higher Education, the Legislature or the political subdivision for
38 filing with the Bureau of Land Management.

39 **Sec. 334.** NRS 328.500 is hereby amended to read as follows:

40 328.500 1. The Legislature finds that more than 87 percent of
41 the land in the State of Nevada is held by the Federal Government,
42 of which 69 percent is public land, and the actions of federal
43 agencies and instrumentalities involving the public lands and waters
44 appurtenant to and public roads over those lands significantly affect
45 the health, safety, welfare and happiness of the citizens of this State



1 and may interfere with the traditional sovereign functions of the
2 State of Nevada with respect to those lands, waters and roads and
3 their uses.

4 2. Except as otherwise provided in subsection 3, the Attorney
5 General may:

6 (a) On his or her own initiative or at the request of the Governor
7 or any state agency, bring and maintain any action; or

8 (b) Intervene on behalf of or bring and maintain an action on the
9 relation of, any person in any meritorious case,

10 ↪ in any court or before any federal agency if any action or
11 proposed action by a federal agency or instrumentality with respect
12 to the public lands or waters appurtenant to or public roads over
13 those lands impairs or tends to impair the sovereignty of the State of
14 Nevada.

15 3. The Attorney General may bring an action pursuant to this
16 section if:

17 (a) The Legislature has appropriated sufficient money for the
18 operation of the Attorney General's office to permit the Attorney
19 General to bring and maintain the action until its conclusion; or

20 (b) The Attorney General has obtained the permission:

21 (1) From the Legislature, if it is in session, expressed by a
22 concurrent resolution; or

23 (2) If the Legislature is not in session, from the Interim
24 Finance Committee.

25 4. As used in this section, "public lands" means all lands
26 within the exterior boundaries of the State of Nevada except lands:

27 (a) To which title is held by any private person or entity;

28 (b) To which title is held by the State of Nevada, any of its local
29 governments , *the University of Nevada* or the Nevada System of
30 Higher Education;

31 (c) Which are located within congressionally authorized national
32 parks, monuments, national forests or wildlife refuges or which are
33 lands acquired by purchase consented to by the Legislature;

34 (d) Which are controlled by the United States Department of
35 Defense, Department of Energy or Bureau of Reclamation; or

36 (e) Which are held in trust for Indian purposes or are Indian
37 reservations.

38 **Sec. 335.** NRS 333.020 is hereby amended to read as follows:

39 333.020 As used in this chapter, unless the context otherwise
40 requires:

41 1. "Administrator" means the Administrator of the Purchasing
42 Division.

43 2. "Best value" means the greatest possible economy consistent
44 with grades or qualities of supplies, materials, equipment and
45 services that are adapted to the purposes to be served.



1 3. "Director" means the Director of the Department of
2 Administration.

3 4. "Invitation to bid" means a written statement which sets
4 forth the requirements and specifications of a contract to be awarded
5 by competitive selection.

6 5. "Proprietary information" means:

7 (a) Any trade secret or confidential business information that is
8 contained in a bid or proposal submitted on a particular contract; or

9 (b) Any other trade secret or confidential business information
10 submitted in a bid or proposal and designated as proprietary by the
11 Administrator.

12 ➤ As used in this subsection, "confidential business information"
13 means any information relating to the amount or source of any
14 income, profits, losses or expenditures of a person, including data
15 relating to cost or price submitted in support of a bid or proposal.
16 The term does not include the amount of a bid or proposal.

17 6. "Purchasing Division" means the Purchasing Division of the
18 Department of Administration.

19 7. "Purchasing officer" means a person who is authorized by
20 the Administrator or a using agency to facilitate:

21 (a) The evaluation of bids or proposals for a contract;

22 (b) Any negotiations concerning a contract; or

23 (c) The development, review or approval of a contract.

24 8. "Request for proposals" means a written statement which
25 sets forth the requirements and specifications of a contract to be
26 awarded by competitive selection.

27 9. "Trade secret" has the meaning ascribed to it in
28 NRS 600A.030.

29 10. "Using agencies" means all officers, departments,
30 divisions, institutions, boards, commissions and other agencies in
31 the Executive Department of the State Government which derive
32 their support from public money in whole or in part, whether the
33 money is provided by the State of Nevada, received from the
34 Federal Government or any branch, bureau or agency thereof, or
35 derived from private or other sources. The term does not include the
36 Nevada Rural Housing Authority, the Housing Division of the
37 Department of Business and Industry, local governments as defined
38 in NRS 354.474, conservation districts, irrigation districts, *the*
39 *University of Nevada* and the Nevada System of Higher Education.

40 11. "Volunteer fire department" means a volunteer fire
41 department which pays premiums for industrial insurance pursuant
42 to the provisions of chapters 616A to 616D, inclusive, or chapter
43 617 of NRS.



1 **Sec. 336.** NRS 333.470 is hereby amended to read as follows:
2 333.470 The *University of Nevada, the* Nevada System of
3 Higher Education, local governments as defined in NRS 354.474,
4 conservation districts and irrigation districts in the State of Nevada
5 may obtain supplies, materials and equipment on a voluntary basis
6 through the facilities of the Purchasing Division.

7 **Sec. 337.** NRS 333.700 is hereby amended to read as follows:

8 333.700 1. Except as otherwise provided in NRS 333.705, a
9 using agency may contract for the services of a person as an
10 independent contractor. Except as otherwise provided by specific
11 statute, each such contract must be awarded pursuant to this chapter.

12 2. An independent contractor is a natural person, firm or
13 corporation who agrees to perform services for a fixed price
14 according to his, her or its own methods and without subjection to
15 the supervision or control of the other contracting party, except as to
16 the results of the work, and not as to the means by which the
17 services are accomplished.

18 3. For the purposes of this section:

19 (a) Travel, subsistence and other personal expenses may be paid
20 to an independent contractor, if provided for in the contract, in such
21 amounts as provided for in the contract. Those expenses must not be
22 paid pursuant to the provisions of NRS 281.160.

23 (b) There must be no:

- 24 (1) Withholding of income taxes by the State;
25 (2) Coverage for industrial insurance provided by the State;
26 (3) Participation in group insurance plans which may be
27 available to employees of the State;
28 (4) Participation or contributions by either the independent
29 contractor or the State to the Public Employees' Retirement System;
30 (5) Accumulation of vacation leave or sick leave; or
31 (6) Coverage for unemployment compensation provided by
32 the State if the requirements of NRS 612.085 for independent
33 contractors are met.

34 4. An independent contractor is not in the classified or
35 unclassified service of the State and has none of the rights or
36 privileges available to officers or employees of the State of Nevada.

37 5. If the contract is for services for which a license, certificate,
38 registration, permit or other type of authorization is required by law,
39 an independent contractor must hold the appropriate, current
40 authorization that is required by law for the services.

41 6. Except as otherwise provided in this subsection, each
42 contract for the services of an independent contractor must be in
43 writing. The form of the contract must be first approved by the
44 Attorney General, and except as otherwise provided in subsection 8,
45 an executed copy of each contract must be filed with the Fiscal



1 Analysis Division of the Legislative Counsel Bureau and the Clerk
2 of the State Board of Examiners. The State Board of Examiners may
3 waive the requirements of this subsection in the case of contracts
4 which are for amounts less than \$2,000.

5 7. Except as otherwise provided in subsection 8, and except for
6 contracts entered into by *the University of Nevada or* the Nevada
7 System of Higher Education, each proposed contract with an
8 independent contractor must be submitted to the State Board of
9 Examiners. The contracts do not become effective without the prior
10 approval of the State Board of Examiners, except that the State
11 Board of Examiners may authorize its Clerk or a designee to
12 approve contracts which are:

13 (a) For amounts less than \$100,000; or

14 (b) Entered into by the Nevada Gaming Control Board for the
15 purposes of investigating an applicant for or holder of a gaming
16 license.

17 8. Copies of the following types of contracts need not be filed
18 or approved as provided in subsections 6 and 7:

19 (a) Contracts executed by the Department of Transportation,
20 other than contracts subject to the provisions of NRS 333.705 or
21 408.353.

22 (b) Contracts executed by the State Public Works Division of
23 the Department of Administration or any other state department or
24 agency for any work of construction or major repairs of state
25 buildings, if the contracting process was controlled by the rules of
26 open competitive bidding.

27 (c) Contracts executed by the Housing Division of the
28 Department of Business and Industry.

29 (d) Contracts executed with business entities for any work of
30 maintenance or repair of office machines and equipment.

31 9. The State Board of Examiners shall review each contract
32 submitted for approval pursuant to subsection 7 to consider:

33 (a) Whether sufficient authority exists to expend the money
34 required by the contract; and

35 (b) Whether the service which is the subject of the contract
36 could be provided by a state agency in a more cost-effective
37 manner.

38 ↪ If the contract submitted for approval continues an existing
39 contractual relationship, the State Board of Examiners shall ask each
40 agency to ensure that the State is receiving the services that the
41 contract purports to provide.

42 10. If the services of an independent contractor are contracted
43 for to represent an agency of the State in any proceeding in any
44 court, the contract must require that the independent contractor



1 identify in all pleadings the specific state agency which he or she is
2 representing.

3 11. Except as otherwise provided in this subsection, a contract
4 for the services of an independent contractor may be performed in
5 parts or phases. A contract for the services of an independent
6 contract must not be split into separate contracts for the purpose of
7 avoiding any requirements for competitive bidding.

8 12. The State Board of Examiners may adopt regulations to
9 carry out the provisions of this section.

10 **Sec. 338.** NRS 333.705 is hereby amended to read as follows:

11 333.705 1. Except as otherwise provided in this section, a
12 using agency shall not enter into a contract with a person to provide
13 services for the using agency if:

14 (a) The person is a current employee of an agency of this State;

15 (b) The person is a former employee of an agency of this State
16 and less than 2 years have expired since the termination of the
17 person's employment with the State; or

18 (c) The person is employed by the Department of Transportation
19 for a transportation project that is entirely funded by federal money
20 and the term of the contract is for more than 4 years,

21 ↪ unless the using agency submits a written disclosure to the State
22 Board of Examiners indicating the services to be provided pursuant
23 to the contract and the person who will be providing those services
24 and, after reviewing the disclosure, the State Board of Examiners
25 approves entering into a contract with the person. The requirements
26 of this subsection apply to any person employed by a business or
27 other entity that enters into a contract to provide services for a using
28 agency if the person will be performing or producing the services
29 for which the business or entity is employed.

30 2. The provisions of paragraph (b) of subsection 1 apply to
31 employment through a temporary employment service. A temporary
32 employment service providing employees for a using agency shall
33 provide the using agency with the names of the employees to be
34 provided to the agency. The State Board of Examiners shall not
35 approve a contract pursuant to paragraph (b) of subsection 1 unless
36 the Board determines that one or more of the following
37 circumstances exist:

38 (a) The person provides services that are not provided by any
39 other employee of the using agency or for which a critical labor
40 shortage exists; or

41 (b) A short-term need or unusual economic circumstance exists
42 for the using agency to contract with the person.

43 3. The approval by the State Board of Examiners to contract
44 with a person pursuant to subsection 1:



1 (a) May occur at the same time and in the same manner as the
2 approval by the State Board of Examiners of a proposed contract
3 pursuant to subsection 7 of NRS 333.700; and

4 (b) Must occur before the date on which the contract becomes
5 binding on the using agency.

6 4. A using agency may contract with a person pursuant to
7 paragraph (a) or (b) of subsection 1 without obtaining the approval
8 of the State Board of Examiners if the term of the contract is for less
9 than 4 months and the head of the using agency determines that an
10 emergency exists which necessitates the contract. If a using agency
11 contracts with a person pursuant to this subsection, the using agency
12 shall submit a copy of the contract and a description of the
13 emergency to the State Board of Examiners, which shall review the
14 contract and the description of the emergency and notify the using
15 agency whether the State Board of Examiners would have approved
16 the contract if it had not been entered into pursuant to this
17 subsection.

18 5. Except as otherwise provided in subsection 9, a using
19 agency shall, not later than 10 days after the end of each fiscal
20 quarter, report to the Interim Finance Committee concerning all
21 contracts to provide services for the using agency that were entered
22 into by the using agency during the fiscal quarter with a person who
23 is a current or former employee of a department, division or other
24 agency of this State.

25 6. Except as otherwise provided in subsection 9, a using
26 agency shall not contract with a temporary employment service
27 unless the contracting process is controlled by rules of open
28 competitive bidding.

29 7. Each board or commission of this State and each institution
30 of *the University of Nevada or* the Nevada System of Higher
31 Education that employs a consultant shall, at least once every 6
32 months, submit to the Interim Finance Committee a report setting
33 forth:

34 (a) The number of consultants employed by the board,
35 commission or institution;

36 (b) The purpose for which the board, commission or institution
37 employs each consultant;

38 (c) The amount of money or other remuneration received by
39 each consultant from the board, commission or institution; and

40 (d) The length of time each consultant has been employed by the
41 board, commission or institution.

42 8. A using agency, board or commission of this State and each
43 institution of *the University of Nevada or* the Nevada System of
44 Higher Education:



1 (a) Shall make every effort to limit the number of contracts it
2 enters into with persons to provide services which have a term of
3 more than 2 years and which are in the amount of less than
4 \$1,000,000; and

5 (b) Shall not enter into a contract with a person to provide
6 services without ensuring that the person is in active and good
7 standing with the Secretary of State.

8 9. The provisions of subsections 1 to 6, inclusive, do not apply
9 to:

10 (a) The *University of Nevada, the* Nevada System of Higher
11 Education or a board or commission of this State.

12 (b) The employment of professional engineers by the
13 Department of Transportation if those engineers are employed for a
14 transportation project that is entirely funded by federal money.

15 (c) Contracts in the amount of \$1,000,000 or more entered into:

16 (1) Pursuant to the State Plan for Medicaid established
17 pursuant to NRS 422.063.

18 (2) For financial services.

19 (3) Pursuant to the Public Employees' Benefits Program.

20 (d) The employment of a person by a business or entity which is
21 a provider of services under the State Plan for Medicaid and which
22 provides such services on a fee-for-service basis or through
23 managed care.

24 (e) The employment of a former employee of an agency of this
25 State who is not receiving retirement benefits under the Public
26 Employees' Retirement System during the duration of the contract.

27 **Sec. 339.** NRS 333A.015 is hereby amended to read as
28 follows:

29 333A.015 "Board" means:

30 1. If the using agency that enters into a performance contract is
31 *the University of Nevada or* the Nevada System of Higher
32 Education, ~~[the Board of Regents of the University of Nevada;]~~ *the*
33 *relevant higher education governing body, as defined in NRS*
34 *396.005; or*

35 2. For any other using agency that enters into a performance
36 contract, the State Board of Examiners.

37 **Sec. 340.** NRS 333A.070 is hereby amended to read as
38 follows:

39 333A.070 "Using agency" means all officers, departments,
40 institutions, boards, commissions and other agencies in the
41 Executive Department of the State Government which derive their
42 support from public money in whole or in part, whether the money
43 is provided by the State of Nevada, received from the Federal
44 Government or any branch, bureau or agency thereof, or derived
45 from private or other sources. The term includes *the University of*



1 *Nevada and* the Nevada System of Higher Education, but does not
2 include the Nevada Rural Housing Authority, local governments as
3 defined in NRS 354.474, conservation districts and irrigation
4 districts.

5 **Sec. 341.** NRS 338.018 is hereby amended to read as follows:

6 338.018 The provisions of NRS 338.013 to 338.018, inclusive,
7 apply to any contract for construction work of *the University of*
8 *Nevada or* the Nevada System of Higher Education for which the
9 estimated cost exceeds \$100,000 even if the construction work does
10 not qualify as a public work, as defined in NRS 338.010.

11 **Sec. 342.** NRS 338.075 is hereby amended to read as follows:

12 338.075 The provisions of NRS 338.020 to 338.090, inclusive,
13 apply to any contract for construction work of *the University of*
14 *Nevada or* the Nevada System of Higher Education for which the
15 estimated cost exceeds \$100,000 even if the construction work does
16 not qualify as a public work, as defined in NRS 338.010.

17 **Sec. 343.** NRS 341.128 is hereby amended to read as follows:

18 341.128 1. The Division shall periodically inspect all
19 buildings owned by the State and all physical plant facilities at all
20 institutions owned by the State, except any building or physical
21 plant facility owned by any component of *the University of Nevada*
22 *or* the Nevada System of Higher Education.

23 2. Reports of all inspections, including findings and
24 recommendations, must be submitted to the appropriate state
25 agencies and, if the Division finds any matter of serious concern in a
26 report, it shall submit that report to the Legislative Commission.

27 **Sec. 344.** NRS 341.1407 is hereby amended to read as
28 follows:

29 341.1407 1. Except as otherwise provided in subsection 2,
30 the provisions of NRS 341.141 to 341.148, inclusive, apply to a
31 contract for the construction of a building for *the University of*
32 *Nevada or* the Nevada System of Higher Education only if 25
33 percent or more of the costs of the building as a whole are paid from
34 money appropriated by this State or from federal money.

35 2. The provisions of subsection 2 of NRS 341.145 apply to the
36 construction of any building for *the University of Nevada or* the
37 Nevada System of Higher Education.

38 **Sec. 345.** NRS 341.141 is hereby amended to read as follows:

39 341.141 1. The Division shall furnish engineering and
40 architectural services to *the University of Nevada*, the Nevada
41 System of Higher Education and all other state departments, boards
42 or commissions charged with the construction of any building
43 constructed on state property or for which the money is appropriated
44 by the Legislature, except:

45 (a) Buildings used in maintaining highways;



1 (b) Improvements, other than nonresidential buildings with more
2 than 1,000 square feet in floor area, made:

3 (1) In state parks by the State Department of Conservation
4 and Natural Resources; or

5 (2) By the Department of Wildlife;

6 (c) Buildings of *the University of Nevada or* the Nevada System
7 of Higher Education:

8 (1) That are exempted pursuant to subsection 1 of NRS
9 341.1407; or

10 (2) To which subsection 1 of NRS 341.1407 applies if the
11 Administrator has delegated his or her authority in accordance with
12 NRS 341.119; and

13 (d) Buildings on property controlled by other state agencies if
14 the Administrator has delegated his or her authority in accordance
15 with NRS 341.119.

16 ↪ ~~[The Board of Regents of the University of Nevada]~~ *Each higher*
17 *education governing body* and all other state departments, boards or
18 commissions shall use those services.

19 2. The services must consist of:

20 (a) Preliminary planning;

21 (b) Designing;

22 (c) Estimating of costs; and

23 (d) Preparation of detailed plans and specifications.

24 3. *As used in this section, "higher education governing body"*
25 *has the meaning ascribed to it in NRS 396.005.*

26 **Sec. 346.** NRS 341.155 is hereby amended to read as follows:

27 341.155 1. With the concurrence of the Administrator, ~~[the~~
28 ~~Board of Regents of the University of Nevada]~~ *each higher*
29 *education governing body* and any other state department, board or
30 commission may enter into agreements with persons, associations and
31 corporations to provide consulting services to determine and plan
32 the construction work that may be necessary to meet the needs of
33 the programs of those agencies. These contracts must be for a term
34 not exceeding 5 years and must provide for payment of a fee for
35 those services not to exceed one-half of 1 percent of the total value
36 of:

37 ~~[1-]~~ (a) In the case of *the University of Nevada or* the Nevada
38 System of Higher Education, building construction contracts
39 relating to the construction of a branch or facility within *the*
40 *University of Nevada or* the Nevada System of Higher Education;
41 and

42 ~~[2-]~~ (b) In the case of another state department, board or
43 commission, all construction contracts relating to construction for
44 that agency,

45 ↪ during the term and in the area covered by the contract.



1 **2. As used in this section, “higher education governing body”**
2 **has the meaning ascribed to it in NRS 396.005.**

3 **Sec. 347.** NRS 345.010 is hereby amended to read as follows:

4 345.010 Upon publication of the Statutes of Nevada, the
5 Director of the Legislative Counsel Bureau shall distribute them
6 without charge as follows:

7 1. To each of the judges of the District Court of the United
8 States for the District of Nevada, one copy.

9 2. To the Supreme Court Law Library, two copies.

10 3. To each justice of the Supreme Court, Clerk of the Supreme
11 Court, judge of the Court of Appeals, district judge, county clerk,
12 district attorney, justice of the peace and municipal judge in this
13 State, one copy.

14 4. To each public library in this State, one copy.

15 5. To each library in *the University of Nevada and* the Nevada
16 System of Higher Education, one copy.

17 6. To the Nevada Historical Society, one copy.

18 7. Upon request, to any state, county or municipal officer.

19 **Sec. 348.** NRS 345.020 is hereby amended to read as follows:

20 345.020 The Supreme Court shall distribute each volume of
21 Nevada Reports in book or electronic form without charge as
22 follows:

23 1. To each of the judges of the District Court of the United
24 States for the District of Nevada, one copy.

25 2. The Supreme Court Law Library, two copies.

26 3. To each justice of the Supreme Court, Clerk of the Supreme
27 Court, judge of the Court of Appeals, district judge, district attorney,
28 county clerk, justice of the peace and municipal judge in this State,
29 one copy.

30 4. The Legislative Counsel.

31 5. To each public library in this State, one copy.

32 6. To each library in *the University of Nevada and* the Nevada
33 System of Higher Education, one copy.

34 7. To the Nevada Historical Society, one copy.

35 8. Upon request, to any state, county or municipal officer.

36 **Sec. 349.** NRS 348.120 is hereby amended to read as follows:

37 348.120 “Governing body” means the State Legislature, the
38 State Board of Examiners, any state officer or commission, or other
39 agency or instrumentality of the State authorized to issue public
40 securities in its name and on its behalf, ~~the Board of Regents of the~~
41 ~~University of Nevada,~~ *any higher education governing body, as*
42 *that term is defined in NRS 396.005,* or any city council, city
43 commission, board of supervisors, town council, town board, board
44 of county commissioners, board of trustees of a school district,
45 board of directors or trustees of any other type of district or



1 authority, or other local legislative or governing body of another
2 type of public body.

3 **Sec. 350.** NRS 348.200 is hereby amended to read as follows:
4 348.200 “Public body” means this State, *the University of*
5 *Nevada*, the Nevada System of Higher Education, or a city or town,
6 incorporated or unincorporated, county, school district, other public
7 educational institution, other district, authority or other body
8 corporate and politic comprising a political subdivision of the State
9 or acting on behalf thereof.

10 **Sec. 351.** NRS 350.554 is hereby amended to read as follows:
11 350.554 “Public body” means *the University of Nevada*, the
12 Nevada System of Higher Education, ~~the Board of Regents of the~~
13 ~~University of Nevada,~~ *each higher education governing body, as*
14 *defined in NRS 396.005*, any county, city, town, school district,
15 other type district, authority, commission or other type of body
16 corporate and politic constituting a political subdivision of the State,
17 other than the municipality proceeding hereunder.

18 **Sec. 352.** NRS 353.007 is hereby amended to read as follows:
19 353.007 1. Except as otherwise provided in subsection 2, a
20 person shall not enter into a contract with the State of Nevada unless
21 the person is a holder of a state business license issued pursuant to
22 chapter 76 of NRS.

23 2. A person who is not a holder of a state business license may
24 enter into a contract with the State of Nevada if, pursuant to
25 paragraph (b) of subsection 7 of NRS 76.100, the person is not
26 required to obtain a state business license.

27 3. The provisions of this section apply to all offices,
28 departments, divisions, boards, commissions, institutions, agencies
29 or any other units of:

30 (a) The Legislative, Executive and Judicial Departments of the
31 State Government;

32 (b) *The University of Nevada and the* Nevada System of Higher
33 Education; and

34 (c) The Public Employees’ Retirement System.

35 **Sec. 353.** NRS 353.224 is hereby amended to read as follows:
36 353.224 1. A state agency , other than *the University of*
37 *Nevada*, the Nevada System of Higher Education ~~and~~ *or a*
38 vocational licensing ~~boards~~ *board*, may not change a position for
39 which money has been appropriated or authorized from one
40 occupational group to another, as defined by the index developed
41 pursuant to NRS 284.171, without the approval of the Legislature or
42 of the Interim Finance Committee.

43 2. All proposed changes of positions from one occupational
44 group to another must be submitted to the Interim Finance
45 Committee. The Interim Finance Committee has 45 days after a



1 proposal is submitted to its Secretary within which to consider it.
2 Any proposed change of a position from one occupational group to
3 another which is not considered within the 45-day period shall be
4 deemed approved.

5 3. The Secretary shall place each request submitted pursuant to
6 subsection 2 on the agenda of the next meeting of the Interim
7 Finance Committee.

8 4. In acting upon a proposed change of position, the Interim
9 Finance Committee shall consider, among other things:

- 10 (a) The need for the proposed change; and
- 11 (b) The intent of the Legislature in approving the existing
12 classification of positions.

13 **Sec. 354.** NRS 353.228 is hereby amended to read as follows:
14 353.228 1. The Economic Forum impeaneled pursuant to NRS
15 353.226 shall:

16 (a) Make such projections for economic indicators as it deems
17 necessary to ensure that an accurate estimate is produced pursuant to
18 paragraph (b);

19 (b) Provide an accurate estimate of the revenue that will be
20 collected by the State for general, unrestricted uses, and not for
21 special purposes, during the biennium that begins on July 1 of the
22 year following the date on which the Economic Forum was
23 empaneled;

24 (c) Request such technical assistance as the Economic Forum
25 deems necessary from the Technical Advisory Committee created
26 by NRS 353.229;

27 (d) On or before December 3 of each even-numbered year,
28 prepare a written report of its projections of economic indicators and
29 estimate of future state revenue required by paragraphs (a) and (b)
30 and present the report to the Governor and the Legislature;

31 (e) On or before May 1 of each odd-numbered year, prepare a
32 written report confirming or revising the projections of economic
33 indicators and estimate of future state revenue contained in the
34 report prepared pursuant to paragraph (d) and present the report to
35 the Governor and the Legislature; and

36 (f) Except as otherwise provided in subsection 2, on or before
37 June 10 of each even-numbered year and December 10 of each odd-
38 numbered year, hold a meeting to consider current economic
39 indicators, including, without limitation, employment,
40 unemployment, personal income and any other indicators deemed
41 appropriate by the Economic Forum. Based on current economic
42 indicators, the Economic Forum shall update the status of actual
43 State General Fund revenue compared to the most recent forecast of
44 the Economic Forum. The provisions of this paragraph are not
45 intended to authorize the Economic Forum to make additional



1 forecasts pursuant to paragraph (b). At the next appropriate meeting
2 of the Interim Finance Committee, the Chair of the Economic
3 Forum or a member of the staff of the Economic Forum shall
4 present to the Interim Finance Committee such matters considered at
5 the meeting of the Economic Forum held pursuant to this paragraph,
6 as the Economic Forum determines appropriate. Any such
7 information presented to the Interim Finance Committee must be
8 made available on the Internet website of the Legislature.

9 2. If the deadline for preparing a report or holding a meeting as
10 required in subsection 1 falls on a Saturday, Sunday or legal
11 holiday, the deadline is extended to the second business day
12 following the deadline.

13 3. The Economic Forum may make preliminary projections of
14 economic indicators and estimates of future state revenue at any
15 time. Any such projections and estimates must be made available to
16 the various agencies of the State through the Chief.

17 4. The Economic Forum may request information directly from
18 any state agency, including, without limitation, *the University of*
19 *Nevada and* the Nevada System of Higher Education. A state
20 agency, including, without limitation, *the University of Nevada or*
21 the Nevada System of Higher Education, that receives a reasonable
22 request for information from the Economic Forum shall comply
23 with the request as soon as is reasonably practicable after receiving
24 the request.

25 5. The Economic Forum may request direct testimony from
26 any state agency, including, without limitation, *the University of*
27 *Nevada and* the Nevada System of Higher Education, at a meeting
28 of the Economic Forum or the Technical Advisory Committee. The
29 head, or a designee thereof, of a state agency, including, without
30 limitation, *the University of Nevada or* the Nevada System of
31 Higher Education, who receives a reasonable request for direct
32 testimony at a meeting of the Economic Forum or the Technical
33 Advisory Committee shall appear at the meeting and shall comply
34 with the request.

35 6. To carry out its duties pursuant to this section, the Economic
36 Forum may consider any information received from the Technical
37 Advisory Committee and any other information received from
38 independent sources.

39 7. Copies of the projections and estimates made pursuant to
40 this section must be made available to the public by the Director of
41 the Legislative Counsel Bureau for the cost of reproducing the
42 material.



1 **Sec. 355.** NRS 353.229 is hereby amended to read as follows:
2 353.229 1. The Technical Advisory Committee on Future
3 State Revenues, consisting of ~~seven~~ *eight* members, is hereby
4 created.

5 2. The members of the Committee are the persons serving in
6 the following positions or their designees:

7 (a) The Senate Fiscal Analyst;

8 (b) The Assembly Fiscal Analyst;

9 (c) The Chief of the Budget Division of the Office of Finance;

10 (d) The head of the Research Division of the Employment
11 Security Division of the Department of Employment, Training and
12 Rehabilitation or, if that position ceases to exist, the position
13 deemed by the Administrator of the Employment Security Division
14 to be the equivalent of that position;

15 (e) The Vice Chancellor for Finance of the *University of* Nevada
16 ~~[System of Higher Education]~~ or a person designated by the Vice
17 Chancellor;

18 (f) *The Assistant Director of the General Services Division of*
19 *the Nevada Office of Higher Education Administrative Services or*
20 *a person designated by the Assistant Director;*

21 (g) The demographer employed pursuant to NRS 360.283; and

22 ~~(g)~~ (h) The Chair of the Committee on Local Government
23 Finance.

24 3. The Committee shall:

25 (a) At its first meeting and annually thereafter elect a Chair and
26 Vice Chair from among its members;

27 (b) Adopt such rules governing the conduct of the Committee as
28 it deems necessary;

29 (c) Hold such number of meetings as may be necessary to carry
30 out the requests made by the Economic Forum pursuant to NRS
31 353.228 in the most timely manner practicable; and

32 (d) Provide all assistance requested by the Economic Forum
33 pursuant to NRS 353.227.

34 4. A majority of the Committee constitutes a quorum and a
35 majority of those members present must concur in any decision.

36 5. Each member of the Committee who is not an officer or
37 employee of the State shall serve without compensation, except that
38 while the member is engaged in the business of the Committee he or
39 she is entitled to receive the per diem allowance and travel expenses
40 provided for state officers and employees generally.

41 6. Each member of the Committee who is an officer or
42 employee of the State must be relieved from duties without loss of
43 his or her regular compensation so that the member may prepare for
44 and attend meetings of the Committee and perform any work
45 necessary to accomplish the tasks assigned to the Committee in the



1 most timely manner practicable. A state agency shall not require an
2 officer or employee who is a member of the Committee to make up
3 the time he or she is absent from work to fulfill his or her
4 obligations as a member, nor shall it require the member to take
5 annual vacation or compensatory time for the absence. Such a
6 member shall serve on the Committee without additional
7 compensation, except that while the member is engaged in the
8 business of the Committee he or she is entitled to receive the per
9 diem allowance and travel expenses provided for state officers and
10 employees generally, which must be paid by the state agency which
11 employs the member.

12 7. The Committee may request information from any state
13 agency. A state agency that receives a reasonable request for
14 information from the Committee shall comply with the request as
15 soon as is reasonably practicable after receiving the request.

16 8. The Director of the Legislative Counsel Bureau and the
17 Budget Division of the Office of Finance shall jointly provide the
18 Committee with:

- 19 (a) Meeting rooms;
- 20 (b) Staff;
- 21 (c) Data processing services; and
- 22 (d) Clerical assistance.

23 **Sec. 356.** NRS 353.253 is hereby amended to read as follows:

24 353.253 1. Every agency, department and institution of the
25 State of Nevada shall deposit all money received from the Federal
26 Government, the counties or other sources, in the State Treasury as
27 provided in NRS 353.250 unless otherwise provided by law. These
28 deposits must be made to work program accounts directly or to other
29 budget accounts.

30 2. Except for the balance in any proprietary fund and
31 appropriated or authorized reserves, any balance remaining at the
32 end of a fiscal year in a budget account of an agency, department or
33 institution of the State of Nevada, whether or not authorized for
34 expenditure under a work program, reverts to the source of funding
35 supporting the agency, department or institution. If that source of
36 funding is federal money or a source of revenue the use of which is
37 restricted by statute, then the balance may be authorized for
38 expenditure under a work program for the subsequent fiscal year in
39 accordance with the provisions of this chapter.

40 3. No provision of this chapter may be construed to authorize
41 or direct the transfer, expenditure or reversion of any money
42 received from the Federal Government contrary to the conditions
43 upon which that money was received or to any federal law or
44 regulation respecting the accountability therefor.



1 4. This section does not apply to ~~[the Board of Regents of the~~
2 ~~University of Nevada]~~ *any higher education governing body* and
3 the Nevada State Museum.

4 *5. As used in this section, "higher education governing body"*
5 *has the meaning ascribed to it in NRS 396.005.*

6 **Sec. 357.** NRS 353.335 is hereby amended to read as follows:

7 353.335 1. Except as otherwise provided in subsections 5 and
8 6, a state agency may accept any gift or grant of property or services
9 from any source only if it is included in an act of the Legislature
10 authorizing expenditures of nonappropriated money or, when it is
11 not so included, if it is approved as provided in subsection 2.

12 2. If:

13 (a) Any proposed gift or grant is necessary because of an
14 emergency as defined in NRS 353.263 or for the protection or
15 preservation of life or property, the Governor shall take reasonable
16 and proper action to accept it and shall report the action and his or
17 her reasons for determining that immediate action was necessary to
18 the Interim Finance Committee at its first meeting after the action is
19 taken. Action by the Governor pursuant to this paragraph constitutes
20 acceptance of the gift or grant, and other provisions of this chapter
21 requiring approval before acceptance do not apply.

22 (b) The Governor determines that any proposed gift or grant
23 would be forfeited if the State failed to accept it before the
24 expiration of the period prescribed in paragraph (c), the Governor
25 may declare that the proposed acceptance requires expeditious
26 action by the Interim Finance Committee. Whenever the Governor
27 so declares, the Interim Finance Committee has 15 days after the
28 proposal is submitted to its Secretary within which to approve or
29 deny the acceptance. Any proposed acceptance which is not
30 considered within the 15-day period shall be deemed approved.

31 (c) The proposed acceptance of any gift or grant does not qualify
32 pursuant to paragraph (a) or (b), it must be submitted to the Interim
33 Finance Committee. The Interim Finance Committee has 45 days
34 after the proposal is submitted to its Secretary within which to
35 consider acceptance. Any proposed acceptance which is not
36 considered within the 45-day period shall be deemed approved.

37 3. The Secretary shall place each request submitted to the
38 Secretary pursuant to paragraph (b) or (c) of subsection 2 on the
39 agenda of the next meeting of the Interim Finance Committee.

40 4. In acting upon a proposed gift or grant, the Interim Finance
41 Committee shall consider, among other things:

42 (a) The need for the facility or service to be provided or
43 improved;

44 (b) Any present or future commitment required of the State;

45 (c) The extent of the program proposed; and



1 (d) The condition of the national economy, and any related fiscal
2 or monetary policies.

3 5. A state agency may accept:

4 (a) Gifts, including grants from nongovernmental sources, not
5 exceeding \$20,000 each in value; and

6 (b) Governmental grants not exceeding \$150,000 each in value,
7 ↪ if the gifts or grants are used for purposes which do not involve
8 the hiring of new employees and if the agency has the specific
9 approval of the Governor or, if the Governor delegates this power of
10 approval to the Chief of the Budget Division of the Office of
11 Finance, the specific approval of the Chief.

12 6. This section does not apply to:

13 (a) The *University of Nevada and the* Nevada System of Higher
14 Education;

15 (b) The Department of Health and Human Services while acting
16 as the state health planning and development agency pursuant to
17 paragraph (d) of subsection 2 of NRS 439A.081 or for donations,
18 gifts or grants to be disbursed pursuant to NRS 433.395 or 435.490;

19 (c) Legal services provided on a pro bono basis by an attorney
20 or law firm engaged in the private practice of law to the State of
21 Nevada or any officer, agency or employee in the Executive
22 Department of the State Government pursuant to a contract for legal
23 services entered into by or at the request of the Attorney General in
24 accordance with NRS 228.112 to 228.1127, inclusive;

25 (d) Artifacts donated to the Department of Tourism and Cultural
26 Affairs; or

27 (e) The initial \$250,000 received by the Department of Wildlife
28 pursuant to subsection 1 of NRS 501.3585 as a gift, donation,
29 bequest or devise, or combination thereof, for an unanticipated
30 emergency event, as defined in NRS 501.3585.

31 **Sec. 358.** NRS 353.540 is hereby amended to read as follows:

32 353.540 "State agency" means an agency, bureau, board,
33 commission, department, division or any other unit of the
34 government of this State that is required to submit information to
35 the Chief pursuant to subsection 1 or 6 of NRS 353.210. "State
36 agency" does not include *the University of Nevada or* the Nevada
37 System of Higher Education unless it is anticipated that payments
38 under the agreement will be made with state appropriations.

39 **Sec. 359.** NRS 353A.020 is hereby amended to read as
40 follows:

41 353A.020 1. The Director, in consultation with the
42 Committee and Legislative Auditor, shall adopt a uniform system of
43 internal accounting and administrative control for agencies. The
44 elements of the system must include, without limitation:



1 (a) A plan of organization which provides for a segregation of
2 duties appropriate to safeguard the assets of the agency;

3 (b) A plan which limits access to assets of the agency to persons
4 who need the assets to perform their assigned duties;

5 (c) Procedures for authorizations and recordkeeping which
6 effectively control accounting of assets, liabilities, revenues and
7 expenses;

8 (d) A system of practices to be followed in the performance of
9 the duties and functions of each agency; and

10 (e) An effective system of internal review.

11 2. The Director, in consultation with the Committee and
12 Legislative Auditor, may modify the system whenever the Director
13 considers it necessary.

14 3. Each agency shall develop written procedures to carry out
15 the system of internal accounting and administrative control adopted
16 pursuant to this section.

17 4. For the purposes of this section, "agency" does not include:

18 (a) A board created by the provisions of NRS 590.485 and
19 chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648,
20 654 and 656 of NRS.

21 (b) The *University of Nevada or the* Nevada System of Higher
22 Education.

23 (c) The Public Employees' Retirement System.

24 (d) The Housing Division of the Department of Business and
25 Industry.

26 (e) The Colorado River Commission of Nevada.

27 **Sec. 360.** NRS 353A.025 is hereby amended to read as
28 follows:

29 353A.025 1. The head of each agency shall periodically
30 review the agency's system of internal accounting and
31 administrative control to determine whether it is in compliance with
32 the uniform system of internal accounting and administrative control
33 for agencies adopted pursuant to subsection 1 of NRS 353A.020.

34 2. On or before July 1 of each even-numbered year, the head of
35 each agency shall report to the Director whether the agency's
36 system of internal accounting and administrative control is in
37 compliance with the uniform system adopted pursuant to subsection
38 1 of NRS 353A.020. The reports must be made available for
39 inspection by the members of the Legislature.

40 3. For the purposes of this section, "agency" does not include:

41 (a) A board created by the provisions of NRS 590.485 and
42 chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648,
43 654 and 656 of NRS.

44 (b) The *University of Nevada or the* Nevada System of Higher
45 Education.



1 (c) The Public Employees' Retirement System.
2 (d) The Housing Division of the Department of Business and
3 Industry.

4 (e) The Colorado River Commission of Nevada.
5 4. The Director shall, on or before the first Monday in
6 February of each odd-numbered year, submit a report on the status
7 of internal accounting and administrative controls in agencies to the:

8 (a) Director of the Legislative Counsel Bureau for transmittal to
9 the:

- 10 (1) Senate Standing Committee on Finance; and
11 (2) Assembly Standing Committee on Ways and Means;

12 (b) Governor; and
13 (c) Legislative Auditor.

14 5. The report submitted by the Director pursuant to subsection
15 4 must include, without limitation:

16 (a) The identification of each agency that has not complied with
17 the requirements of subsections 1 and 2;

18 (b) The identification of each agency that does not have an
19 effective method for reviewing its system of internal accounting and
20 administrative control; and

21 (c) The identification of each agency that has weaknesses in its
22 system of internal accounting and administrative control, and the
23 extent and types of such weaknesses.

24 **Sec. 361.** NRS 353A.045 is hereby amended to read as
25 follows:

26 353A.045 The Administrator shall:

27 1. Report to the Director.

28 2. Develop long-term and annual work plans to be based on the
29 results of periodic documented risk assessments. The annual work
30 plan must list the agencies to which the Division will provide
31 training and assistance and be submitted to the Director for
32 approval. Such agencies must not include:

33 (a) A board created by the provisions of NRS 590.485 and
34 chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648,
35 654 and 656 of NRS.

36 (b) The *University of Nevada or the* Nevada System of Higher
37 Education.

38 (c) The Public Employees' Retirement System.

39 (d) The Housing Division of the Department of Business and
40 Industry.

41 (e) The Colorado River Commission of Nevada.

42 3. Provide a copy of the approved annual work plan to the
43 Legislative Auditor.

44 4. In consultation with the Director, prepare a plan for auditing
45 executive branch agencies for each fiscal year and present the plan



1 to the Committee for its review and approval. Each plan for auditing
2 must:

3 (a) State the agencies which will be audited, the proposed scope
4 and assignment of those audits and the related resources which will
5 be used for those audits; and

6 (b) Ensure that the internal accounting, administrative controls
7 and financial management of each agency are reviewed periodically.

8 5. Perform the audits of the programs and activities of the
9 agencies in accordance with the plan approved pursuant to
10 subsection 5 of NRS 353A.038 and prepare audit reports of his or
11 her findings.

12 6. Review each agency that is audited pursuant to subsection 5
13 and advise those agencies concerning internal accounting,
14 administrative controls and financial management.

15 7. Submit to each agency that is audited pursuant to subsection
16 5 analyses, appraisals and recommendations concerning:

17 (a) The adequacy of the internal accounting and administrative
18 controls of the agency; and

19 (b) The efficiency and effectiveness of the management of the
20 agency.

21 8. Report any possible abuses, illegal actions, errors, omissions
22 and conflicts of interest of which the Division becomes aware
23 during the performance of an audit.

24 9. Adopt the standards of The Institute of Internal Auditors for
25 conducting and reporting on internal audits.

26 10. Consult with the Legislative Auditor concerning the plan
27 for auditing and the scope of audits to avoid duplication of effort
28 and undue disruption of the functions of agencies that are audited
29 pursuant to subsection 5.

30 **Sec. 362.** Chapter 353B of NRS is hereby amended by adding
31 thereto a new section to read as follows:

32 *“University” means the University of Nevada, as described in*
33 *NRS 396.020.*

34 **Sec. 363.** NRS 353B.001 is hereby amended to read as
35 follows:

36 353B.001 As used in this chapter, unless the context otherwise
37 requires, the words and terms defined in NRS 353B.002, 353B.003
38 and 353B.004 *and section 362 of this act* have the meanings
39 ascribed to them in those sections.

40 **Sec. 364.** NRS 353B.005 is hereby amended to read as
41 follows:

42 353B.005 1. There is hereby created a Board of Trustees of
43 the College Savings Plans of Nevada.

44 2. The Board consists of ~~five~~ six members composed of:



1 (a) The State Treasurer, who may name a designee to serve on
2 the Board on his or her behalf.

3 (b) The Director of the Office of Finance, who may name a
4 designee to serve on the Board on his or her behalf.

5 (c) The Chancellor of the ~~[System,]~~ *University*, who may name
6 a designee to serve on the Board on his or her behalf.

7 (d) *The Director of the Nevada Office of Higher Education*
8 *Administrative Services, who may name a designee to serve on the*
9 *Board on his or her behalf.*

10 (e) Two members appointed by the Governor. A member who is
11 appointed by the Governor must possess knowledge, skill and
12 experience in the field of:

- 13 (1) Accounting;
- 14 (2) Finance;
- 15 (3) Investment management; or
- 16 (4) Marketing.

17 3. A member of the Board who is appointed by the Governor
18 pursuant to paragraph ~~[(d)]~~ (e) of subsection 2:

19 (a) Serves for a term of 4 years or until his or her successor is
20 appointed;

21 (b) Except as otherwise provided in paragraph (c), may be
22 reappointed by the Governor; and

23 (c) Except as otherwise provided in this paragraph, may serve
24 for only two terms. A member who is appointed to fill a vacancy in
25 an unexpired term that is not longer than 3 years may serve two
26 terms in addition to the unexpired term.

27 4. The members of the Board shall elect a Chair of the Board
28 from among their number.

29 5. Each member of the Board serves without compensation,
30 except that each member is entitled to receive:

31 (a) The per diem allowance and travel expenses provided for
32 state officers and employees generally; and

33 (b) Reimbursement for any other actual and reasonable expense
34 incurred while performing his or her duties.

35 6. As used in this section, the term "College Savings Plans of
36 Nevada" includes the Nevada Higher Education Prepaid Tuition
37 Program set forth in NRS 353B.010 to 353B.190, inclusive, and the
38 Nevada College Savings Program set forth in NRS 353B.300 to
39 353B.370, inclusive, including the Nevada College Kick Start
40 Program.

41 **Sec. 365.** NRS 353B.075 is hereby amended to read as
42 follows:

43 353B.075 The provisions of NRS 353B.010 to 353B.190,
44 inclusive, must not be construed as a promise or guarantee that a
45 qualified beneficiary:



1 1. Will be admitted to, allowed to continue enrollment at or
2 graduated from a community college or university; or

3 2. Will have the full cost of his or her tuition paid at a
4 community college, college or university that is not a member of the
5 ~~[Nevada] University or System . [of Higher Education.]~~

6 **Sec. 366.** NRS 353B.090 is hereby amended to read as
7 follows:

8 353B.090 1. The Board shall develop the Nevada Higher
9 Education Prepaid Tuition Program for the prepayment of tuition for
10 a qualified beneficiary for:

11 (a) Undergraduate studies at:

12 (1) A university, state college or community college that is a
13 member of the *University or System*;

14 (2) An accredited college or university in this State that is not
15 a member of the *University or System*; or

16 (3) An accredited community college, college or university
17 in another state.

18 (b) If any money paid into the Trust Fund under a prepaid
19 tuition contract is remaining after a qualified beneficiary has
20 graduated with an undergraduate degree, for graduate-level studies
21 at:

22 (1) A university, state college or community college that is a
23 member of the *University or System*;

24 (2) An accredited college or university in this State that is not
25 a member of the *University or System*; or

26 (3) An accredited community college, college or university
27 in another state.

28 2. The amount of the tuition under a prepaid tuition contract
29 must be at a guaranteed rate which is established based on the
30 annual actuarial study required pursuant to NRS 353B.190 for
31 undergraduate studies at a university, state college or community
32 college that is a member of the *University or System*.

33 3. The Board shall adopt regulations for the implementation of
34 the Program, including, without limitation, regulations setting forth
35 requirements for:

36 (a) Residency;

37 (b) A limit on the number of qualified beneficiaries;

38 (c) The termination, withdrawal and transfer of money paid into
39 the Trust Fund;

40 (d) A payment received by the Trust Fund as a matching
41 contribution made as described in NRS 363A.137 or 363B.117 to be
42 credited to the qualified beneficiary on whose behalf the matching
43 contribution was made;

44 (e) The time within which the money paid into the Trust Fund
45 must be used;



- 1 (f) Payment schedules; and
- 2 (g) A master agreement for the Program.

3 **Sec. 367.** NRS 353B.100 is hereby amended to read as
4 follows:

5 353B.100 1. The Board may enter into a prepaid tuition
6 contract with a purchaser.

7 2. The Board shall create a prepaid tuition contract in
8 accordance with the provisions of this section.

9 3. The prepaid tuition contract must include, without
10 limitation:

11 (a) The terms and conditions under which the purchaser shall
12 remit payment, including, without limitation:

13 (1) The amount and number of payments that are required
14 from the purchaser on behalf of the qualified beneficiary;

15 (2) The date upon which each payment is due; and

16 (3) A provision for a reasonable penalty for a delinquent
17 payment or default.

18 (b) The name and date of birth of the qualified beneficiary on
19 whose behalf the prepaid tuition contract is drawn.

20 (c) The terms and conditions under which another person may
21 be substituted as the qualified beneficiary.

22 (d) The terms and conditions under which the purchaser, or
23 another person designated by the purchaser, may terminate the
24 prepaid tuition contract, receive a refund of money that he or she has
25 paid into the Trust Fund or withdraw money that he or she has paid
26 into the Trust Fund, including, without limitation, a provision
27 allowing the Board to impose a fee that amounts to more than a de
28 minimis penalty.

29 (e) A provision that the Board shall, after making a reasonable
30 effort to contact the purchaser, report any money that has been
31 deposited under a prepaid tuition contract that has not been
32 terminated and has not been used within a specified period to the
33 State Treasurer for proper disposition.

34 (f) The number of semesters for which the purchaser is
35 contracting.

36 (g) A provision that money paid into the Trust Fund under a
37 prepaid tuition contract may be applied toward tuition for an
38 undergraduate degree at:

39 (1) A university, state college or community college that is a
40 member of the *University or* System;

41 (2) An accredited college or university in this State that is not
42 a member of the *University or* System; or

43 (3) An accredited community college, college or university
44 in another state.



1 ↳ Payments authorized pursuant to subparagraph (2) or (3) must not
2 exceed the projected highest payment for tuition for the current
3 academic year at a university that is a member of the *University or*
4 System.

5 (h) A provision that any money under a prepaid tuition contract
6 that is remaining after a qualified beneficiary has graduated with an
7 undergraduate degree may be applied toward tuition for graduate-
8 level studies at:

9 (1) A university, state college or community college that is a
10 member of the *University or* System;

11 (2) An accredited college or university in this State that is not
12 a member of the *University or* System; or

13 (3) An accredited community college, college or university
14 in another state.

15 ↳ Payments authorized pursuant to this paragraph may not exceed
16 the total amount payable under the prepaid tuition contract of the
17 qualified beneficiary.

18 (i) Any other term or condition that the Board considers
19 necessary or proper.

20 **Sec. 368.** NRS 355.270 is hereby amended to read as follows:

21 355.270 1. The State Treasurer shall cause to be formed in
22 this State an independent corporation for public benefit, the general
23 purpose of which is to act as a limited partner of limited
24 partnerships or a shareholder or member of limited-liability
25 companies that provide private equity funding to businesses:

26 (a) Located in this State or seeking to locate in this State; and

27 (b) Engaged primarily in one or more of the following
28 industries:

29 (1) Health care and life sciences.

30 (2) Cyber security.

31 (3) Homeland security and defense.

32 (4) Alternative energy.

33 (5) Advanced materials and manufacturing.

34 (6) Information technology.

35 (7) Any other industry that the board of directors of the
36 corporation for public benefit determines will likely meet the targets
37 for investment returns established by the corporation for public
38 benefit for investments authorized by NRS 355.250 to 355.285,
39 inclusive, and comply with sound fiduciary principles.

40 2. The corporation for public benefit created pursuant to
41 subsection 1 must have a board of directors consisting of:

42 (a) Five members from the private sector who have at least 10
43 years of experience in the field of investment, finance or banking
44 and who are appointed for a term of 4 years as follows:

45 (1) One member appointed by the Governor;



- 1 (2) One member appointed by the Senate Majority Leader;
- 2 (3) One member appointed by the Speaker of the Assembly;
- 3 (4) One member appointed by the Senate Minority Leader;

4 and

- 5 (5) One member appointed by the Assembly Minority
- 6 Leader;

7 (b) The Chancellor of the *University of Nevada* ~~[System of~~
8 ~~Higher Education]~~ or his or her designee;

9 (c) *The Director of the Nevada Office of Higher Education*
10 *Administrative Services or his or her designee;*

11 (d) The State Treasurer; and

12 ~~[(d)]~~ (e) With the approval of a majority of the members of the
13 board of directors described in subparagraphs (1), (2) and (3) of
14 paragraph (a), up to 5 additional members who are direct investors
15 in the corporation for public benefit.

16 3. Vacancies in the appointed positions on the board of
17 directors of the corporation for public benefit created pursuant to
18 subsection 1 must be filled by the appointing authority for the
19 unexpired term.

20 4. The State Treasurer shall serve as chair of the board of
21 directors of the corporation for public benefit created pursuant to
22 subsection 1.

23 5. The members of the board of directors of the corporation for
24 public benefit must serve without compensation but are entitled to
25 be reimbursed for actual and necessary expenses incurred in the
26 performance of their duties, including, without limitation, travel
27 expenses.

28 6. A member of the board of directors of the corporation for
29 public benefit created pursuant to subsection 1 must not have an
30 equity interest in any:

31 (a) External asset manager or venture capital or private equity
32 investment firm contracting with the board pursuant to NRS
33 355.275; or

34 (b) Business which receives private equity funding pursuant to
35 NRS 355.250 to 355.285, inclusive.

36 7. The board of directors of the corporation for public benefit
37 created pursuant to subsection 1 shall:

38 (a) Comply with the provisions of chapter 281A of NRS.

39 (b) Meet at least quarterly and conduct any meetings of the
40 board of directors in accordance with chapter 241 of NRS.

41 (c) Review the performance of all external asset managers and
42 venture capital and private equity investment firms contracting with
43 the corporation for public benefit pursuant to NRS 355.275.

44 (d) On or before December 1 of each year, provide an annual
45 report to the Governor and the Director of the Legislative Counsel



1 Bureau for transmission to the next session of the Legislature, if the
2 report is submitted in an even-numbered year or to the Legislative
3 Commission, if the report is submitted in an odd-numbered year.
4 The report must include, without limitation:

5 (1) An accounting of all money received and expended by
6 the corporation for public benefit, including, without limitation, any
7 matching grant funds, gifts or donations; and

8 (2) The name and a brief description of all businesses
9 receiving an investment of money pursuant to the provisions of NRS
10 355.250 to 355.285, inclusive.

11 **Sec. 369.** NRS 360.752 is hereby amended to read as follows:

12 360.752 1. A person who intends to locate or expand a
13 business in this State may apply to the Office of Economic
14 Development pursuant to this section for a partial abatement of the
15 tax imposed on the new or expanded business pursuant to chapter
16 361 of NRS.

17 2. The Office of Economic Development shall approve an
18 application for a partial abatement pursuant to this section if the
19 Office makes the following determinations:

20 (a) The business is in one or more of the industry sectors for
21 economic development promoted, identified or otherwise approved
22 by the Governor's Workforce Investment Board described in
23 NRS 232.935.

24 (b) The business is consistent with:

25 (1) The State Plan for Economic Development developed by
26 the Executive Director of the Office of Economic Development
27 pursuant to subsection 2 of NRS 231.053; and

28 (2) Any guidelines adopted by the Executive Director of the
29 Office to implement the State Plan for Economic Development.

30 (c) Not later than 1 year after the date on which the application
31 was received by the Office, the applicant has executed an agreement
32 with the Office which must:

33 (1) Comply with the requirements of NRS 360.755;

34 (2) Require the business to submit to the Department the
35 reports required by paragraph (c) of subsection 1 of NRS 218D.355;

36 (3) State the agreed terms of the partial abatement, which
37 must comply with the requirements of subsection 4;

38 (4) State the date on which the abatement becomes effective,
39 as agreed to by the applicant and the Office, which must not be
40 earlier than the date on which the Office received the application
41 and not later than 1 year after the date on which the Office approves
42 the application;

43 (5) State that the business will, after the date on which a
44 certificate of eligibility for the abatement is issued pursuant to
45 subsection 5, continue in operation in this State for a period



1 specified by the Office, which must be at least 5 years, and will
2 continue to meet the eligibility requirements set forth in this
3 subsection; and

4 (6) Bind the successors in interest of the business for the
5 specified period.

6 (d) The business is registered pursuant to the laws of this State
7 or the applicant commits to obtain a valid business license and all
8 other permits required by the county, city or town in which the
9 business operates.

10 (e) The business does not receive:

11 (1) Any funding from a governmental entity, other than any
12 private activity bonds as defined in 26 U.S.C. § 141; or

13 (2) Any real or personal property from a governmental entity
14 at no cost or at a reduced cost.

15 (f) The average hourly wage that will be paid by the business to
16 its new employees in this State is at least 100 percent of the average
17 statewide hourly wage or the average countywide hourly wage,
18 whichever is less, as established by the Employment Security
19 Division of the Department of Employment, Training and
20 Rehabilitation on July 1 of each fiscal year.

21 (g) The business will offer a health insurance plan for all full-
22 time employees that includes an option for health insurance
23 coverage for dependents of those employees, or will abide by all
24 applicable provisions of the Patient Protection and Affordable Care
25 Act, Public Law 111-148, or both, and the benefits the business
26 offers to its employees in this State will meet the minimum
27 requirements for benefits established by the Office.

28 (h) The business meets the following requirements:

29 (1) The business makes a capital investment of at least
30 \$1,000,000 in a program of the University of Nevada, Reno, the
31 University of Nevada, Las Vegas, or the Desert Research Institute to
32 be used in support of research, development or training related to
33 the field of endeavor of the business.

34 (2) The business will employ 15 or more full-time employees
35 for the duration of the abatement.

36 (3) The business will employ two or more graduate students
37 from the program in which the capital investment is made on a part-
38 time basis during years 2 through 5, inclusive, of the abatement.

39 (4) The business submits with its application for a partial
40 abatement:

41 (I) A letter of support from the institution in which the
42 capital investment is made, which is signed by the chief
43 administrative officer of the institution and the director or chair of
44 the program or the appropriate department, and which includes,
45 without limitation, a summary of the financial and other resources



1 the business will provide to the program and an agreement that the
2 institution will provide to the Office periodic reports, at such times
3 and containing such information as the Office may require,
4 regarding the use of those resources; and

5 (II) A letter of support which is signed by the chair of the
6 board of directors of the regional economic development authority
7 within whose jurisdiction the institution is located and which
8 includes, without limitation, a summary of the role the business will
9 play in diversifying the economy and, if applicable, in achieving the
10 broader goals of the regional economic development authority for
11 economic development and diversification.

12 (i) In lieu of meeting the requirements of paragraph (h), the
13 business meets the following requirements:

14 (1) The business makes a capital investment of at least
15 \$500,000 in ~~[the Nevada State College or]~~ an institution of the
16 Nevada System of Higher Education ~~[other than those set forth in~~
17 ~~subparagraph (1) of paragraph (h).]~~ to be used in support of college
18 certification or in support of research or training related to the field
19 of endeavor of the business.

20 (2) The business will employ 15 or more full-time employees
21 for the duration of the abatement.

22 (3) The business will employ two or more students from the
23 college or institution in which the capital investment is made on a
24 full-time basis during years 2 through 5, inclusive, of the abatement.

25 (4) The business submits with its application for a partial
26 abatement:

27 (I) A letter of support from the college or institution in
28 which the capital investment is made, which is signed by the chief
29 administrative officer of the college or institution and which
30 includes, without limitation, a summary of the financial and other
31 resources the business will provide to the program and an agreement
32 that the college or institution will provide to the Office periodic
33 reports, at such times and containing such information as the Office
34 may require, regarding the use of those resources; and

35 (II) A letter of support which is signed by the chair of the
36 board of directors of the regional economic development authority
37 within whose jurisdiction the college or institution is located and
38 which includes, without limitation, a summary of the role the
39 business will play in diversifying the economy and, if applicable, in
40 achieving the broader goals of the regional economic development
41 authority for economic development and diversification.

42 3. Notwithstanding the provisions of subsection 2, the Office
43 of Economic Development:



1 (a) Shall furnish to the board of county commissioners of each
2 affected county a copy of each application for a partial abatement
3 pursuant to this section.

4 (b) Shall not consider an application for a partial abatement
5 pursuant to this section unless the Office has requested a letter of
6 acknowledgment of the request for the abatement from any affected
7 county, school district, city or town.

8 (c) Shall not approve an application for a partial abatement
9 pursuant to this section unless the abatement is approved or deemed
10 approved as described in this paragraph. The board of county
11 commissioners of each affected county must approve or deny the
12 application not later than 30 days after the board of county
13 commissioners receives a copy of the application as described in
14 paragraph (a). If the board of county commissioners does not
15 approve or deny the application within 30 days after the board of
16 county commissioners receives a copy of the application, the
17 application shall be deemed approved.

18 (d) May, if the Office determines that such action is necessary
19 add additional requirements that a business must meet to qualify for
20 a partial abatement pursuant to this section.

21 4. If the Office of Economic Development approves an
22 application for a partial abatement pursuant to this section:

23 (a) The total amount of the abatement must not exceed;

24 (1) Fifty percent of the amount of the taxes imposed on the
25 personal property of the business pursuant to chapter 361 of NRS
26 during the period of the abatement; or

27 (2) Fifty percent of the amount of the capital investment by
28 the business,

29 ↪ whichever amount is less;

30 (b) The duration of the abatement must be for 5 years; and

31 (c) The abatement applies only to the business for which the
32 abatement was approved pursuant to this section and the property
33 used in connection with that business.

34 5. If the Office of Economic Development approves an
35 application for a partial abatement pursuant to this section, the
36 Office shall immediately forward a certificate of eligibility for the
37 abatement to:

38 (a) The Department;

39 (b) The Nevada Tax Commission; and

40 (c) If the partial abatement is from the property tax imposed
41 pursuant to chapter 361 of NRS, the county treasurer of the county
42 in which the business will be located.

43 6. An applicant for a partial abatement pursuant to this section
44 or an existing business whose partial abatement is in effect shall,
45 upon the request of the Executive Director of the Office of



1 Economic Development, furnish the Executive Director with copies
2 of all records necessary to verify that the applicant meets the
3 requirements of subsection 2.

4 7. If an applicant for a partial abatement pursuant to this
5 section fails to execute the agreement described in paragraph (c) of
6 subsection 2 within 1 year after the date on which the application
7 was received by the Office, the applicant shall not be approved for a
8 partial abatement pursuant to this section unless the applicant
9 submits a new application.

10 8. If a business whose partial abatement has been approved
11 pursuant to this section and is in effect ceases to meet the
12 requirements set forth in subsection 2 or ceases operation before the
13 time specified in the agreement described in paragraph (c) of
14 subsection 2:

15 (a) The business shall repay to the county treasurer the amount
16 of the partial abatement that was allowed pursuant to this section
17 before the failure of the business to comply unless the Nevada Tax
18 Commission determines that the business has substantially complied
19 with the requirements of this section. Except as otherwise provided
20 in NRS 360.232 and 360.320, the business shall, in addition to the
21 amount of the partial abatement required to be paid pursuant to this
22 subsection, pay interest on the amount due at the rate most recently
23 established pursuant to NRS 99.040 for each month, or portion
24 thereof, from the last day of the month following the period for
25 which the payment would have been made had the partial abatement
26 not been approved until the date of payment of the tax.

27 (b) The applicable institution of higher education is entitled to
28 keep the entire capital investment made by the business in that
29 institution.

30 9. A county treasurer:

31 (a) Shall deposit any money that he or she receives pursuant to
32 subsection 8 in one or more of the funds established by a local
33 government of the county pursuant to NRS 354.6113 or 354.6115;
34 and

35 (b) May use the money deposited pursuant to paragraph (a) only
36 for the purposes authorized by NRS 354.6113 and 354.6115.

37 10. The Office of Economic Development:

38 (a) Shall adopt regulations relating to the minimum level of
39 benefits that a business must provide to its employees to qualify for
40 a partial abatement pursuant to this section; and

41 (b) May adopt such regulations as the Office determines to be
42 necessary to carry out the provisions of this section.

43 11. The Nevada Tax Commission:



1 (a) Shall adopt regulations regarding any security that a business
2 is required to post to qualify for a partial abatement pursuant to this
3 section; and

4 (b) May adopt such other regulations as the Nevada Tax
5 Commission determines to be necessary to carry out the provisions
6 of this section.

7 12. An applicant for a partial abatement pursuant to this section
8 who is aggrieved by a final decision of the Office of Economic
9 Development may petition for judicial review in the manner
10 provided in chapter 233B of NRS.

11 13. Except as otherwise provided in this subsection, as used in
12 this section, "capital investment" includes, without limitation, an
13 investment of real or personal property, money or other assets by a
14 business in an institution of *the University of Nevada or* the Nevada
15 System of Higher Education. The Office of Economic Development
16 may, by regulation, specify the types of real or personal property or
17 assets that are included within the definition of "capital investment."

18 **Sec. 370.** NRS 361.098 is hereby amended to read as follows:

19 361.098 **1.** All real and personal property owned by a
20 charitable foundation established by ~~the Board of Regents of the~~
21 ~~University of Nevada~~ *a higher education governing body* is
22 exempt from taxation, but the property must be taxed when it is used
23 for any purpose other than carrying out the legitimate functions of
24 the foundation.

25 **2.** *As used in this section, "higher education governing body"*
26 *has the meaning ascribed to it in NRS 396.005.*

27 **Sec. 371.** NRS 361.099 is hereby amended to read as follows:

28 361.099 All real and personal property which is leased or
29 rented to *the University of Nevada or* the Nevada System of Higher
30 Education for total consideration which is less than 10 percent of the
31 fair market rental or lease value of the property is hereby deemed to
32 be used for an educational purpose and is exempt from taxation.

33 **Sec. 372.** NRS 361.603 is hereby amended to read as follows:

34 361.603 **1.** Any local government, *the University of Nevada*
35 or the Nevada System of Higher Education may, in the manner
36 provided in this section, acquire property held in trust by the
37 treasurer of the county in which the local government or any part of
38 the *University or* System is located by virtue of any deed made
39 pursuant to the provisions of this chapter.

40 **2.** Whenever any local government, *the University of Nevada*
41 or the Nevada System of Higher Education determines that a public
42 purpose may be served by the acquisition of the property, it may
43 make application to the board of county commissioners for
44 permission to acquire the property. If the board of county
45 commissioners approves the application, it shall direct the county



1 treasurer to give notice of intent to sell to the last known owner or
2 heirs or devisees of the last known owner of the property in the
3 manner provided by law.

4 3. The last known owner may, within 90 days after the notice,
5 redeem the property by paying to the treasurer the amount of the
6 delinquent taxes, plus penalties, interest and costs.

7 4. If the owner fails to redeem the property within the time
8 allowed, the county treasurer shall transfer the property to the local
9 government or the ~~[Board of Regents of the University of Nevada]~~
10 *relevant higher education governing body* upon receiving from it
11 the amount of the delinquent taxes, except as otherwise provided in
12 subsection 5.

13 5. If property is so transferred to a local government for street,
14 sewer or drainage uses, for use in a program for the rehabilitation of
15 abandoned residential properties established by the local
16 government pursuant to chapter 279B of NRS, or for use as open-
17 space real property as designated in a city, county or regional
18 comprehensive plan, the delinquent taxes need not be paid.

19 6. As used in this section ~~[“open space”]~~:

20 (a) *“Higher education governing body”* has the meaning
21 ascribed to it in NRS 396.005.

22 (b) *“Open-space real property”* has the meaning ascribed to it in
23 NRS 361A.040.

24 **Sec. 373.** NRS 361A.286 is hereby amended to read as
25 follows:

26 361A.286 1. The deferred tax and penalty assessed pursuant
27 to NRS 361A.280 and 361A.283 are a perpetual lien until paid as
28 provided in NRS 361.450. If the property continues to be used
29 exclusively for agricultural use or approved open-space use for 7
30 fiscal years after the date of attachment, the lien for that earliest year
31 expires. The lien is for an undetermined amount until the property is
32 converted and the amount is determined pursuant to NRS 361A.280.
33 Any liens calculated and recorded before July 1, 1989, for property
34 that had not been converted shall be deemed to have expired on that
35 date.

36 2. If agricultural or open-space real property receiving
37 agricultural or open-space use assessment is sold or transferred to an
38 ownership making it exempt from taxation ad valorem, any such
39 liens for deferred taxes must, unless the property is sold or
40 transferred to *the University of Nevada* or the Nevada System of
41 Higher Education, a school district or another local governmental
42 entity, be paid in full before the transfer of ownership if the property
43 is converted to another use.



1 3. The provisions of this section do not apply to any portion of
2 agricultural or open-space real property if the deferred tax and any
3 penalty have been paid pursuant to NRS 361A.265.

4 4. Each year, the county assessor must record a list of parcel
5 numbers and owner's names for all parcels on which a lien exists
6 pursuant to subsection 1.

7 **Sec. 374.** NRS 368A.200 is hereby amended to read as
8 follows:

9 368A.200 1. Except as otherwise provided in this section,
10 there is hereby imposed an excise tax on admission to any facility in
11 this State where live entertainment is provided and on the charge for
12 live entertainment provided by an escort at one or more locations in
13 this State. The rate of the tax is:

14 (a) Except as otherwise provided in paragraph (b), for admission
15 to a facility in this State where live entertainment is provided, 9
16 percent of the admission charge to the facility.

17 (b) For live entertainment provided by an escort who is
18 escorting one or more persons at a location or locations in this State,
19 9 percent of the total amount, expressed in terms of money, of
20 consideration paid for the live entertainment provided by the escort.

21 2. Amounts paid for:

22 (a) Admission charges collected and retained by a nonprofit
23 religious, charitable, fraternal or other organization that qualifies as
24 a tax-exempt organization pursuant to 26 U.S.C. § 501(c), or by a
25 nonprofit corporation organized or existing under the provisions of
26 chapter 82 of NRS, are not taxable pursuant to this section, only if
27 the number of tickets to the live entertainment which are offered for
28 sale or other distribution to patrons, either directly or indirectly
29 through a partner, subsidiary, client, affiliate or other collaborator, is
30 less than 7,500.

31 (b) Gratuities directly or indirectly remitted to persons employed
32 at a facility where live entertainment is provided are not taxable
33 pursuant to this section.

34 (c) Fees imposed, collected and retained by an independent
35 financial institution in connection with the use of credit cards or
36 debit cards to pay the admission charge to a facility where live
37 entertainment is provided are not taxable pursuant to this section. As
38 used in this paragraph, "independent financial institution" means a
39 financial institution that is not the taxpayer or an owner or operator
40 of the facility where the live entertainment is provided or an affiliate
41 of any of those persons.

42 3. The tax imposed by this section must be added to and
43 collected from the purchaser at the time of purchase, whether or not
44 the admission for live entertainment is purchased for resale.

45 4. The tax imposed by subsection 1 does not apply to:



1 (a) Live entertainment that this State is prohibited from taxing
2 under the Constitution, laws or treaties of the United States or the
3 Nevada Constitution.

4 (b) Live entertainment that is governed by the Nevada
5 Interscholastic Activities Association pursuant to chapter 385B of
6 NRS or is provided or sponsored by an elementary school, junior
7 high school, middle school or high school, if only pupils or faculty
8 provide the live entertainment.

9 (c) An athletic contest, event, tournament or exhibition provided
10 by an institution of *the University of Nevada* or the Nevada System
11 of Higher Education, if students of such an institution are
12 contestants in the contest, event, tournament or exhibition.

13 (d) Live entertainment that is provided by or entirely for the
14 benefit of a nonprofit religious, charitable, fraternal or other
15 organization that qualifies as a tax-exempt organization pursuant to
16 26 U.S.C. § 501(c), or a nonprofit corporation organized or existing
17 under the provisions of chapter 82 of NRS, only if the number of
18 tickets to the live entertainment which are offered for sale or other
19 distribution to patrons, either directly or indirectly through a partner,
20 subsidiary, client, affiliate or other collaborator, is less than 7,500.

21 (e) Any boxing contest or exhibition governed by the provisions
22 of chapter 467 of NRS.

23 (f) Live entertainment that is not provided at a licensed gaming
24 establishment if the facility in which the live entertainment is
25 provided has a maximum occupancy of less than 200 persons.

26 (g) Live entertainment that is provided at a licensed gaming
27 establishment that is licensed for less than 51 slot machines, less
28 than 6 games, or any combination of slot machines and games
29 within those respective limits, if the facility in which the live
30 entertainment is provided has a maximum occupancy of less than
31 200 persons.

32 (h) Live entertainment that is provided at a trade show.

33 (i) Music performed by musicians who move constantly through
34 the audience if no other form of live entertainment is afforded to the
35 patrons.

36 (j) Live entertainment that is provided at a licensed gaming
37 establishment at private meetings or dinners attended by members of
38 a particular organization or by a casual assemblage if the purpose of
39 the event is not primarily for entertainment.

40 (k) Live entertainment that is provided in the common area of a
41 shopping mall, unless the entertainment is provided in a facility
42 located within the mall.

43 (l) Food and product demonstrations provided at a shopping
44 mall, a craft show or an establishment that sells grocery products,
45 housewares, hardware or other supplies for the home.



1 (m) Live entertainment that is incidental to an amusement ride, a
2 motion simulator or a similar digital, electronic, mechanical or
3 electromechanical attraction. For the purposes of this paragraph, live
4 entertainment shall be deemed to be incidental to an amusement
5 ride, a motion simulator or a similar digital, electronic, mechanical
6 or electromechanical attraction if the live entertainment is:

7 (1) Not the predominant element of the attraction; and

8 (2) Not the primary purpose for which the public rides,
9 attends or otherwise participates in the attraction.

10 (n) A race scheduled at a race track in this State and sanctioned
11 by the National Association for Stock Car Auto Racing, if two or
12 more such races are held at that race track during the same calendar
13 year.

14 (o) An athletic contest, event or exhibition conducted by a
15 professional team based in this State if the professional team based
16 in this State is a participant in the contest, event or exhibition.

17 (p) Live entertainment that is provided by or entirely for the
18 benefit of a governmental entity.

19 5. As used in this section:

20 (a) "Affiliate" has the meaning ascribed to it in NRS 463.0133.

21 (b) "Maximum occupancy" means, in the following order of
22 priority:


23 (1) The maximum occupancy of the facility in which live
24 entertainment is provided, as determined by the State Fire Marshal
25 or the local governmental agency that has the authority to determine
26 the maximum occupancy of the facility;

27 (2) If such a maximum occupancy has not been determined,
28 the maximum occupancy of the facility designated in any permit
29 required to be obtained in order to provide the live entertainment; or

30 (3) If such a permit does not designate the maximum
31 occupancy of the facility, the actual seating capacity of the facility
32 in which the live entertainment is provided.

33 (c) "Operator" includes, without limitation, a person who
34 operates a facility where live entertainment is provided or who
35 presents, produces or otherwise provides live entertainment.

36 **Sec. 375.** NRS 372.287 is hereby amended to read as follows:

37 372.287 There are exempted from the taxes imposed by this
38 chapter the gross receipts from the sale of textbooks sold within the
39 University of Nevada *and the Nevada System*  *of Higher*
40 *Education.*

41 **Sec. 376.** NRS 374.292 is hereby amended to read as follows:

42 374.292 There are exempted from the taxes imposed by this
43 chapter the gross receipts from the sale of textbooks sold within *the*
44 *University of Nevada and* the Nevada System of Higher Education.



1 **Sec. 377.** NRS 375A.705 is hereby amended to read as
2 follows:

3 375A.705 1. All money received by the Board of Regents of
4 the University of Nevada pursuant to paragraph (b) of subsection 1
5 of NRS 375A.700 must be accounted for separately in the
6 Endowment Fund of the Nevada System of Higher Education.

7 2. The money in the Estate Tax Account must be invested
8 pursuant to the same investment policies as the other money in the
9 Endowment Fund is invested. All interest and income earned on the
10 money in the Account must be credited to the Account.

11 3. ~~{The Board of Regents of the University of Nevada}~~ *Any*
12 *higher education governing body or the Nevada Office of Higher*
13 *Education Administrative Services* may, upon approval by the
14 Legislature when in regular session or by the Interim Finance
15 Committee when the Legislature is not in regular session, expend
16 any money in the Estate Tax Account.

17 4. *As used in this section, "higher education governing body"*
18 *has the meaning ascribed to it in NRS 396.005.*

19 **Sec. 378.** NRS 375A.710 is hereby amended to read as
20 follows:

21 375A.710 1. There is hereby created the Committee on the
22 Estate Tax Account for the Endowment of the Nevada System of
23 Higher Education, composed of:

24 (a) ~~{Two members}~~ *One member* of the Board of Regents of the
25 University of Nevada, appointed by the Chair of the Board with the
26 approval of the other members.

27 (b) *One member of a higher education governing body of a*
28 *state college or community college, appointed by the Director of*
29 *the Nevada Office of Higher Education Administrative Services*
30 *with the approval of the other higher education governing bodies.*

31 (c) Two members ~~{who are administrators}~~, *one of whom is an*
32 *administrator* of the *University of Nevada*, ~~{System of Higher~~
33 ~~Education,}~~ appointed by the Chancellor of the *University of*
34 *Nevada* ~~{System}~~, *and one of whom is an administrator of the*
35 *Nevada System of Higher Education, appointed by the Director of*
36 *the Nevada Office of Higher Education* ~~{}~~ *Administrative Services.*

37 ~~{(e)}~~ (d) Two members ~~{who are members}~~, *one of whom is a*
38 *member* of the faculty of *the University of Nevada and one of*
39 *whom is a member of the faculty of* the Nevada System of Higher
40 Education, appointed by the faculty ~~{}~~ *of the University and the*
41 *System respectively.*

42 ~~{(d)}~~ (e) One member who is a student, appointed by the
43 ~~{student governments of the}~~ Nevada ~~{System of Higher Education,}~~
44 *Student Alliance.*



1 2. If any authority having the power to appoint a member of
2 the Committee ceases to exist, the Governor shall exercise that
3 power in a manner consistent with the intent of this section.

4 3. The member of the Committee who is appointed pursuant to
5 paragraph ~~[(d)]~~ (e) of subsection 1 shall serve a term of 1 year. All
6 other members of the Committee shall serve terms of 3 years.

7 4. The Committee shall make recommendations to ~~[the Board~~
8 ~~of Regents of the University of Nevada]~~ *each higher education*
9 *governing body* concerning the expenditure of the money in the
10 Estate Tax Account in the Endowment Fund.

11 5. *As used in this section, "higher education governing body"*
12 *has the meaning ascribed to it in NRS 396.005.*

13 **Sec. 379.** NRS 375B.410 is hereby amended to read as
14 follows:

15 375B.410 The money collected pursuant to the provisions of
16 this chapter must be used only for the purpose of education, to be
17 divided between the common schools and the *University of Nevada*
18 *and* Nevada System of Higher Education for their support and
19 maintenance.

20 **Sec. 380.** NRS 378.087 is hereby amended to read as follows:

21 378.087 1. The State Library, Archives and Public Records
22 Administrator shall establish a program to provide grants of money
23 to the public libraries of this State for the purchase or acquisition of
24 books, library materials and computer databases. The money must
25 be provided by legislative appropriation, accounted for separately
26 and administered by the State Library, Archives and Public Records
27 Administrator.

28 2. The State Library, Archives and Public Records
29 Administrator shall, within the limits of legislative appropriation,
30 provide such grants based on the following:

31 (a) If the requesting library has a budget for materials which is
32 \$10,000 or less, the requesting library is eligible to receive a base
33 grant of \$1,000, plus a matching grant in an amount that is not more
34 than 75 percent of its budget for materials.

35 (b) If the requesting library has a budget for materials which is
36 more than \$10,000 but less than \$75,000, the requesting library is
37 eligible to receive a base grant of \$5,000, plus a matching grant in
38 an amount that is not more than 50 percent of its budget for
39 materials.

40 (c) If the requesting library has a budget for materials which is
41 \$75,000 or more but less than \$150,000, the requesting library is
42 eligible to receive a base grant of \$10,000, plus a matching grant in
43 an amount that is not more than 33 1/3 percent of its budget for
44 materials.



1 (d) If the requesting library has a budget for materials which is
2 \$150,000 or more but less than \$500,000, the requesting library is
3 eligible to receive a base grant of \$15,000, plus a matching grant in
4 an amount that is not more than 25 percent of its budget for
5 materials.

6 (e) If the requesting library has a budget for materials which is
7 \$500,000 or more, the requesting library is eligible to receive a base
8 grant of \$25,000, plus a matching grant in the first year it receives a
9 grant pursuant to this paragraph in an amount that is not more than
10 10 percent of its budget for materials. The amount of the matching
11 grant provided in any year may be increased by 10 percent in each
12 succeeding year, except that in no event may the matching grant
13 provided in any year exceed 25 percent of the library's budget for
14 materials in that year.

15 3. The State Library, Archives and Public Records
16 Administrator shall adopt such regulations as are necessary to:

17 (a) Establish a procedure pursuant to which a public library may
18 apply to receive a grant pursuant to this section;

19 (b) Determine the eligibility of a public library to receive such a
20 grant; and

21 (c) Determine the exact amount of a grant to be awarded to a
22 public library.

23 4. Money granted pursuant to this section must not supplant or
24 cause to be reduced any other source of funding for a public library
25 and must be used exclusively by the public library to purchase or
26 acquire books, library materials and computer databases.

27 5. For the purposes of this section, "public library" does not
28 include a library operated within *the University of Nevada or* the
29 Nevada System of Higher Education.

30 **Sec. 381.** NRS 378.160 is hereby amended to read as follows:

31 378.160 As used in NRS 378.150 to 378.210, inclusive:

32 1. "Center" means the State Publications Distribution Center
33 created by NRS 378.170.

34 2. "Depository library" means a library with which the Center
35 has entered into an agreement pursuant to NRS 378.190.

36 3. "Local government" means every political subdivision or
37 other entity which has the right to levy or receive money from ad
38 valorem or other taxes or any mandatory assessments, and includes,
39 without limitation, counties, cities, towns, boards, school districts
40 and other districts organized pursuant to chapters 244A, 318, 318A,
41 379, 474, 541, 543 and 555 of NRS, NRS 450.550 to 450.750,
42 inclusive, and any agency or department of a county or city which
43 prepares a budget separate from that of the parent political
44 subdivision. The term includes the Nevada Rural Housing
45 Authority.



1 4. "Publication" includes any information in any format or
2 medium that is produced pursuant to the authority of or at the total
3 or partial expense of a state agency or local government, is required
4 by law to be distributed by a state agency or local government, or is
5 distributed publicly by a state agency or local government outside
6 that state agency or local government. The term does not include:

7 (a) Nevada Revised Statutes with annotations;

8 (b) Nevada Reports;

9 (c) Bound volumes of the Statutes of Nevada;

10 (d) Items published by the University of Nevada Press and other
11 information disseminated by *the University of Nevada or* the
12 Nevada System of Higher Education which is not designed for
13 public distribution;

14 (e) Official state records scheduled for retention and disposition
15 pursuant to NRS 239.080; or

16 (f) Records of a local government which have been scheduled
17 for disposition pursuant to NRS 239.124 or retention pursuant to
18 NRS 239.125.

19 5. "State agency" includes the Legislature, constitutional
20 officers or any department, division, bureau, board, commission or
21 agency of the State of Nevada.

22 **Sec. 382.** NRS 378.250 is hereby amended to read as follows:

23 378.250 The State Library, Archives and Public Records
24 Administrator may:

25 1. Receive into the archives material from a state agency if the
26 State Library, Archives and Public Records Administrator finds that
27 it is of historical value.

28 2. With the approval of the Committee to Approve Schedules
29 for the Retention and Disposition of Official State Records created
30 pursuant to NRS 239.073, return to the state agency from which it
31 was received, material in the archives which the State Library,
32 Archives and Public Records Administrator finds is not of historical
33 value.

34 3. Receive into the archives material which has been directed
35 to be deposited in the archives by an order or resolution of the
36 governing body of a local governmental entity, if the State Library,
37 Archives and Public Records Administrator finds that it is of
38 historical value.

39 4. With the approval of the Committee to Approve Schedules
40 for the Retention and Disposition of Official State Records, turn
41 over to:

42 (a) Any agency in the Department; or

43 (b) *The University of Nevada or the* Nevada System of Higher
44 Education,



1 ↪ material in the archives which the State Library, Archives and
2 Public Records Administrator finds to be surplus, not properly in the
3 archives or appropriate to be kept elsewhere.

4 5. Expend a gift of money the State Library, Archives and
5 Public Records Administrator is authorized to accept for the purpose
6 specified by the donor or, if no purpose is specified, in a manner
7 which will further the purposes of the Division.

8 **Sec. 383.** NRS 408.078 is hereby amended to read as follows:

9 408.078 "Public lands" means all lands within the exterior
10 boundaries of the State of Nevada except lands:

11 1. To which title is held by any private person or entity;

12 2. To which title is held by the State of Nevada, any of its local
13 governments, *the University of Nevada* or the Nevada System of
14 Higher Education;

15 3. Which are located within congressionally authorized
16 national parks, monuments, national forests or wildlife refuges, or
17 which are lands acquired by purchase consented to by the
18 Legislature;

19 4. Which are controlled by the United States Department of
20 Defense, Department of Energy or Bureau of Reclamation; or

21 5. Which are held in trust for Indian purposes or are Indian
22 reservations.

23 **Sec. 384.** NRS 408.55028 is hereby amended to read as
24 follows:

25 408.55028 1. The Telecommunications Advisory Council is
26 hereby created.

27 2. The Council consists of seven members appointed by the
28 Governor. The Governor shall appoint to the Council:

29 (a) One member from the Office of Science, Innovation and
30 Technology in the Office of the Governor;

31 (b) One member from the Department of Transportation;

32 (c) One member from the Department of Education;

33 (d) One member from the Nevada Office of Rural Health;

34 (e) One member from the Department of Public Safety;

35 (f) One member from *the University of Nevada or* the Nevada
36 System of Higher Education; and

37 (g) One member from the Division of Enterprise Information
38 Technology Services of the Department of Administration.

39 3. The member appointed from the Office of Science,
40 Innovation and Technology in the Office of the Governor shall serve
41 as the Chair of the Council.

42 4. The Council shall meet as necessary at the call of the Chair.

43 5. The Director of the Office of Science, Innovation and
44 Technology in the Office of the Governor shall provide staff support
45 to the Council.



1 6. A majority of the members of the Council constitutes a
2 quorum for the transaction of business.

3 7. The members of the Council receive no compensation for
4 their services, but are entitled to be reimbursed for all travel and
5 other expenses actually and necessarily incurred by them in the
6 performance of their duties, within the limits of money available to
7 the Council.

8 8. The members of the Council may request assistance from
9 technical advisors as the Council deems necessary.

10 9. The Council shall:

11 (a) Provide information, advice, strategic plans, priorities and
12 recommendations to assist the Department in administering access
13 to rights-of-way to telecommunications providers for statewide
14 telecommunications purposes;

15 (b) Assist the Department in valuing in-kind compensation
16 pursuant to NRS 408.5501 to 408.55029, inclusive, and approve or
17 deny any valuation thereof;

18 (c) Seek input from telecommunications providers and the
19 public relating to broadband access;

20 (d) Coordinate and exchange information with other entities of
21 this State and its political subdivisions relating to technology and
22 telecommunications;

23 (e) Approve or deny any agreement between the Department and
24 a telecommunications provider proposed pursuant to NRS 408.5502,
25 if the Council finds that the agreement is competitively neutral and
26 nondiscriminatory; and

27 (f) Provide other assistance as requested by the Department.

28 **Sec. 385.** NRS 408.581 is hereby amended to read as follows:

29 408.581 1. The Advisory Committee on Traffic Safety is
30 hereby created in the Department. The Advisory Committee consists
31 of the following voting members:

32 (a) The Director of the Department of Transportation or his or
33 her designee;

34 (b) The Director of the Department of Health and Human
35 Services or his or her designee;

36 (c) The Director of the Department of Motor Vehicles or his or
37 her designee;

38 (d) The Director of the Department of Public Safety or his or her
39 designee;

40 (e) The Superintendent of Public Instruction or his or her
41 designee;

42 (f) One member who is a representative of the Department of
43 Transportation, appointed by the Director of the Department of
44 Transportation;



1 (g) One member who is a representative of the Department of
2 Public Safety, appointed by the Director of the Department of Public
3 Safety;

4 (h) One member appointed by the Speaker of the Assembly who
5 is a member of the Assembly Standing Committee on Growth and
6 Infrastructure during the current or immediately preceding regular
7 session;

8 (i) One member appointed by the Majority Leader of the Senate
9 who is a member of the Senate Standing Committee on Growth and
10 Infrastructure during the current or immediately preceding regular
11 session;

12 (j) One member who is a representative of the Administrative
13 Office of the Courts, appointed by the Chief Justice of the Supreme
14 Court of Nevada;

15 (k) One member who represents tribal governments in Nevada,
16 appointed by the Inter-Tribal Council of Nevada, Inc., or its
17 successor organization;

18 (l) Two members who are full- or part-time faculty members in
19 *the University of Nevada or* the Nevada System of Higher
20 Education and have expertise in traffic safety or trauma care,
21 appointed by the Director of the Department of Transportation;

22 (m) One member appointed by each metropolitan planning
23 organization to represent the appointing organization;

24 (n) One member appointed by the Nevada Association of
25 Counties;

26 (o) One member appointed by the Nevada League of Cities; and

27 (p) One member who represents local law enforcement agencies,
28 appointed by the Nevada Sheriffs' and Chiefs' Association.

29 2. The Director of the Department of Transportation may
30 appoint as nonvoting members of the Advisory Committee such
31 other persons as the Director deems appropriate.

32 3. The term of office of each member appointed to the
33 Advisory Committee is 2 years. Such members may be reappointed
34 for additional terms of 2 years in the same manner as the original
35 appointments. Any vacancy occurring in the appointed voting
36 membership of the Advisory Committee must be filled in the same
37 manner as the original appointment not later than 30 days after the
38 vacancy occurs.

39 4. The members of the Advisory Committee shall elect from
40 their voting membership a Chair and a Vice Chair. The term of
41 office of the Chair and the Vice Chair is 2 years. If a vacancy occurs
42 in the office of Chair or Vice Chair, the members of the Advisory
43 Committee shall elect a Chair or Vice Chair, as applicable, from
44 among its voting members to serve for the remainder of the
45 unexpired term.



1 5. The Advisory Committee shall meet at least once each
2 calendar quarter and may meet at such further times as deemed
3 necessary by the Chair.

4 6. A majority of the voting members of the Advisory
5 Committee constitutes a quorum for the transaction of business. If a
6 quorum is present, the affirmative vote of a majority of the voting
7 members of the Advisory Committee present is sufficient for any
8 official action taken by the Advisory Committee.

9 7. Each member of the Advisory Committee serves without
10 compensation and is not entitled to receive a per diem allowance or
11 travel expenses.

12 8. The Department shall provide administrative support to the
13 Advisory Committee.

14 9. The Advisory Committee shall review, study and make
15 recommendations regarding:

16 (a) Evidence-based best practices for reducing or preventing
17 deaths and injuries related to motor vehicle crashes on roadways in
18 this State;

19 (b) Data on motor vehicle crashes resulting in death or serious
20 bodily injury in this State, including, without limitation, factors that
21 cause such crashes and measures known to prevent such crashes;

22 (c) Policies intended to reduce or prevent deaths and injuries
23 related to motor vehicle crashes on roadways in this State; and

24 (d) Any other matter submitted by the Chair.

25 10. The Advisory Committee shall prepare and submit to the
26 Governor and to the Director of the Legislative Counsel Bureau for
27 transmittal to the Legislature an annual report concerning the
28 activities of the Advisory Committee that addresses, without
29 limitation, any issue reviewed or studied and any recommendations
30 made by the Advisory Committee pursuant to subsection 9.

31 11. The Advisory Committee may establish such working
32 groups, task forces and similar entities from within or outside its
33 membership as necessary to address specific issues or otherwise to
34 assist in its work.

35 12. As used in this section, "metropolitan planning
36 organization" means an entity that has been designated as a
37 metropolitan planning organization pursuant to 23 U.S.C. § 134 and
38 49 U.S.C. § 5303.

39 **Sec. 386.** NRS 412.143 is hereby amended to read as follows:

40 412.143 1. The Adjutant General may authorize the payment
41 of not more than 100 percent of the consolidated fee each semester
42 for each member of the active Nevada National Guard who attends
43 one of the universities or state colleges within *the University of*
44 *Nevada or* the Nevada System of Higher Education as a full-time or
45 part-time student from money appropriated for this purpose.



1 2. The Adjutant General may authorize the payment of not
2 more than 100 percent of the credit-hour cost each semester for each
3 member of the active Nevada National Guard who attends one of the
4 community colleges within the Nevada System of Higher Education
5 as a full-time or part-time student from money appropriated for this
6 purpose.

7 3. To be eligible to receive benefits, a person must be a
8 member in good standing of the active Nevada National Guard at
9 the beginning of and throughout the entire semester for which
10 benefits are received.

11 **Sec. 387.** NRS 412.1435 is hereby amended to read as
12 follows:

13 412.1435 1. The Patriot Relief Account is hereby created as a
14 special account in the State General Fund.

15 2. The money in the Patriot Relief Account does not lapse to
16 the State General Fund at the end of any fiscal year. The interest and
17 income earned on the sum of:

18 (a) The money in the Patriot Relief Account, after deducting any
19 applicable charges; and

20 (b) Unexpended appropriations made to the Patriot Relief
21 Account from the State General Fund,
22 ↪ must be credited to the Account. All claims against the Patriot
23 Relief Account must be paid as other claims against the State are
24 paid.

25 3. The Office may accept gifts, grants and donations from any
26 source for deposit in the Patriot Relief Account.

27 4. To the extent money is available from legislative
28 appropriation or otherwise in the Patriot Relief Account, the money
29 in the Patriot Relief Account may only be used to provide:

30 (a) Reimbursement to a member of the Nevada National Guard
31 for the cost of:

32 (1) Premiums on a policy of group life insurance purchased
33 pursuant to the provisions of 38 U.S.C. §§ 1965 et seq.; or

34 (2) Textbooks required for a course of study in which the
35 member is enrolled at an institution within *the University of Nevada*
36 *or* the Nevada System of Higher Education; and

37 (b) Monetary relief from economic hardships experienced by a
38 member of the Nevada National Guard.

39 5. The Adjutant General shall adopt any regulations necessary
40 to determine eligibility for reimbursement or monetary relief from
41 the Patriot Relief Account and to carry out a program to provide
42 such reimbursement and monetary relief.



1 **Sec. 388.** NRS 417.0191 is hereby amended to read as
2 follows:

3 417.0191 1. The Interagency Council on Veterans Affairs is
4 hereby created. The Council consists of:

- 5 (a) The Director of the Department of Business and Industry;
- 6 (b) The Director of the Department of Corrections;
- 7 (c) The Director of the Department of Employment, Training
8 and Rehabilitation;
- 9 (d) The Director of the Department of Health and Human
10 Services;
- 11 (e) The Director of the Department of Public Safety;
- 12 (f) The Director of the Department of Veterans Services;
- 13 (g) The Adjutant General;
- 14 (h) The Chancellor of the *University of Nevada* ; ~~{System of~~
15 ~~Higher Education;}~~

16 (i) The Executive Director of the Office of Economic
17 Development;

18 (j) The Executive Director of the Nevada Indian Commission;

19 (k) The Administrator of the Division of Human Resource
20 Management of the Department of Administration; and

21 (l) Any other persons appointed by the Governor, including,
22 without limitation, *representatives from a higher education*
23 *governing body or the Nevada Office of Higher Education*
24 *Administrative Services* or representatives of federal and local
25 governmental agencies and private entities that provide services to
26 veterans. Members appointed pursuant to this paragraph serve at the
27 pleasure of the Governor.

28 2. A member of the Council may designate a person to
29 represent him or her at any meeting of the Council. The person
30 designated may exercise all the duties, rights and privileges of the
31 member that he or she represents.

32 **3. As used in this section, "higher education governing body"**
33 **has the meaning ascribed to it in NRS 396.005.**

34 **Sec. 389.** NRS 422.239 is hereby amended to read as follows:

35 422.239 1. The Division of Health Care Financing and Policy
36 of the Department shall appoint, with the consent of the Director, a
37 State Dental Health Officer, who may serve in the unclassified
38 service of the State or as a contractor for the Division. The State
39 Dental Health Officer must:

- 40 (a) Be a resident of this State;
- 41 (b) Hold a current license to practice dentistry issued pursuant to
42 chapter 631 of NRS; and
- 43 (c) Be appointed on the basis of his or her education, training
44 and experience and his or her interest in public dental health and
45 related programs.



1 2. The State Dental Health Officer shall:

2 (a) Determine the needs of the residents of this State for public
3 dental health;

4 (b) Provide the Advisory Committee, the Division of Health
5 Care Financing and Policy and the Division of Public and
6 Behavioral Health with advice regarding public dental health;

7 (c) Make recommendations to the Advisory Committee, the
8 Division of Health Care Financing and Policy, the Division of
9 Public and Behavioral Health and the Legislature regarding
10 programs in this State for public dental health;

11 (d) Work collaboratively with the State Public Health Dental
12 Hygienist; and

13 (e) Seek such information and advice from the Advisory
14 Committee or from any dental education program in this State,
15 including any such programs of *the University of Nevada or* the
16 Nevada System of Higher Education, as necessary to carry out his or
17 her duties.

18 3. The State Dental Health Officer shall devote all of his or her
19 time to the business of his or her office and shall not pursue any
20 other business or vocation or hold any other office of profit.

21 4. As used in this section, "Advisory Committee" means the
22 Advisory Committee on the State Program for Oral Health created
23 by NRS 439.2792.

24 **Sec. 390.** NRS 422A.478 is hereby amended to read as
25 follows:

26 422A.478 1. The Nevada Statewide Council on Financial
27 Independence is hereby created.

28 2. The Council is composed of the following voting members:

29 (a) The Lieutenant Governor or his or her designee;

30 (b) The State Treasurer or his or her designee;

31 (c) The Director of the Department of Health and Human
32 Services or his or her designee;

33 (d) The Director of the Department of Employment, Training
34 and Rehabilitation or his or her designee;

35 (e) The Attorney General or his or her designee;

36 (f) The Executive Director of the Office of Economic
37 Development or his or her designee;

38 (g) The Superintendent of Public Instruction of the Department
39 of Education or his or her designee;

40 (h) The following five voting members, appointed by the State
41 Treasurer:

42 (1) A representative of:

43 (I) An authority, as defined in NRS 315.170;

44 (II) The Nevada Rural Housing Authority created by NRS
45 315.977; or



1 (III) A nonprofit organization which primarily provides
2 affordable housing developments that are financed, wholly or in
3 part, with low-income housing tax credits, private activity bonds or
4 money from a governmental entity for affordable housing,
5 including, without limitation, money received pursuant to the
6 HOME Investment Partnerships Act, 42 U.S.C. §§ 12701 et seq.;

7 (2) A representative of an agency which provides child
8 welfare services, as defined in NRS 432B.030, operating in a county
9 whose population is 700,000 or more;

10 (3) A representative of *the University of Nevada or* the
11 Nevada System of Higher Education;

12 (4) A representative of Workforce Connections or its
13 successor organization; and

14 (5) A representative with knowledge, skill and experience in
15 programs designed for recipients of public assistance or social
16 services.

17 3. The State Treasurer or his or her designee shall serve as
18 Chair of the Council.

19 4. The Lieutenant Governor or his or her designee shall serve
20 as Vice Chair of the Council.

21 **Sec. 391.** NRS 426.630 is hereby amended to read as follows:

22 426.630 As used in NRS 426.630 to 426.715, inclusive, unless
23 the context otherwise requires:

24 1. "Licensee" means a person who is blind and who is licensed
25 by the Bureau to operate a vending facility in or on a public building
26 or property or on federal property.

27 2. "Nevada Committee of Vendors Who Are Blind" means the
28 Committee of Vendors Who Are Blind elected pursuant to NRS
29 426.670 and 34 C.F.R. § 395.14.

30 3. "Operate" means to be responsible for the day-to-day
31 operation of a vending facility, including, without limitation,
32 purchasing products for resale, hiring employees and performing
33 other duties associated with managing a vending facility.

34 4. "Public building or property":

35 (a) Except as otherwise provided in paragraph (b), means any
36 portion of any building, land or other real property, owned, leased or
37 occupied by any public entity except public elementary and
38 secondary schools, *the University of Nevada or* the Nevada System
39 of Higher Education, the Nevada State Park System, the Department
40 of Corrections, an airport authority operating in this State and a
41 department of aviation which is operated by a political subdivision
42 of this State.

43 (b) Does not include any building, land or other real property
44 that is:

45 (1) Leased to a private entity; or



1 (2) Operated pursuant to an operating agreement,
2 ➔ for the purposes of live entertainment, as defined in
3 NRS 368A.090.

4 5. "Public entity" means any department, agency or political
5 subdivision of the State, any department or agency of a political
6 subdivision of the State or any public or quasi-public corporation
7 that is supported in whole or in part by public money. The term
8 includes, without limitation, a regional transportation commission,
9 an irrigation district or water district created under the laws of the
10 State of Nevada, and all boards, commissions and committees
11 created by a public entity or the Legislature.

12 6. "Vending facility" means an automatic vending machine,
13 cafeteria, snack bar, cart service, shelter, counter and other
14 appropriate auxiliary equipment that is necessary for the sale of
15 newspapers, periodicals, confections, tobacco products, foods,
16 beverages and other articles or services dispensed or provided
17 automatically or manually. The term includes, without limitation,
18 the vending or exchange of tickets or similar items for participation
19 in any lottery that is authorized under the laws of this State and is
20 conducted by an agency of this State within this State.

21 7. "Vending Facility Program" means the program established
22 by NRS 426.630 to 426.715, inclusive, to provide for the operation
23 of vending facilities by licensees.

24 **Sec. 392.** NRS 426.640 is hereby amended to read as follows:

25 426.640 1. For the purposes of providing persons who are
26 blind with remunerative employment, enlarging the economic
27 opportunities of persons who are blind and stimulating persons who
28 are blind to greater efforts to make themselves self-supporting with
29 independent livelihoods, such persons licensed under the provisions
30 of NRS 426.630 to 426.715, inclusive, by the Bureau:

31 (a) Except as otherwise provided in subsection 2, have priority
32 of right to operate vending facilities in or on any public buildings or
33 properties where the locations are determined by the Bureau to be
34 suitable, pursuant to the procedure provided in NRS 426.630 to
35 426.715, inclusive. The Bureau, on behalf of licensees, has the right
36 of first refusal with regard to the operation of any vending facility in
37 or on any public building or property. Any agreement to operate a
38 vending facility entered into on or after July 1, 2021, by a public
39 entity that has care, custody and control of a public building or
40 property with an entity other than the Bureau is void if the Bureau
41 notifies the public entity that it intends to exercise the priority
42 established by this paragraph.

43 (b) May operate vending facilities in or on buildings or
44 properties of the Nevada State Park System, with the approval of the
45 Bureau and the Administrator of the Division of State Parks.



1 (c) May operate vending facilities in or on buildings or
2 properties of the Department of Corrections:

3 (1) If the Director of the Department of Corrections
4 voluntarily chooses to have the Department of Corrections
5 participate in the Vending Facility Program; and

6 (2) With the approval of the Bureau and the Department of
7 Corrections.

8 (d) May operate vending facilities in or on buildings or
9 properties of *the University of Nevada or* the Nevada System of
10 Higher Education, including, without limitation, in or on buildings
11 or properties of a university, state college or community college
12 within the *University or* System, with the approval of the Bureau
13 and the *University or* System or the university, state college or
14 community college having care, custody and control of the building
15 or property.

16 (e) May operate vending facilities in or on a public building or
17 property of an airport authority operating in this State or a
18 department of aviation operated by a political subdivision of this
19 State if:

20 (1) The airport authority or department of aviation, as
21 applicable, chooses to participate in the Vending Facility Program;
22 and

23 (2) That participation complies with all local, state and
24 federal statutes and regulations that govern the operations of the
25 public building or property of the airport authority or department of
26 aviation, as applicable.

27 2. Upon determining that a location is not suitable for a
28 vending facility to be operated by a licensee, the Bureau may waive
29 the priority established by paragraph (a) of subsection 1. The waiver
30 must:

31 (a) Be in writing;

32 (b) Set forth the conditions under which the waiver may be
33 revoked or modified; and

34 (c) Be signed by the Administrator of the Division or his or her
35 designee.

36 **Sec. 393.** NRS 432A.076 is hereby amended to read as
37 follows:

38 432A.076 1. The Nevada Early Childhood Advisory Council
39 is hereby established as the state advisory council on early
40 childhood education and care required to be established pursuant to
41 42 U.S.C. § 9837b(b)(1)(A)(i). The membership of the Council
42 must be appointed by the Governor and include, without limitation:

43 (a) One member who is a representative of the Division of
44 Public and Behavioral Health of the Department whose duties
45 include responsibility for child care;



1 (b) One member who is a representative of the Department of
2 Education;

3 (c) One member who is a representative of the Department of
4 Education whose duties include responsibilities for programs under
5 section 619 or part C of the Individuals with Disabilities Education
6 Act, 20 U.S.C. §§ 1400 et seq.;

7 (d) One member who is a representative of the boards of trustees
8 of the school districts in this State;

9 (e) One member who is a representative of *the University of*
10 *Nevada or* the Nevada System of Higher Education;

11 (f) One member who is a representative of local providers of
12 early childhood education and developmental services;

13 (g) One member who is a representative of Head Start agencies
14 in this State, including, without limitation, migrant and seasonal
15 Head Start programs and Indian Head Start programs;

16 (h) One member who is appointed or designated pursuant to 42
17 U.S.C. § 9837b(a)(3)(A);

18 (i) One member who is a representative of the Aging and
19 Disability Services Division of the Department;

20 (j) One member who is a representative of a nonprofit
21 organization located in southern Nevada that provides early
22 childhood education programs;

23 (k) One member who is a representative of a nonprofit
24 organization located in northern Nevada that provides early
25 childhood education programs;

26 (l) One member who is a representative of the pediatric mental,
27 physical or behavioral health care industry; and

28 (m) Such other members as the Governor determines are
29 appropriate.

30 2. The Council shall:

31 (a) Work to strengthen state-level coordination and collaboration
32 among the various sectors and settings of early childhood education
33 programs.

34 (b) Conduct periodic statewide assessments of needs relating to
35 the quality and availability of programs and services for children
36 who are in early childhood education programs.

37 (c) Identify opportunities for and barriers to coordination and
38 collaboration among early childhood education programs funded in
39 whole or in part by the Federal Government, the State or a local
40 government.

41 (d) Develop recommendations for:

42 (1) Increasing the participation of children in early childhood
43 education programs funded in whole or in part by the Federal
44 Government, the State or a local government, including, without



1 limitation, providing information on such programs to
2 underrepresented and special populations;

3 (2) The establishment or improvement of core elements of
4 the early childhood system in this State, including, without
5 limitation, a statewide unified system for collecting data relating to
6 early childhood education programs;

7 (3) A statewide professional development system for
8 teachers engaged in early childhood education; and

9 (4) The establishment of statewide standards for early
10 childhood education programs in this State.

11 (e) Assess the capacity and effectiveness of institutions of
12 higher education in this State in developing teachers in the field of
13 early childhood education.

14 (f) Establish, in cooperation with the State Board of Education,
15 guidelines for evaluating the school readiness of children. The
16 guidelines must:

17 (1) Be based on national school readiness indicators;

18 (2) Address the following components of school readiness:

19 (I) Physical and developmental health;

20 (II) Social and emotional development;

21 (III) Approaches to learning;

22 (IV) Language and early literacy development; and

23 (V) Cognition and general knowledge.

24 (g) Develop recommendations for increasing parental
25 involvement and family engagement in early childhood education
26 programs.

27 (h) Perform such other duties relating to early childhood
28 education programs as designated by the Governor.

29 3. On or before December 1 of each year, the Council shall
30 submit a report to the Governor and to the Director of the
31 Legislative Counsel Bureau for transmittal to the Joint Interim
32 Standing Committee on Health and Human Services and the Joint
33 Interim Standing Committee on Education, if the report is received
34 during an odd-numbered year, or to the next session of the
35 Legislature, if the report is received during an even-numbered year.
36 The report must include, without limitation, a summary of the
37 activities of the Council and any recommendations for
38 improvements to the early childhood system in this State.

39 4. The Council may accept gifts, grants and donations from any
40 source for the support of the Council in carrying out the provisions
41 of this section.

42 **Sec. 394.** NRS 432B.610 is hereby amended to read as
43 follows:

44 432B.610 1. The Peace Officers' Standards and Training
45 Commission shall:



1 (a) Require each category I peace officer to complete a program
2 of training for the detection and investigation of and response to
3 cases of sexual abuse or sexual exploitation of children under the
4 age of 18 years.

5 (b) Not certify any person as a category I peace officer unless
6 the person has completed the program of training required pursuant
7 to paragraph (a).

8 (c) Establish a program to provide the training required pursuant
9 to paragraph (a).

10 (d) Adopt regulations necessary to carry out the provisions of
11 this section.

12 2. As used in this section, "category I peace officer" means:

13 (a) Sheriffs of counties and of metropolitan police departments,
14 their deputies and correctional officers;

15 (b) Personnel of the Nevada Highway Patrol whose principal
16 duty is to enforce one or more laws of this State, and any person
17 promoted from such a duty to a supervisory position related to such
18 a duty;

19 (c) Marshals, police officers and correctional officers of cities
20 and towns;

21 (d) Members of ~~[the] a~~ Police Department ~~[of the Nevada~~
22 ~~System of Higher Education;]~~ *created pursuant to NRS 396.325;*

23 (e) Employees of the Division of State Parks of the State
24 Department of Conservation and Natural Resources designated by
25 the Administrator of the Division who exercise police powers
26 specified in NRS 289.260;

27 (f) The Chief, investigators and agents of the Investigation
28 Division of the Department of Public Safety;

29 (g) The personnel of the Department of Wildlife who exercise
30 those powers of enforcement conferred by title 45 and chapter 488
31 of NRS; and

32 (h) School police officers employed or appointed by the board
33 of trustees of any county school district.

34 **Sec. 395.** NRS 433.279 is hereby amended to read as follows:

35 433.279 1. The Division shall carry out a vocational and
36 educational program for the certification of mental health
37 technicians, including forensic technicians:

38 (a) Employed by the Division, or other employees of the
39 Division who perform similar duties, but are classified differently.

40 (b) Employed by the Division of Child and Family Services of
41 the Department.

42 ➤ The program must be carried out in cooperation with *the*
43 *University of Nevada and* the Nevada System of Higher Education.

44 2. A mental health technician is responsible to the director of
45 the service in which his or her duties are performed. The director of



1 a service may be a licensed physician, dentist, podiatric physician,
2 psychiatrist, psychologist, rehabilitation therapist, social worker,
3 registered nurse or other professionally qualified person. This
4 section does not authorize a mental health technician to perform
5 duties which require the specialized knowledge and skill of a
6 professionally qualified person.

7 3. The Division shall adopt regulations to carry out the
8 provisions of this section.

9 4. As used in this section, "mental health technician" means an
10 employee of the Division of Public and Behavioral Services or the
11 Division of Child and Family Services who, for compensation or
12 personal profit, carries out procedures and techniques which involve
13 cause and effect and which are used in the care, treatment and
14 rehabilitation of persons with mental illness and persons who are
15 emotionally disturbed, and who has direct responsibility for:

16 (a) Administering or carrying out specific therapeutic
17 procedures, techniques or treatments, excluding medical
18 interventions, to enable consumers to make optimal use of their
19 therapeutic regime, their social and personal resources, and their
20 residential care; or

21 (b) The application of interpersonal and technical skills in the
22 observation and recognition of symptoms and reactions of
23 consumers, for the accurate recording of such symptoms and
24 reactions, and for carrying out treatments authorized by members of
25 the interdisciplinary team that determines the treatment of the
26 consumers.

27 **Sec. 396.** NRS 435.425 is hereby amended to read as follows:

28 435.425 1. The Division shall carry out a vocational and
29 educational program for the certification of intellectual and
30 developmental disability technicians, including forensic technicians
31 employed by the Division, or other employees of the Division who
32 perform similar duties, but are classified differently. The program
33 must be carried out in cooperation with *the University of Nevada*
34 *and* the Nevada System of Higher Education.

35 2. An intellectual and developmental disability technician is
36 responsible to the director of the service in which his or her duties
37 are performed. The director of a service may be a licensed
38 physician, dentist, podiatric physician, psychiatrist, psychologist,
39 rehabilitation therapist, social worker, registered nurse or other
40 professionally qualified person. This section does not authorize an
41 intellectual and developmental disability technician to perform
42 duties which require the specialized knowledge and skill of a
43 professionally qualified person.

44 3. The Administrator shall adopt regulations to carry out the
45 provisions of this section.



1 4. As used in this section, “intellectual and developmental
2 disability technician” means an employee of the Division who, for
3 compensation or personal profit, carries out procedures and
4 techniques which involve cause and effect and which are used in the
5 care, treatment and rehabilitation of persons with intellectual
6 disabilities or persons with developmental disabilities and who has
7 direct responsibility for:

8 (a) Administering or carrying out specific therapeutic
9 procedures, techniques or treatments, excluding medical
10 interventions, to enable consumers to make optimal use of their
11 therapeutic regime, their social and personal resources, and their
12 residential care; or

13 (b) The application of interpersonal and technical skills in the
14 observation and recognition of symptoms and reactions of
15 consumers, for the accurate recording of such symptoms and
16 reactions, and for carrying out treatments authorized by members of
17 the interdisciplinary team that determines the treatment of the
18 consumers.

19 **Sec. 397.** NRS 439.110 is hereby amended to read as follows:

20 439.110 1. Except as otherwise provided in this section and
21 NRS 284.143, the Chief Medical Officer shall devote his or her full
22 time to the official duties of the Chief Medical Officer and shall not
23 engage in any other business or occupation.

24 2. Notwithstanding the provisions of NRS 281.127, the Chief
25 Medical Officer may cooperate with *the University of Nevada and*
26 the Nevada System of Higher Education in the preparation and
27 teaching of preservice professional workers in public health and in a
28 program providing additional professional preparation for
29 behavioral health workers and public health workers employed by
30 the State of Nevada.

31 3. With the approval of the Director, the Chief Medical Officer
32 may maintain a clinical practice that is not established through the
33 University of Nevada in order to retain expertise and remain current
34 in his or her specialized field.

35 **Sec. 398.** NRS 439.263 is hereby amended to read as follows:

36 439.263 1. It is the policy of this State to:

37 (a) Improve the completeness and quality of data concerning
38 diverse demographic groups that is collected, reported and analyzed
39 for the purposes of clinical trials of drugs and medical devices;

40 (b) Identify barriers to participation in clinical trials by persons
41 who are members of demographic groups that are underrepresented
42 in such trials and employ strategies recognized by the United States
43 Food and Drug Administration to encourage greater participation in
44 clinical trials by such persons; and



1 (c) Make data concerning demographic groups that is collected,
2 reported and analyzed for the purposes of clinical trials more
3 available and transparent.

4 2. To assist in carrying out this policy:

5 (a) The Division shall review the most recent version of
6 “Collection of Race and Ethnicity Data in Clinical Trials—
7 Guidance for Industry and Food and Drug Administration Staff,”
8 published by the United States Food and Drug Administration, and
9 establish, using existing infrastructure and tools, a program to
10 encourage participation in clinical trials of drugs and medical
11 devices by persons who are members of demographic groups that
12 are underrepresented in such clinical trials. The program must
13 include, without limitation:

14 (1) Collaboration with medical facilities, health authorities
15 and other local governmental entities, nonprofit organizations and
16 scientific investigators and institutions that are performing research
17 relating to drugs or medical devices to assist such investigators and
18 institutions in identifying and recruiting persons who are members
19 of underrepresented demographic groups to participate in clinical
20 trials; and

21 (2) The establishment and maintenance of an Internet
22 website that:

23 (I) Provides information concerning methods recognized
24 by the United States Food and Drug Administration for identifying
25 and recruiting persons who are members of underrepresented
26 demographic groups to participate in clinical trials; and

27 (II) Contains links to Internet websites maintained by
28 medical facilities, health authorities and other local governmental
29 entities, nonprofit organizations and scientific investigators and
30 institutions that are performing research relating to drugs or medical
31 devices in this State.

32 (b) With the assistance of the Office of Federal Assistance, the
33 Division shall apply for grants from any source, including, without
34 limitation, the Federal Government, to fund the program established
35 pursuant to paragraph (a).

36 (c) Not later than May 1 of each even-numbered year, the
37 Division shall submit to the Director of the Legislative Counsel
38 Bureau for transmittal to the Legislature a report concerning the
39 status and results of the program established pursuant to
40 paragraph (a).

41 (d) Each state or local governmental entity that conducts clinical
42 trials of drugs or medical devices, including, without limitation, ~~the~~
43 ~~Board of Regents of the University of Nevada,~~ *a higher education*
44 *governing body*, shall adopt a policy concerning the identification
45 and recruitment of persons who are members of underrepresented



1 demographic groups to participate in those clinical trials. Such a
2 policy must include, without limitation, requirements that
3 investigators who are conducting clinical trials collaborate with
4 community-based organizations and use methods recognized by the
5 United States Food and Drug Administration to identify and recruit
6 such persons to participate in those clinical trials.

7 3. For the purposes of this section, demographic groups that are
8 underrepresented in clinical trials may include, without limitation,
9 persons who are underrepresented by race, sex, sexual orientation,
10 socioeconomic status and age.

11 4. The Division may accept gifts, grants and donations from
12 any source for the purpose of carrying out the provisions of this
13 section.

14 5. As used in this section ~~[, "medical] :~~

15 (a) *"Higher education governing body" has the meaning*
16 *ascribed to it in NRS 396.005.*

17 (b) *"Medical facility" has the meaning ascribed to it in*
18 *NRS 449.0151.*

19 **Sec. 399.** NRS 439.5083 is hereby amended to read as
20 follows:

21 439.5083 1. The Task Force on Alzheimer's Disease is
22 hereby created within the Department of Health and Human
23 Services.

24 2. The Director shall appoint to the Task Force the following
25 eight voting members:

26 (a) A representative from an association that provides services to
27 persons with Alzheimer's disease;

28 (b) A medical professional with expertise in cognitive disorders;

29 (c) A representative of caregivers for persons with cognitive
30 disorders;

31 (d) A representative of *the University of Nevada or* the Nevada
32 System of Higher Education with expertise in cognitive disorders;

33 (e) A representative of providers of service for persons with
34 cognitive disorders;

35 (f) A representative from a rural area of this State;

36 (g) A representative from the Department; and

37 (h) A member at large.

38 3. The Legislative Commission shall appoint to the Task Force
39 the following two voting members:

40 (a) One member of the Senate; and

41 (b) One member of the Assembly.

42 4. After the initial terms, the members of the Task Force serve
43 terms of 2 years. A member may be reappointed to the Task Force
44 and any vacancy must be filled in the same manner as the original
45 appointment.



1 5. The members of the Task Force serve without
2 compensation, except that each member is entitled, while engaged in
3 the business of the Task Force and within the limits of available
4 money, to the per diem allowance and travel expenses provided for
5 state officers and employees generally.

6 6. Not later than 30 days after appointment, each member of
7 the Task Force appointed pursuant to subsection 2 shall nominate
8 two persons to serve as his or her alternate members and submit the
9 names of the persons nominated to the Director for appointment. An
10 alternate member shall serve as a voting member of the Task Force
11 when the appointed member who nominated the alternate is
12 disqualified or unable to serve.

13 **Sec. 400.** NRS 439.518 is hereby amended to read as follows:

14 439.518 1. Within the limits of available money, the Division
15 shall establish the Advisory Council on the State Program for
16 Wellness and the Prevention of Chronic Disease to advise and make
17 recommendations to the Division concerning the Program.

18 2. The Administrator shall appoint to the Advisory Council the
19 following 13 voting members:

20 (a) The Chief Medical Officer or the designee of the Chief
21 Medical Officer;

22 (b) The Superintendent of Public Instruction or the designee of
23 the Superintendent;

24 (c) One representative of the health insurance industry;

25 (d) One provider of health care;

26 (e) One representative of the Nevada Association for Health,
27 Physical Education, Recreation and Dance or its successor
28 organization;

29 (f) Three representatives of organizations committed to the
30 prevention and treatment of chronic diseases;

31 (g) One registered dietitian;

32 (h) One representative who is a member of a racial or ethnic
33 minority group appointed from a list of persons submitted to the
34 Administrator by the Advisory Committee of the Office of Minority
35 Health and Equity of the Department;

36 (i) One representative of private employers in this State who has
37 experience in matters relating to employment and human resources;

38 (j) One representative of a local health authority; and

39 (k) One representative of *the University of Nevada* or the
40 Nevada System of Higher Education from a list of persons
41 submitted to the Administrator by the Board of Regents of the
42 University of Nevada.

43 3. The Legislative Commission shall appoint to the Advisory
44 Council the following two voting members:

45 (a) One member of the Senate; and



1 (b) One member of the Assembly.

2 4. A majority of the voting members of the Advisory Council
3 may appoint nonvoting members to the Advisory Council.

4 **Sec. 401.** NRS 439.521 is hereby amended to read as follows:

5 439.521 1. To carry out the provisions of NRS 439.514 to
6 439.525, inclusive, the Division shall, within the limits of available
7 money, and with the advice and recommendations of the Advisory
8 Council:

9 (a) Periodically prepare burden reports concerning health
10 problems and diseases, including, without limitation, a lack of
11 physical fitness, poor nutrition, tobacco use and exposure to tobacco
12 smoke, chronic diseases, including, without limitation, obesity and
13 diabetes, and other diseases, as determined by the Division, using
14 the most recent information obtained through surveillance,
15 epidemiology and research. As used in this paragraph, "burden
16 report" means a calculation of the impact of a particular health
17 problem or chronic disease on this State, as measured by financial
18 cost, mortality, morbidity or other indicators specified by the
19 Division.

20 (b) Prepare an annual report on obesity pursuant to paragraph (a)
21 which must:

22 (1) Include, without limitation:

23 (I) Current obesity rates in this State;

24 (II) Information regarding obesity with regard to specific
25 demographics;

26 (III) Actions taken by the Division regarding obesity; and

27 (IV) The State's goals and achievements regarding
28 obesity rates.

29 (2) On or before March 15 of each year, be submitted to the
30 Director of the Legislative Counsel Bureau for transmittal to:

31 (I) The Joint Interim Standing Committee on Health and
32 Human Services during even-numbered years; and

33 (II) The Legislature during odd-numbered years.

34 (c) Identify, review and encourage, in coordination with the
35 Department of Education, *the University of Nevada*, the Nevada
36 System of Higher Education and other appropriate state agencies,
37 existing evidence-based programs related to nutrition, physical
38 fitness and tobacco prevention and cessation, including, without
39 limitation, programs of state and local governments, educational
40 institutions, businesses and the general public.

41 (d) Develop, promote and coordinate recommendations for
42 model and evidence-based programs that contribute to reductions in
43 the incidence of chronic disease in this State. The programs should
44 encourage:



1 (1) Proper nutrition, physical fitness and health among the
2 residents of this State, including, without limitation, parents and
3 children, senior citizens, high-risk populations and persons with
4 special needs; and

5 (2) Work-site wellness policies that include, without
6 limitation, tobacco-free and breast feeding-friendly environments,
7 healthy food and beverage choices and physical activity
8 opportunities in schools, businesses and public buildings.

9 (e) Assist on projects within this State as requested by, and in
10 coordination with, the President's Council on Fitness, Sports and
11 Nutrition.

12 (f) Identify and review methods for reducing health care costs
13 associated with tobacco use and exposure to tobacco smoke, chronic
14 diseases, including, without limitation, obesity and diabetes, and
15 other diseases, as determined by the Division.

16 (g) Maintain a website to provide information and resources on
17 nutrition, physical fitness, health, wellness and the prevention of
18 chronic diseases, including, without limitation, obesity and diabetes.

19 (h) Solicit information from and, to the extent feasible,
20 coordinate its efforts with:

21 (1) Other governmental agencies;

22 (2) National health organizations and their local and state
23 chapters;

24 (3) Community and business leaders;

25 (4) Community organizations;

26 (5) Providers of health care;

27 (6) Private schools; and

28 (7) Other persons who provide services relating to tobacco
29 use and exposure, physical fitness and wellness and the prevention
30 of chronic diseases, including, without limitation, obesity and
31 diabetes, and other diseases.

32 (i) Establish, maintain and enhance statewide chronic disease
33 surveillance systems.

34 (j) Translate surveillance, evaluation and research information
35 into press releases, briefs, community education and advocacy
36 materials and other publications that highlight chronic diseases and
37 the key risk factors of those diseases.

38 (k) Identify, assist and encourage the growth of, through
39 funding, training, resources and other support, the community's
40 capacity to assist persons who have a chronic disease.

41 (l) Encourage relevant community organizations to effectively
42 recruit key population groups to receive clinical preventative
43 services, including, without limitation:

44 (1) Screening and early detection of breast, cervical and
45 colorectal cancer, diabetes, high blood pressure and obesity;



- 1 (2) Oral screenings; and
- 2 (3) Tobacco cessation counseling.

3 (m) Promote positive policy, system and environmental changes
4 within communities and the health care system based on, without
5 limitation, the Chronic Care Model developed by the MacColl
6 Center for Health Care Innovation and the Patient-Centered Medical
7 Home Recognition Program of the National Committee for Quality
8 Assurance.

9 (n) Review and revise the Program as needed.

10 2. As used in this section:

11 (a) "Chronic disease" means a health condition or disease which
12 presents for a period of 3 months or more or is persistent, indefinite
13 or incurable.

14 (b) "Obesity" means a chronic disease characterized by an
15 abnormal and unhealthy accumulation of body fat which is
16 statistically correlated with premature mortality, hypertension, heart
17 disease, diabetes, cancer and other health conditions, and may be
18 indicated by:

19 (1) A body mass index of 30 or higher in adults;

20 (2) A body mass index that is greater than two standard
21 deviations above the World Health Organization's growth standard
22 for children who are at least 5 but less than 19 years of age, or
23 greater than three standard deviations above the standard for
24 children who are less than 5 years of age;

25 (3) A body fat percentage greater than 25 percent for men or
26 32 percent for women; or

27 (4) A waist size of 40 inches or more for men or 35 inches or
28 more for women.

29 **Sec. 402.** NRS 439A.082 is hereby amended to read as
30 follows:

31 439A.082 The Director, through the Division of Health Care
32 Financing and Policy of the Department, shall contract with *the*
33 *University of Nevada or* the Nevada System of Higher Education to
34 collect and analyze information from health facilities and purchasers
35 of health care to:

36 1. Respond to requests for information from the Legislature.

37 2. Provide technical assistance to purchasers of health care.

38 3. Provide the Department with information necessary to carry
39 out the provisions of this chapter.

40 4. Provide other persons with information relating to the cost
41 of health care.

42 **Sec. 403.** NRS 439A.118 is hereby amended to read as
43 follows:

44 439A.118 1. The Director shall establish the Health Care
45 Workforce Working Group within the Department. The Director



1 shall appoint to the Working Group providers of health care and
2 representatives of:

3 (a) Groups that represent providers of health care and consumers
4 of health care;

5 (b) The *University of Nevada*, Nevada System of Higher
6 Education, universities, state colleges, community colleges and
7 other institutions in this State that train providers of health care;

8 (c) The Department of Health and Human Services; and

9 (d) Professional licensing boards that license, certify or register
10 providers of health care.

11 2. The Director shall appoint a Chair of the Working Group.
12 The Working Group shall meet at the call of the Chair. A majority
13 of the members of the Working Group constitutes a quorum and is
14 required to transact any business of the Working Group.

15 3. The members of the Working Group serve without
16 compensation and are not entitled to receive the per diem allowance
17 and travel expenses provided for state officers and employees
18 generally.

19 4. A member of the Working Group who is an officer or
20 employee of this State or a political subdivision of this State must be
21 relieved from his or her duties without loss of regular compensation
22 to prepare for and attend meetings of the Working Group and
23 perform any work necessary to carry out the duties of the Working
24 Group in the most timely manner practicable. A state agency or
25 political subdivision of this State shall not require an officer or
26 employee who is a member of the Working Group to:

27 (a) Make up the time he or she is absent from work to carry out
28 his or her duties as a member of the Working Group; or

29 (b) Take annual leave or compensatory time for the absence.

30 5. The Department shall provide such administrative support to
31 the Working Group as is necessary to carry out the duties of the
32 Working Group.

33 **Sec. 404.** NRS 439A.121 is hereby amended to read as
34 follows:

35 439A.121 1. The Working Group shall:

36 (a) Make recommendations to the Director concerning the
37 information included in the database pursuant to NRS 439A.116;

38 (b) Analyze the information contained in the database; and

39 (c) Make recommendations to the Department of Health and
40 Human Services, the Department of Education, ~~the Board of~~
41 ~~Regents of the University of Nevada,~~ *each higher education*
42 *governing body*, the Legislature, professional licensing boards that
43 license, certify or register providers of health care and other relevant
44 persons and entities concerning ways in which to:



1 (1) Attract more persons, including, without limitation,
2 members of underrepresented groups, to pursue the education
3 necessary to practice as a provider of health care and practice as a
4 provider of health care in this State; and

5 (2) Improve health outcomes and public health in this State.

6 2. The Working Group may publish reports of any of its
7 findings or recommendations.

8 **3. *As used in this section, "higher education governing body"***
9 ***has the meaning ascribed to it in NRS 396.005.***

10 **Sec. 405.** NRS 439A.290 is hereby amended to read as
11 follows:

12 439A.290 1. In carrying out the provisions of NRS 439A.200
13 to 439A.290, inclusive, the Department:

14 (a) Shall work in consultation with a quality improvement
15 organization of the Centers for Medicare and Medicaid Services of
16 the United States Department of Health and Human Services; and

17 (b) May contract with *the University of Nevada*, the Nevada
18 System of Higher Education or any appropriate, independent and
19 qualified person or entity to analyze the information collected and
20 maintained by the Department pursuant to NRS 439A.200 to
21 439A.290, inclusive. Such a contractor may release or publish or
22 otherwise use information made available to it pursuant to the
23 contract if the Department determines that the information is
24 accurate and the contractor complies with the regulations adopted
25 pursuant to subsection 2.

26 2. The Department shall adopt regulations for the review and
27 release of information collected and maintained by the Department
28 pursuant to NRS 439A.200 to 439A.290, inclusive. The regulations
29 must require, without limitation, the Department to review each
30 request for information if the request is for purposes other than
31 research.

32 3. The Department shall, on or before July 1 of each year,
33 submit to the Joint Interim Standing Committee on Health and
34 Human Services a report concerning each request that is made
35 pursuant to subsection 2 and the determination of the Department
36 with regard to each request.

37 **Sec. 406.** NRS 439B.855 is hereby amended to read as
38 follows:

39 439B.855 If the all-payer claims database is established
40 pursuant to NRS 439B.835:

41 1. The Department or any Division thereof may access and use
42 data from the all-payer claims database for any purpose.

43 2. The Department shall release data from the all-payer claims
44 database to the Attorney General upon request for the purpose of
45 enforcing the provisions of chapters 598 and 598A of NRS.



1 3. Except as otherwise provided in subsection 4, the
2 Department may release data from the all-payer claims database that
3 does not contain proprietary financial information:

4 (a) In de-aggregated form with unique identifiers upon the
5 submission of a request that meets the requirements of NRS
6 439B.850 to:

7 (1) A state or federal governmental entity, including, without
8 limitation, a college or university within *the University of Nevada*
9 *or* the Nevada System of Higher Education; or

10 (2) Any entity that submits data to the database pursuant to
11 NRS 439B.840.

12 (b) In aggregated form to any person or entity approved by the
13 Department that has submitted a request that meets the requirements
14 of NRS 439B.850.

15 4. The Department shall not release data from the all-payer
16 claims database in any form to any entity that is required or
17 authorized to submit data to the all-payer claims database pursuant
18 to NRS 439B.840 and fails to submit substantially complete data in
19 accordance with the regulations adopted pursuant to NRS 439B.875.


20 5. A person or entity that receives data from the all-payer
21 claims database pursuant to this section:

22 (a) Shall comply with any regulations of the Department
23 adopted pursuant to NRS 439B.875.

24 (b) Shall not disclose or use the data in any manner other than as
25 described in the request submitted pursuant to NRS 439B.850.

26 6. The Department shall notify each person or entity to whom
27 data is released pursuant to subsection 3 of the percentage of
28 residents of this State who have health coverage for which data was
29 submitted to the all-payer claims database for the time period to
30 which the released data pertains. Any published document that
31 contains or uses data from the all-payer claims database, including,
32 without limitation, the report published by the Department pursuant
33 to NRS 439B.860, must state the percentage of residents of this
34 State who have health coverage for which data was submitted to the
35 database for the time period to which the data contained in or used
36 by the published document pertains.

37 **Sec. 407.** NRS 442.007 is hereby amended to read as follows:

38 442.007 1. The State Board of Health shall adopt regulations
39 establishing standards for perinatal care provided by any provider of
40 health care, based on recommendations submitted to the Board by
41 the School of Medicine and School of Nursing of *the University of*
42 *Nevada and* the Nevada System of Higher Education , *as*
43 *applicable.*

44 2. As used in this section, "provider of health care" has the
45 meaning ascribed to it in NRS 629.031.



1 **Sec. 408.** NRS 444.330 is hereby amended to read as follows:
2 444.330 1. The Division has supervision over the sanitation,
3 healthfulness, cleanliness and safety, as it pertains to the foregoing
4 matters, of the following state institutions:

- 5 (a) Institutions and facilities of the Department of Corrections.
- 6 (b) Northern Nevada Adult Mental Health Services.
- 7 (c) Nevada Youth Training Center, Caliente Youth Center and
8 any other state facility for the detention of children that is operated
9 pursuant to title 5 of NRS.

10 (d) *University of Nevada and* Nevada System of Higher
11 Education.

12 2. The State Board of Health may adopt regulations pertaining
13 thereto as are necessary to promote properly the sanitation,
14 healthfulness, cleanliness and, as it pertains to the foregoing matters,
15 the safety of those institutions.

16 3. The Chief Medical Officer or an authorized agent of the
17 Officer shall inspect those institutions at least once each calendar
18 year and whenever he or she deems an inspection necessary to carry
19 out the provisions of this section. The inspection of any state facility
20 for the detention of children that is operated pursuant to title 5 of
21 NRS must include, without limitation, an inspection of all areas
22 where food is prepared and served, bathrooms, areas used for
23 sleeping, common areas and areas located outdoors that are used by
24 children at the facility.

25 4. The Chief Medical Officer shall publish reports of the
26 inspections of any state facility for the detention of children that is
27 operated pursuant to title 5 of NRS and may publish reports of the
28 inspections of other state institutions.

29 5. All persons charged with the duty of maintenance and
30 operation of the institutions named in this section shall operate the
31 institutions in conformity with the regulations adopted by the State
32 Board of Health pursuant to subsection 2.

33 6. The Chief Medical Officer or an authorized agent of the
34 Officer may, in carrying out the provisions of this section, enter
35 upon any part of the premises of any of the institutions named in
36 this section over which he or she has jurisdiction, to determine the
37 sanitary conditions of the institutions and to determine whether the
38 provisions of this section and the regulations of the State Board of
39 Health pertaining thereto are being violated.

40 **Sec. 409.** NRS 444A.110 is hereby amended to read as
41 follows:

42 444A.110 1. The Division shall develop a program of public
43 education to provide information, increase public awareness of the
44 individual responsibility of properly disposing of solid waste and
45 encouraging public participation in recycling, reuse and waste



1 reduction. The program must be designed in accordance with the
2 plans to provide for a solid waste management system approved
3 pursuant to NRS 444.510 to communicate the importance of
4 conserving natural resources, in addition to the importance of
5 protecting public health and the environment. The program must
6 include promotion of the private and public efforts to accomplish
7 conservation, recovery and reuse.

8 2. The Division shall encourage the reduction of waste and
9 litter by:

10 (a) Providing, upon request, advice to persons regarding
11 techniques to reduce waste and general information on recycling.

12 (b) Establishing a computer database to process related
13 information.

14 (c) Establishing a toll-free telephone line to assist in the
15 dissemination of information.

16 (d) Sponsoring or cosponsoring technical workshops and
17 seminars on waste reduction.

18 (e) Assisting local programs for the research and development of
19 plans to reduce waste.

20 (f) Coordinating the dissemination of publications on waste
21 reduction, regardless of the source of those publications.

22 (g) Assisting in the development and promotion of programs of
23 continuing education for educators and administrators to enable
24 them to teach and encourage methods of waste reduction.

25 (h) Developing an emblem to signify and advertise the efforts in
26 Nevada to encourage recycling.

27 (i) Recommending to educational institutions courses and
28 curricula relating to recycling and the reduction of waste.

29 (j) Assisting state agencies, upon request, to develop and carry
30 out programs for recycling within state buildings.

31 (k) Encouraging *the University of Nevada and* the Nevada
32 System of Higher Education to research and develop methods for
33 the reduction, reclamation and conversion of solid waste, including,
34 without limitation, encouraging *the University of Nevada and* the
35 Nevada System of Higher Education to seek money from public and
36 private sources for that purpose.

37 3. The Division shall coordinate the technical assistance
38 available from the various state agencies. The Administrator of the
39 Division shall prepare and deliver biennial reports to the Governor
40 regarding the progress of the program.

41 4. The Division may award grants to municipalities,
42 educational institutions and nonprofit organizations for projects that
43 enhance solid waste management systems and promote the efficient
44 use of resources. The Division shall consult a solid waste



1 management authority before awarding a grant for a project within
2 the jurisdiction of that solid waste management authority.

3 5. The State Environmental Commission shall adopt
4 regulations governing the administration of grants awarded pursuant
5 to subsection 4.

6 6. As used in this section, unless the context otherwise
7 requires, "Division" means the Division of Environmental
8 Protection of the State Department of Conservation and Natural
9 Resources.

10 **Sec. 410.** NRS 445B.200 is hereby amended to read as
11 follows:

12 445B.200 1. The State Environmental Commission is hereby
13 created within the Department. The Commission consists of:

- 14 (a) The Director of the Department of Wildlife;
- 15 (b) The State Forester Firewarden;
- 16 (c) The State Engineer;
- 17 (d) The Director of the State Department of Agriculture;
- 18 (e) The Administrator of the Division of Minerals of the
19 Commission on Mineral Resources;
- 20 (f) A member of the State Board of Health to be designated by
21 that Board; and
- 22 (g) Five members appointed by the Governor:

23 (1) One of whom is a general engineering contractor or a
24 general building contractor licensed pursuant to chapter 624 of
25 NRS;

26 (2) One of whom possesses expertise in performing mining
27 reclamation; and

28 (3) One of whom possesses experience and expertise in
29 advocating issues relating to conservation.

30 2. The Governor shall appoint the Chair of the Commission
31 from among the members of the Commission.

32 3. A majority of the members constitutes a quorum, and a
33 majority of those present must concur in any decision.

34 4. Each member who is appointed by the Governor is entitled
35 to receive a salary of not more than \$80, as fixed by the
36 Commission, for each day's attendance at a meeting of the
37 Commission.

38 5. While engaged in the business of the Commission, each
39 member and employee of the Commission is entitled to receive the
40 per diem allowance and travel expenses provided for state officers
41 and employees generally.

42 6. Any person who receives or has received during the
43 previous 2 years a significant portion of his or her income, as
44 defined by any applicable state or federal law, directly or indirectly
45 from one or more holders of or applicants for a permit required by



1 NRS 445A.300 to 445A.730, inclusive, is disqualified from serving
2 as a member of the Commission. The provisions of this subsection
3 do not apply to any person who receives, or has received during the
4 previous 2 years, a significant portion of his or her income from any
5 department or agency of State Government which is a holder of or
6 an applicant for a permit required by NRS 445A.300 to 445A.730,
7 inclusive.

8 7. The Department shall provide technical advice, support and
9 assistance to the Commission. All state officers, departments,
10 commissions and agencies, including the Department of
11 Transportation, the Department of Health and Human Services, *the*
12 *University of Nevada*, the Nevada System of Higher Education, the
13 State Public Works Board, the Department of Motor Vehicles, the
14 Department of Public Safety, the Public Utilities Commission of
15 Nevada, the Nevada Transportation Authority and the State
16 Department of Agriculture may also provide technical advice,
17 support and assistance to the Commission.

18 **Sec. 411.** NRS 451.069 is hereby amended to read as follows:
19 451.069 As used in NRS 451.069 to 451.330, inclusive,
20 "cemetery authority" means any natural person, partnership,
21 association, corporation or public entity, including *the University of*
22 *Nevada*, the Nevada System of Higher Education or any cemetery
23 district, owning or leasing the land or other property of a cemetery
24 or operating a cemetery as a business in this State.

25 **Sec. 412.** NRS 451.350 is hereby amended to read as follows:
26 451.350 As used in NRS 451.350 to 451.470, inclusive,
27 "Committee" means the Committee on Anatomical Dissection
28 established by the *University of Nevada* . ~~{System of Higher~~
29 ~~Education.}~~

30 **Sec. 413.** NRS 451.360 is hereby amended to read as follows:
31 451.360 1. The *University of Nevada* ~~{System of Higher~~
32 ~~Education}~~ may establish a Committee on Anatomical Dissection
33 consisting of:

34 (a) One member who is a physician licensed to practice
35 medicine pursuant to the provisions of chapter 630 of NRS,
36 appointed by the Nevada State Medical Association.

37 (b) One member who is an osteopathic physician licensed to
38 practice osteopathic medicine pursuant to the provisions of chapter
39 633 of NRS, appointed by the Nevada Osteopathic Medical
40 Association.

41 (c) One member who is a dentist licensed to practice dentistry
42 pursuant to the provisions of chapter 631 of NRS, appointed by the
43 Nevada Dental Association.

44 (d) One member who is a pathologist, appointed by the Nevada
45 Society of Pathologists.



1 (e) One member appointed by the President of the University of
2 Nevada, Reno, from the faculty of the University of Nevada, Reno.

3 (f) One member appointed by the President of the University of
4 Nevada, Las Vegas, from the faculty of the University of Nevada,
5 Las Vegas.

6 (g) One member appointed by the President of the Touro
7 University College of Osteopathic Medicine, Nevada, or its
8 successor, from the faculty of the Touro University College of
9 Osteopathic Medicine, Nevada.

10 (h) The Chief Medical Officer, or a designee of the Chief
11 Medical Officer.

12 (i) One member appointed by the Nevada Funeral Service
13 Association.

14 2. The Committee shall elect:

15 (a) The member appointed by the President of the University of
16 Nevada, Reno, or the member appointed by the President of the
17 University of Nevada, Las Vegas, to serve as Chair of the
18 Committee; and

19 (b) A Secretary from among its members.

20 3. The Chair and Secretary shall hold office for a term of 1
21 year.

22 **Sec. 414.** NRS 451.450 is hereby amended to read as follows:

23 451.450 1. The Committee or its duly authorized agent shall
24 take and receive the bodies delivered to it pursuant to the provisions
25 of NRS 451.350 to 451.470, inclusive, and shall distribute such
26 bodies proportionately and equitably, among schools, teaching
27 hospitals in which there is a resident training program that requires
28 cadaveric material for study, and such other person or entity as the
29 Committee may determine to be eligible to receive such bodies.

30 2. The Committee shall charge and collect:

31 (a) From a university, state college, community college or
32 medical school within *the University of Nevada or* the Nevada
33 System of Higher Education and any other medical school in this
34 State to which the Committee distributes a dead human body in
35 accordance with subsection 1, a fee in an amount not to exceed the
36 expenses of the Committee to obtain, handle and distribute the body
37 delivered to it pursuant to the provisions of NRS 451.350 to
38 451.470, inclusive; and

39 (b) From any other person or entity to which the Committee
40 distributes a dead human body in accordance with subsection 1:

41 (1) A fee in an amount not to exceed the expenses of the
42 Committee to obtain, handle and distribute the body delivered to it
43 pursuant to the provisions of NRS 451.350 to 451.470, inclusive;
44 and



1 (2) An additional fee of \$200 for each body distributed to the
2 person or entity which must be used by the Committee to carry out
3 the provisions of NRS 451.350 to 451.470, inclusive.

4 3. A person or entity may not receive a dead body for the
5 promotion of medical science unless the Committee has determined
6 that the person or entity is eligible to receive the dead body. A
7 person or entity who receives a dead body in violation of this
8 subsection is guilty of a gross misdemeanor.

9 **Sec. 415.** NRS 453.3345 is hereby amended to read as
10 follows:

11 453.3345 1. Unless a greater penalty is provided in NRS
12 453.333 or 453.334, and except as otherwise provided in NRS
13 193.169, any person who violates NRS 453.321 or 453.322:

14 (a) On the grounds of a public or private school, a playground,
15 public park, public swimming pool, recreational center for youths or
16 a video arcade;

17 (b) On a campus of *the University of Nevada or* the Nevada
18 System of Higher Education;

19 (c) Within 1,000 feet of the perimeter of such a school ground or
20 campus, playground, park, pool, recreational center or arcade; or

21 (d) Within 1,000 feet of a school bus stop from 1 hour before
22 school begins until 1 hour after school ends during scheduled school
23 days,

24 ➤ must be punished by imprisonment in the state prison for a term
25 equal to and in addition to the term of imprisonment prescribed by
26 statute for the crime. The sentence prescribed by this section runs
27 consecutively with the sentence prescribed by statute for the crime.

28 2. This section does not create a separate offense but provides
29 an additional penalty for the primary offense, whose imposition is
30 contingent upon the finding of the prescribed fact.

31 3. For the purposes of this section:

32 (a) "Playground" means any outdoor facility, intended for
33 recreation, open to the public and in any portion thereof containing
34 one or more apparatus intended for the recreation of children, such
35 as a sliding board, teeterboard, sandbox or swingset.

36 (b) "Recreational center for youths" means a recreational facility
37 or gymnasium which regularly provides athletic, civic or cultural
38 activities for persons under 18 years of age.

39 (c) "School bus" has the meaning ascribed to it in NRS 483.160.

40 (d) "Video arcade" means a facility legally accessible to persons
41 under 18 years of age, intended primarily for the use of pinball and
42 video machines for amusement and which contains a minimum of
43 10 such machines.



1 **Sec. 416.** NRS 453.3351 is hereby amended to read as
2 follows:

3 453.3351 1. Unless a greater penalty is provided by law, and
4 except as otherwise provided in NRS 193.169, any person who
5 violates NRS 453.322 or 453.3385 where the violation included the
6 manufacture of any material, compound, mixture or preparation
7 which contains any quantity of methamphetamine:

8 (a) Within 500 feet of a residence, business, church, synagogue
9 or other place of religious worship, public or private school, campus
10 of *the University of Nevada or* the Nevada System of Higher
11 Education, playground, public park, public swimming pool or
12 recreational center for youths; or

13 (b) In a manner which creates a great risk of death or substantial
14 bodily harm to another person,

15 ➔ shall be punished by imprisonment in the state prison for a term
16 equal to and in addition to the term of imprisonment prescribed by
17 statute for the crime. The sentence prescribed by this section runs
18 consecutively with the sentence prescribed by statute for the crime.

19 2. This section does not create a separate offense but provides
20 an additional penalty for the primary offense, whose imposition is
21 contingent upon the finding of the prescribed fact.

22 3. For the purposes of this section:

23 (a) "Playground" has the meaning ascribed to it in
24 NRS 453.3345.

25 (b) "Recreational center for youths" has the meaning ascribed to
26 it in NRS 453.3345.

27 (c) "Residence" means any house, room, apartment, tenement,
28 manufactured home as defined in NRS 489.113, or mobile home as
29 defined in NRS 489.120, that is designed or intended for occupancy.

30 **Sec. 417.** NRS 459.0095 is hereby amended to read as
31 follows:

32 459.0095 The Executive Director may:

33 1. Provide information relating to radioactive waste to the
34 Legislature, local governments and state agencies that may be
35 affected by the disposal of radioactive waste in this State.

36 2. Consult branches and facilities of *the University of Nevada*
37 *or* the Nevada System of Higher Education or other institutions of
38 higher education on matters relating to radioactive waste.

39 3. Employ, within the limitations of legislative authorization,
40 technical consultants, specialists, investigators and other
41 professional and clerical employees as are necessary to the
42 performance of the duties of the Executive Director.

43 4. Make and execute contracts and all other instruments
44 necessary for the exercise of the duties of the office.



1 5. Obtain equipment and supplies necessary to carry out the
2 provisions of NRS 459.009 to 459.0098, inclusive.

3 **Sec. 418.** NRS 463.385 is hereby amended to read as follows:

4 463.385 1. In addition to any other license fees and taxes
5 imposed by this chapter, there is hereby imposed upon each slot
6 machine operated in this State an annual excise tax of \$250. If a slot
7 machine is replaced by another, the replacement is not considered a
8 different slot machine for the purpose of imposing this tax.

9 2. The Commission shall:

10 (a) Collect the tax annually on or before June 30, as a condition
11 precedent to the issuance of a state gaming license to operate any
12 slot machine for the ensuing fiscal year beginning July 1, from a
13 licensee whose operation is continuing.

14 (b) Collect the tax in advance from a licensee who begins
15 operation or puts additional slot machines into play during the fiscal
16 year, prorated monthly after July 31.

17 (c) Include the proceeds of the tax in its reports of state gaming
18 taxes collected.

19 3. Any other person who is authorized to receive a share of the
20 revenue from any slot machine that is operated on the premises of a
21 licensee is liable to the licensee for that person's proportionate share
22 of the license fees paid by the licensee pursuant to this section and
23 shall remit or credit the full proportionate share to the licensee on or
24 before the dates set forth in subsection 2. A licensee is not liable to
25 any other person authorized to receive a share of the licensee's
26 revenue from any slot machine that is operated on the premises of a
27 licensee for that person's proportionate share of the license fees to
28 be remitted or credited to the licensee by that person pursuant to this
29 section.

30 4. The Commission shall pay over the tax as collected to the
31 State Treasurer to be deposited to the credit of the State Education
32 Fund, and of the Capital Construction Fund for Higher
33 Education and the Special Capital Construction Fund for Higher
34 Education which are hereby created in the State Treasury as special
35 revenue funds, in the amounts and to be expended only for the
36 purposes specified in this section, or for any other purpose
37 authorized by the Legislature if sufficient money is available in the
38 Capital Construction Fund for Higher Education and the Special
39 Capital Construction Fund for Higher Education on July 31 of each
40 year to pay the principal and interest due in that fiscal year on the
41 bonds described in subsection 6.

42 5. During each fiscal year, the State Treasurer shall deposit the
43 tax paid over to him or her by the Commission as follows:

44 (a) The first \$5,000,000 of the tax in the Capital Construction
45 Fund for Higher Education;



1 (b) Twenty percent of the tax in the Special Capital Construction
2 Fund for Higher Education; and

3 (c) The remainder of the tax in the State Education Fund.

4 6. There is hereby appropriated from the balance in the Special
5 Capital Construction Fund for Higher Education on July 31 of each
6 year the amount necessary to pay the principal and interest due in
7 that fiscal year on the bonds issued pursuant to section 5 of chapter
8 679, Statutes of Nevada 1979, as amended by chapter 585, Statutes
9 of Nevada 1981, at page 1251, the bonds authorized to be issued by
10 section 2 of chapter 643, Statutes of Nevada 1987, at page 1503, the
11 bonds authorized to be issued by section 2 of chapter 614, Statutes
12 of Nevada 1989, at page 1377, the bonds authorized to be issued by
13 section 2 of chapter 718, Statutes of Nevada 1991, at page 2382, the
14 bonds authorized to be issued by section 2 of chapter 629, Statutes
15 of Nevada 1997, at page 3106, and the bonds authorized to be issued
16 by section 2 of chapter 514, Statutes of Nevada 2013, at page 3391.
17 If in any year the balance in that Fund is not sufficient for this
18 purpose, the remainder necessary is hereby appropriated on July 31
19 from the Capital Construction Fund for Higher Education. The
20 balance remaining unappropriated in the Capital Construction Fund
21 for Higher Education on August 1 of each year and all amounts
22 received thereafter during the fiscal year must be transferred to the
23 State General Fund for the support of higher education. If bonds
24 described in this subsection are refunded and if the amount required
25 to pay the principal of and interest on the refunding bonds in any
26 fiscal year during the term of the bonds is less than the amount that
27 would have been required in the same fiscal year to pay the
28 principal of and the interest on the original bonds if they had not
29 been refunded, there is appropriated to *the Nevada Office of Higher*
30 *Education Administrative Services, the University of Nevada or*
31 *the Nevada System of Higher Education , as applicable*, an amount
32 sufficient to pay the principal of and interest on the original bonds,
33 as if they had not been refunded. The amount required to pay the
34 principal of and interest on the refunding bonds must be used for
35 that purpose from the amount appropriated. The amount equal to the
36 saving realized in that fiscal year from the refunding must be used
37 by *the Nevada Office of Higher Education Administrative*
38 *Services, the University of Nevada or the Nevada System of Higher*
39 *Education , as applicable*, to defray, in whole or in part, the
40 expenses of operation and maintenance of the facilities acquired in
41 part with the proceeds of the original bonds.

42 7. After the requirements of subsection 6 have been met for
43 each fiscal year, when specific projects are authorized by the
44 Legislature, money in the Capital Construction Fund for Higher
45 Education and the Special Capital Construction Fund for Higher



1 Education must be transferred by the State Controller and the State
2 Treasurer to the State Public Works Board for the construction of
3 capital improvement projects for *the University of Nevada or* the
4 Nevada System of Higher Education, including, but not limited to,
5 capital improvement projects for the community colleges of the
6 Nevada System of Higher Education. As used in this subsection,
7 “construction” includes, but is not limited to, planning, designing,
8 acquiring and developing a site, construction, reconstruction,
9 furnishing, equipping, replacing, repairing, rehabilitating, expanding
10 and remodeling. Any money remaining in either Fund at the end of a
11 fiscal year does not revert to the State General Fund but remains in
12 those Funds for authorized expenditure.

13 8. The money deposited in the State Education Fund under this
14 section must be apportioned as provided in NRS 387.030 among the
15 several school districts and charter schools of the State at the times
16 and in the manner provided by law.

17 9. ~~[The Board of Regents of the University of Nevada]~~ *A*
18 *higher education governing body* may use any money in the Capital
19 Construction Fund for Higher Education and the Special Capital
20 Construction Fund for Higher Education for the payment of interest
21 and amortization of principal on bonds and other securities, whether
22 issued before, on or after July 1, 1979, to defray in whole or in part
23 the costs of any capital project authorized by the Legislature.

24 *10. As used in this section, “higher education governing*
25 *body” has the meaning ascribed to it in NRS 396.005.*

26 **Sec. 419.** NRS 480.926 is hereby amended to read as follows:

27 480.926 The Office shall:

28 1. Establish partnerships with:

29 (a) Local governments;

30 (b) *The University of Nevada and the* Nevada System of Higher
31 Education; and

32 (c) Private entities, to the extent practicable,

33 ↪ to encourage the development of strategies to prepare for and
34 mitigate risks to, and otherwise protect, the security of information
35 systems that are operated or maintained by a public or private entity
36 in this State.

37 2. Establish partnerships to assist and receive assistance from
38 local governments and appropriate agencies of the Federal
39 Government regarding the development of strategies to prepare for
40 and mitigate risks to, and otherwise protect, the security of
41 information systems.

42 3. Consult with the Division of Emergency Management of the
43 Office of the Military and the Division of Enterprise Information
44 Technology Services of the Department of Administration regarding



1 the development of strategies to prepare for and mitigate risks to,
2 and otherwise protect, the security of information systems.

3 4. Coordinate with the Investigation Division of the
4 Department regarding gathering intelligence on and initiating
5 investigations of cyber threats and incidents.

6 **Sec. 420.** NRS 482.330 is hereby amended to read as follows:

7 482.330 1. Upon issuance of a dealer's, distributor's,
8 manufacturer's or rebuilder's license certificate pursuant to NRS
9 482.322, the Department shall furnish to the manufacturer,
10 distributor, dealer or rebuilder one or more registration certificates
11 and special plates for use on the vehicles described in the provisions
12 of NRS 482.320. Each plate must have displayed upon it the
13 identification number which is assigned to the dealer, distributor,
14 manufacturer or rebuilder, and may at the discretion of the
15 Department have a different letter or symbol on each plate or pair of
16 plates. The manufacturer's, distributor's, dealer's or rebuilder's
17 license plates may be used interchangeably on that vehicle.

18 2. The Department shall issue to each dealer a reasonable
19 number of registration certificates and license plates.

20 3. The Department shall provide by regulation for the issuance
21 of special license plates to dealers or rebuilders and for the number
22 of those plates for use on vehicles loaned by those dealers or
23 rebuilders to:

- 24 (a) Customers in the course of business.
- 25 (b) The State of Nevada.
- 26 (c) The *University of Nevada or the* Nevada System of Higher
27 Education.
- 28 (d) A school district.
- 29 (e) A county, city or town.
- 30 (f) An organization that is exempt from taxation pursuant to the
31 provisions of section 501(c)(3) of the Internal Revenue Code.

32 ↪ The regulations must prescribe what use may be made of the
33 plates and the persons who may operate a motor vehicle with those
34 plates.

35 4. Notwithstanding the provisions of subsection 3, a dealer
36 may use not more than six special plates from the total number of
37 plates issued pursuant to this section for personal use by the dealer
38 or a member of the dealer's immediate family.

39 **Sec. 421.** NRS 482.3749 is hereby amended to read as
40 follows:

41 482.3749 1. The Department shall, using any colors and
42 designs that the Department deems appropriate, design, prepare and
43 issue license plates which indicate status as a hall of fame athlete.
44 The design of the license plates must include the words "hall of
45 fame."



1 2. The Department shall issue license plates that indicate status
2 as a hall of fame athlete for a passenger car or a light commercial
3 vehicle upon application by a person who is entitled to license plates
4 pursuant to NRS 482.265 and who otherwise complies with the
5 requirements for registration and licensing pursuant to this chapter.
6 A person may request that personalized prestige license plates
7 issued pursuant to NRS 482.3667 be combined with license plates
8 that indicate status as a hall of fame athlete if that person pays the
9 fees for the personalized prestige license plates in addition to the
10 fees for the license plates that indicate status as a hall of fame
11 athlete.

12 3. An application for the issuance or renewal of license plates
13 that indicate status as a hall of fame athlete is void unless it is
14 accompanied by documentation which, in the determination of the
15 Department, provides reasonable proof of identity and status as a
16 hall of fame athlete.

17 4. In addition to all other applicable registration and license
18 fees and governmental services taxes:

19 (a) A person who requests license plates that indicate status as a
20 hall of fame athlete shall pay a fee to the Department of \$35.

21 (b) License plates that indicate status as a hall of fame athlete
22 are renewable upon the payment to the Department of \$10.

23 5. If, during a registration period, the holder of license plates
24 issued pursuant to the provisions of this section disposes of the
25 vehicle to which the plates are affixed, the holder may retain the
26 plates and:

27 (a) Affix them to another vehicle that meets the requirements of
28 this section if the transfer and registration fees are paid as set forth
29 in this chapter; or

30 (b) Within 30 days after removing the plates from the vehicle,
31 return them to the Department.

32 6. As used in this section, "hall of fame athlete" means a
33 current or former athlete who has been inducted into a hall of fame
34 pertaining to the sport in which the athlete participates or
35 participated, including, but not limited to:

36 (a) The National Baseball Hall of Fame, located in
37 Cooperstown, New York.

38 (b) The Basketball Hall of Fame, located in Springfield,
39 Massachusetts.

40 (c) The Pro Football Hall of Fame, located in Canton, Ohio.

41 (d) The Hockey Hall of Fame, located in Toronto, Ontario,
42 Canada.

43 (e) The National Soccer Hall of Fame, located in Oneonta, New
44 York.



1 (f) The International Tennis Hall of Fame, located in Newport,
2 Rhode Island.

3 (g) The Pro Rodeo Hall of Fame, located in Colorado Springs,
4 Colorado.

5 (h) Any hall of fame which has been established at a university,
6 state college or community college within *the University of Nevada*
7 *or* the Nevada System of Higher Education.

8 **Sec. 422.** NRS 482.3823 is hereby amended to read as
9 follows:

10 482.3823 1. An educational institution may operate on the
11 highways of this State an unregistered motor vehicle otherwise
12 required to be registered pursuant to this chapter if there is displayed
13 on the vehicle a special license plate assigned to the educational
14 institution pursuant to subsection 2. Such operation is strictly
15 limited to movement of the vehicle:

16 (a) From one educational institution to another educational
17 institution;

18 (b) From the educational institution to an established place of
19 business which specializes in particular automotive repairs; and

20 (c) Which is necessary to test the vehicle under practical
21 operating conditions on the road.

22 2. Upon application by an educational institution, submission
23 of such evidence of qualification as is determined necessary by the
24 Director and payment of the applicable fee, the Department shall
25 assign to the educational institution one or more sets of special
26 license plates for use on educational vehicles. The Department shall
27 charge and collect a fee of \$5 for each set of special license plates
28 issued pursuant to this section. The plates are valid for 1 year. The
29 fee for renewal is \$5.

30 3. Any unauthorized use of special license plates issued
31 pursuant to this section is cause for the Department to revoke all sets
32 of those plates issued to the educational institution. Unauthorized
33 use of the plates includes:

34 (a) Display on a vehicle which is not an educational vehicle; and

35 (b) Movement of an educational vehicle in any manner not
36 authorized in subsection 1.

37 4. Each special plate issued pursuant to this section must have
38 displayed upon it suitable characters, as determined by the
39 Department, to identify the vehicle as an educational vehicle. The
40 special plates may be used interchangeably on educational vehicles
41 by the educational institution to which the plates were issued.

42 5. As used in this section:

43 (a) "Educational institution" means:

44 (1) A public school as that term is defined in NRS 385.007;

45 or



1 (2) One of the branches or facilities within *the University of*
2 *Nevada or* the Nevada System of Higher Education,
3 ↪ which offers a course of instruction in automotive repair and
4 owns or controls an educational vehicle.

5 (b) "Educational vehicle" means any motor vehicle which is
6 owned or controlled by an educational institution and used
7 exclusively for the purposes of a course of instruction in automotive
8 repair. The term does not include any motor vehicle:

9 (1) Used by the educational institution for any purpose not
10 directly related to a course of instruction in automotive repair.

11 (2) Owned by a pupil, student or employee of the educational
12 institution.

13 **Sec. 423.** NRS 487.210 is hereby amended to read as follows:

14 487.210 As used in NRS 487.210 to 487.300, inclusive, unless
15 the context otherwise requires:

16 1. "Abandoned vehicle" means a vehicle:

17 (a) If the vehicle is discovered upon public lands, that the owner
18 has discarded.

19 (b) If the vehicle is discovered upon public or private property
20 other than public lands:

21 (1) That the owner has discarded; or

22 (2) Which has not been reclaimed by the registered owner or
23 a person having a security interest in the vehicle within 15 days after
24 notification pursuant to NRS 487.250.

25 2. "Public lands" means all lands within the exterior
26 boundaries of the State of Nevada except lands:

27 (a) To which title is held by any private person or entity;

28 (b) To which title is held by the State of Nevada, any of its local
29 governments, *the University of Nevada* or the Nevada System of
30 Higher Education;

31 (c) Which are located within congressionally authorized national
32 parks, monuments, national forests or wildlife refuges or which are
33 lands acquired by purchase consented to by the Legislature;

34 (d) Which are controlled by the United States Department of
35 Defense, Department of Energy or Bureau of Reclamation; or

36 (e) Which are held in trust for Indian purposes or are Indian
37 reservations.

38 **Sec. 424.** NRS 503.452 is hereby amended to read as follows:

39 503.452 1. Except as otherwise provided in subsections 2 and
40 3, each trap, snare or similar device used by a person in the taking of
41 wild mammals must be registered with the Department before it is
42 used. Each registered trap, snare or similar device must bear a
43 number which is assigned by the Department and is clearly stamped
44 on the trap, snare or similar device or on a metal tag that is attached
45 to the trap, snare or similar device. The registration of a trap, snare



1 or similar device is valid until the trap, snare or similar device is
2 sold or ownership of the trap, snare or similar device is otherwise
3 transferred. For each trap, snare or similar device registered with the
4 Department, the person registering the trap, snare or similar device
5 must pay a registration fee of \$5.

6 2. Except as otherwise provided in subsection 3, if a trap, snare
7 or similar device is not registered with the Department pursuant to
8 subsection 1, before it can be used in the taking of wild animals, it
9 must have the name and address of the person who owns the trap,
10 snare or similar device:

11 (a) Clearly stamped upon the trap, snare or similar device; or

12 (b) On a metal tag that is attached to the trap, snare or similar
13 device.

14 3. The provisions of subsections 1 and 2 do not apply to a trap,
15 snare or similar device used:

16 (a) Exclusively on private property which is posted or fenced in
17 accordance with the provisions of NRS 207.200 by the owner or
18 occupant of the property or with the permission of the owner or
19 occupant;

20 (b) For the control of rodents by an institution of *the University*
21 *of Nevada* or the Nevada System of Higher Education;

22 (c) By any federal, state or local governmental agency; or

23 (d) For the taking of wild mammals for scientific or educational
24 purposes under a permit issued by the Department pursuant to
25 NRS 503.650.

26 4. It is unlawful:

27 (a) For a person to whom a trap, snare or similar device is
28 registered to allow another person to possess or use the trap, snare or
29 similar device without providing to that person written authorization
30 to possess or use the trap, snare or similar device.

31 (b) For a person to possess or use a trap, snare or similar device
32 registered to another person without obtaining the written
33 authorization required pursuant to paragraph (a). If a person obtains
34 written authorization to possess or use a trap, snare or similar device
35 pursuant to paragraph (a), the person shall ensure that the written
36 authorization, together with his or her trapping license, is in his or
37 her possession during any period in which he or she uses the trap,
38 snare or similar device to take fur-bearing mammals.

39 5. A person to whom a trap, snare or similar device is
40 registered pursuant to this section shall report any theft of the trap,
41 snare or similar device to the Department as soon as it is practical to
42 do so after the person discovers the theft.

43 6. Any information in the possession of the Department
44 concerning the registration of a trap, snare or similar device is



1 confidential and the Department shall not disclose that information
2 unless required to do so by law or court order.

3 7. If a trap, snare or similar device has been used exclusively
4 on private property pursuant to paragraph (a) of subsection 3, before
5 the trap, snare or similar device is used on any public land in this
6 State, the owner of the trap, snare or similar device must:

7 (a) Register the trap, snare or similar device pursuant to
8 subsection 1; or

9 (b) Pursuant to subsection 2, have his or her name and address:

10 (1) Clearly stamped on the trap, snare or similar device; or

11 (2) On a metal tag that is attached to the trap, snare or similar
12 device.

13 **Sec. 425.** NRS 504.165 is hereby amended to read as follows:

14 504.165 1. The Commission shall adopt regulations
15 governing the disbursement of money to:

16 (a) Prevent or mitigate damage to private property and privately
17 maintained improvements, including, without limitation, fences;

18 (b) Prevent or mitigate damage to fences on public lands;

19 (c) Construct fences around sources of water on private lands or
20 public lands where there has been damage to the area near such
21 sources of water; and

22 (d) Compensate persons for grazing reductions and the loss of
23 stored and standing crops,

24 ↪ caused by elk or game mammals not native to this State.

25 2. The regulations must contain:

26 (a) Requirements for the eligibility of those persons claiming
27 damage to private property, privately maintained improvements,
28 fences on public lands or areas near sources of water on public lands
29 to receive money or materials from the Department, including:

30 (1) A requirement that such a person enter into a cooperative
31 agreement with the Director for purposes related to this title; and

32 (2) A requirement that if the claim is for money or materials
33 from the Department for the construction of a fence around a source
34 of water on private land or public land, such a person must:

35 (I) Conduct a physical inspection of the private land or
36 public land upon which the fence is proposed to be constructed to
37 determine the most effective manner in which to protect the source
38 of water and to determine the most effective manner in which to
39 provide access to a source of water for livestock and wildlife that is
40 located outside the fence and within a reasonable distance from the
41 fence;

42 (II) Conduct the inspection described in sub-subparagraph
43 (I) in consultation with the persons or entities which will be directly
44 affected by the construction of the fence, including, without
45 limitation, an owner of the private land on which the fence is



1 proposed to be constructed, a governmental entity that manages the
2 public land on which the fence is proposed to be constructed, a
3 holder of a permit to graze livestock on the public land, if
4 applicable, and a person who holds a water right which will be
5 directly affected by the construction of the fence; and

6 (III) Enter into a cooperative agreement with the persons
7 and entities described in sub-subparagraph (II) for purposes related
8 to the construction of the fence in accordance with the results of the
9 inspection conducted pursuant to this subparagraph.

10 (b) Procedures for the formation of local panels to assess
11 damage caused by elk or game mammals not native to this State and
12 to determine the value of a loss claimed if the person claiming the
13 loss and the Department do not agree on the value of the loss.

14 (c) Procedures for the use on private property or public lands of
15 materials purchased by the State to prevent damage caused by elk or
16 game mammals not native to this State.

17 (d) Any other regulations necessary to carry out the provisions
18 of this section and NRS 504.155.

19 3. The regulations must:

20 (a) Provide for the payment of money or other compensation to
21 cover the costs of labor and materials necessary to:

22 (1) Prevent or mitigate damage to private property, privately
23 maintained improvements and fences on public lands caused by elk
24 or game mammals not native to this State; and

25 (2) Construct fences around sources of water on private or
26 public lands if:

27 (I) Elk or game mammals not native to this State have
28 caused damage to the area near such sources of water; and

29 (II) A source of water for livestock and wildlife is
30 available outside such a fence and within a reasonable distance from
31 such a fence or will be made available at such a location.

32 (b) Prohibit a person who has, within a particular calendar year,
33 applied for or received a special incentive elk tag pursuant to NRS
34 502.142 from applying, within the same calendar year, for
35 compensation pursuant to this section for the same private land.

36 4. Money may not be disbursed to a claimant pursuant to this
37 section unless the claimant shows by a preponderance of the
38 evidence that the damage for which the claimant is seeking
39 compensation was caused solely by elk or game mammals not
40 native to this State.

41 5. As used in this section, "public lands" means all lands
42 within the exterior boundaries of the State of Nevada except lands:

43 (a) To which title is held by any private person or entity;



1 (b) To which title is held by the State of Nevada, any of its local
2 governments , *the University of Nevada* or the Nevada System of
3 Higher Education;

4 (c) Which are located within congressionally authorized national
5 parks, monuments, national forests or wildlife refuges, or which are
6 lands acquired by purchase consented to by the Legislature;

7 (d) Which are controlled by the United States Department of
8 Defense, Department of Energy or Bureau of Reclamation; or

9 (e) Which are held in trust for Indian purposes or are Indian
10 reservations.

11 **Sec. 426.** NRS 514.010 is hereby amended to read as follows:

12 514.010 There is hereby established a Bureau of Mines and
13 Geology of the State of Nevada which shall be in the Public Service
14 Division of the *University of Nevada* . ~~[System of Higher
15 Education.]~~

16 **Sec. 427.** NRS 514A.060 is hereby amended to read as
17 follows:

18 514A.060 Notwithstanding any other provision of law, the
19 Commission shall provide oversight of compliance with Nevada law
20 relating to the activities of each state agency, board, bureau,
21 commission, department or division with respect to the taxation,
22 operation, safety and environmental regulation of mines and mining
23 in this State, including, without limitation, the activities of:

24 1. The Nevada Tax Commission and the Department of
25 Taxation in the taxation of the net proceeds of minerals pursuant to
26 chapter 362 of NRS and Section 5 of Article 10 of the Nevada
27 Constitution.

28 2. The Division of Industrial Relations of the Department of
29 Business and Industry in administering the provisions of chapter
30 512 of NRS concerning the safe and healthful working conditions at
31 mines.

32 3. The Commission on Mineral Resources and the Division of
33 Minerals of the Commission in the administration of the provisions
34 of chapters 513 and 522 of NRS concerning the conduct of mining
35 operations and operations for the production of oil, gas and
36 geothermal energy in the State.

37 4. The Bureau of Mines and Geology of the State of Nevada in
38 the Public Service Division of the *University of Nevada* ~~[System of
39 Higher Education]~~ in its administration of the provisions of chapter
40 514 of NRS.

41 5. The Division of Environmental Protection of the State
42 Department of Conservation and Natural Resources in its
43 administration of the provisions of chapter 519A of NRS concerning
44 the reclamation of mined land, areas of exploration and former areas
45 of mining or exploration.



1 **Sec. 428.** NRS 527.330 is hereby amended to read as follows:
2 527.330 1. The Board of Regents of the University of
3 Nevada shall establish a state arboretum at each of the ~~[universities~~
4 ~~within] campuses of the University of Nevada [System of Higher~~
5 ~~Education]~~ to increase the knowledge and appreciation of the public
6 of flora indigenous to Nevada and from other areas and to provide a
7 place where they may be planted and cultivated as memorials.

8 2. The Board of Regents shall adopt regulations for the
9 establishment and maintenance of the arboreta.

10 **Sec. 429.** NRS 528.115 is hereby amended to read as follows:

11 528.115 1. The Division, subject to the approval of the
12 Director, may:

13 (a) Enter into cooperative agreements with research
14 organizations providing for the use of Division facilities for the
15 development of needed information concerning the propagation,
16 establishment, protection, maintenance and use of conservation
17 plant materials; and

18 (b) Enter into contracts with established research organizations
19 to obtain such information.

20 2. The Director and the *University of Nevada or* Nevada
21 System of Higher Education may enter into a cooperative agreement
22 providing for the dissemination of information obtained by the
23 Division pursuant to subsection 1.

24 **Sec. 430.** NRS 543.550 is hereby amended to read as follows:

25 543.550 1. There is hereby granted to a district the right-of-
26 way for the construction and maintenance of floodways, ditches,
27 waterways, conduits, canals, dikes, embankments, basins for
28 retention or detention of water and protective works in, over and
29 across public lands of the State of Nevada not otherwise disposed of
30 or in use, but not in any case exceeding the length or width
31 necessary for the construction of those works and adjuncts or for the
32 protection thereof.

33 2. Whenever any selection of right-of-way for those works or
34 adjuncts is made by the district, the board shall transmit to the
35 Division of State Lands of the State Department of Conservation
36 and Natural Resources and any other agency or entity of the state
37 owning land in the area, including *the University of Nevada*, the
38 Nevada System of Higher Education and the Colorado River
39 Commission of Nevada, and to the county recorder of the county in
40 which the selected lands are situated a plat of the lands so selected,
41 giving the extent thereof and the uses for which they are claimed or
42 desired, verified to be correct.

43 3. If the Division of State Lands of the State Department of
44 Conservation and Natural Resources approves the selection so



1 made, it must be endorsed upon the plat and a permit must be issued
2 to use the rights-of-way and land.

3 **Sec. 431.** NRS 544.060 is hereby amended to read as follows:

4 544.060 In carrying out the purposes of NRS 544.010 to
5 544.060, inclusive, the Director shall utilize to the fullest possible
6 extent the facilities and technical resources of the Desert Research
7 Institute of the *University of* Nevada . ~~{System of Higher
8 Education.}~~

9 **Sec. 432.** NRS 549.010 is hereby amended to read as follows:

10 549.010 To provide for continued educational, research,
11 outreach and service programs pertaining to agriculture, community
12 development, health and nutrition, horticulture, personal and family
13 development, and natural resources in the rural and urban
14 communities in the State of Nevada, the Director of the Agricultural
15 Extension Department of the Public Service Division of the
16 *University of* Nevada ~~{System of Higher Education}~~ and the boards
17 of county commissioners of any or all of the respective counties of
18 the State of Nevada may enter into cooperative agreements and
19 activities subject to the provisions of this chapter.

20 **Sec. 433.** NRS 549.020 is hereby amended to read as follows:

21 549.020 1. The Director of the Agricultural Extension
22 Department of the Public Service Division of the *University of*
23 Nevada ~~{System of Higher Education}~~ shall prepare and submit to
24 the board of county commissioners, for each county participating, an
25 annual financial budget covering the county, state and federal funds
26 cooperating in the cost of educational, research, outreach and
27 service programs pertaining to agriculture, community development,
28 health and nutrition, horticulture, personal and family development,
29 and natural resources in the rural and urban communities in the State
30 of Nevada.

31 2. The budget must be adopted by the board of county
32 commissioners and certified as a part of the annual county budget,
33 and the county tax levy provided for agricultural extension work in
34 the annual county budget must include a levy of not less than 1 cent
35 on each \$100 of taxable property. If the proceeds of the county tax
36 levy of 1 cent are insufficient to meet the county's share of the
37 cooperative agricultural extension work, as provided in the
38 combined annual financial budget, the board of county
39 commissioners may, by unanimous vote, levy an additional tax so
40 that the total in no instance exceeds 5 cents on each \$100 of the
41 county tax rate.

42 3. The proceeds of such a tax must be placed in the agricultural
43 extension fund in each county treasury and must be paid out on
44 claims drawn by the agricultural extension agent of the county as
45 designated by the Director of the Agricultural Extension Department



1 of the Public Service Division of the *University of Nevada*, ~~[System~~
2 ~~of Higher Education.]~~ when approved by the Director and
3 countersigned by the Treasurer of the *University of Nevada* .
4 ~~[System of Higher Education.]~~

5 4. A record of all such claims approved and paid, segregated by
6 counties, must be kept by the Treasurer of the *University of Nevada*
7 . ~~[System of Higher Education.]~~ The cost of maintaining the record
8 must be paid from state funds provided for by this chapter.

9 5. The State's cooperative share of the cost of such agricultural
10 extension work, as entered in the budget described in this section,
11 must not be more than a sum equal to the proceeds of 1 cent of such
12 county tax rate; but when the proceeds of a 1-cent tax rate are
13 insufficient to carry out the provisions of the budget previously
14 adopted, the Director of the Agricultural Extension Department of
15 the Public Service Division of the *University of Nevada* ~~[System of~~
16 ~~Higher Education]~~ is authorized to supplement the State's
17 cooperative share from the funds as may be made available in the
18 Public Service Division Fund of the *University of Nevada* . ~~[System~~
19 ~~of Higher Education.]~~

20 **Sec. 434.** NRS 549.030 is hereby amended to read as follows:

21 549.030 1. A certified copy of the county extension work
22 budget as adopted and approved pursuant to NRS 549.020 must be
23 filed with the Treasurer of the *University of Nevada* ~~[System of~~
24 ~~Higher Education]~~ within 10 days after its approval by the board of
25 county commissioners.

26 2. Necessary modifications thereof, involving county and state
27 funds, resulting from leaves of absence without pay, resignations,
28 changes in salary, dismissals or employment of any cooperative
29 agent, variations in expense accounts or otherwise, not involving an
30 increase in the total expenditures provided to be paid from the funds
31 and consistent with the purposes of this chapter, may be made by
32 filing with the Treasurer of the *University of Nevada* ~~[System of~~
33 ~~Higher Education]~~ and the board of county commissioners a revised
34 budget, approved by the Director of the Agricultural Extension
35 Department of the Public Service Division of the *University of*
36 *Nevada* ~~[System of Higher Education]~~ and countersigned by the
37 Treasurer of the *University of Nevada* . ~~[System of Higher~~
38 ~~Education.]~~

39 **Sec. 435.** NRS 549.050 is hereby amended to read as follows:

40 549.050 All moneys appropriated pursuant to NRS 549.040
41 must be expended under the direction of the Director of the
42 Agricultural Extension Department of the Public Service Division of
43 the *University of Nevada* ~~[System of Higher Education]~~ to the
44 extent of the financial budget for cooperation between the State and
45 the respective counties provided for in NRS 549.020.



1 **Sec. 436.** NRS 550.010 is hereby amended to read as follows:
2 550.010 As used in this chapter, unless the context otherwise
3 requires:

4 1. “Board of Regents” means the Board of Regents of the
5 University of Nevada.

6 2. “Director” means the Director of the Agricultural Extension
7 Department of the Public Service Division of the *University of*
8 Nevada. ~~{System of Higher Education.}~~

9 3. “State 4-H Camp” means the State 4-H Camp Institute and
10 Exhibit.

11 **Sec. 437.** NRS 553.040 is hereby amended to read as follows:

12 553.040 1. Every agricultural demonstration farm or plot
13 under the provisions of this chapter must be conducted by the
14 owner, lessee or manager thereof under the supervision of the
15 Agricultural Extension Department of the Public Service Division of
16 the *University of* Nevada ~~{System of Higher Education}~~ and in
17 accordance with the terms of a written project agreement entered
18 into with the Agricultural Extension Department of the Public
19 Service Division of the *University of* Nevada ~~{System of Higher~~
20 ~~Education}~~ and approved by the board of county commissioners of
21 the county in which the agricultural farm or plot is located.

22 2. The agreement must include the keeping by the owner,
23 lessee or manager of accurate and systematic records and accounts
24 in the form prescribed by the Agricultural Extension Department of
25 the Public Service Division of the *University of* Nevada. ~~{System of~~
26 ~~Higher Education.}~~ The records and accounts must be subject to
27 inspection, use and publication in furtherance of the purposes of this
28 chapter.

29 **Sec. 438.** NRS 553.050 is hereby amended to read as follows:

30 553.050 1. The purpose of demonstration farms is to
31 demonstrate the results of improved systems of farm management
32 and accountancy as prescribed by the Agricultural Extension
33 Department of the Public Service Division of the *University of*
34 Nevada ~~{System of Higher Education}~~ and applied to the farm units.

35 2. The purpose of demonstration plots is to demonstrate the
36 value and importance of new or improved varieties of crops, soil
37 management and soil and climate adaptability to certain crops.

38 **Sec. 439.** NRS 553.070 is hereby amended to read as follows:

39 553.070 1. Any county desiring to avail itself of the
40 provisions of this chapter shall, by resolution of its board of county
41 commissioners, bind itself to pay to the owner, lessee or manager of
42 the demonstration farm or plot as follows:

43 (a) For each demonstration farm, the sum of \$10 per acre, but
44 not exceeding the sum of \$100 for any such demonstration farm
45 unit.



1 (b) For any demonstration plot, a minimum of \$25 if it is less
2 than 3 acres, and \$10 per acre if it contains 3 acres or more.

3 2. The sums must be paid annually for each year the
4 demonstration is to be continued on the certification by the
5 Agricultural Extension Department of the Public Service Division of
6 the *University of Nevada* ~~[System of Higher Education]~~ that the
7 demonstration has been conducted in accordance with the
8 agreement.

9 3. A county is not obligated under the provisions of this
10 section, except with respect to demonstration farms and plots which
11 have been approved by the board of county commissioners as
12 provided in NRS 553.040.

13 4. The authority to provide for such expenditure in the county
14 budget and to disburse the money is hereby granted to the board of
15 county commissioners and the other officers of the several counties.

16 **Sec. 440.** NRS 553.090 is hereby amended to read as follows:

17 553.090 The Agricultural Extension Department of the Public
18 Service Division of the *University of Nevada* ~~[System of Higher
19 Education]~~ annually shall prepare the information resulting from the
20 demonstration in a form serviceable to aid and advance agricultural
21 welfare of the State. The Agricultural Extension Department shall
22 cause to be printed a number of copies thereof as may be deemed
23 necessary, not exceeding 10,000, and shall distribute the copies
24 without charge.

25 **Sec. 441.** NRS 555.410 is hereby amended to read as follows:

26 555.410 The Director may, in cooperation with *the University*
27 *of Nevada* or the Nevada System of Higher Education, publish
28 information regarding injury which may result from improper
29 application or handling of pesticides and methods and precautions
30 designed to prevent such an injury.

31 **Sec. 442.** NRS 563.100 is hereby amended to read as follows:

32 563.100 1. The Nevada Junior Livestock Show Board shall
33 each year conduct the Nevada Junior Livestock Show and the
34 Nevada Youth Livestock and Dairy Show at places to be determined
35 by the Board.

36 2. To enter any exhibition named in subsection 1, a person
37 must:

38 (a) Be certified by the State 4-H Club Leader or the agriculture
39 education program professional at the Department of Education; and

40 (b) Be under 19 years of age except that the Board, upon
41 considering the requirements of a specific event involved may allow
42 entry by a person 19 years of age or older who is registered as a
43 regular student in an animal science course under *the University of*
44 *Nevada* or the Nevada System of Higher Education.



1 3. Entries of animals in any exhibition named in subsection 1
2 are limited to those owned or controlled according to the
3 requirements of the exhibition.

4 **Sec. 443.** NRS 597.245 is hereby amended to read as follows:

5 597.245 1. A person may operate an instructional wine-
6 making facility if the person:

7 (a) Obtains a license for the facility pursuant to chapter 369 of
8 NRS;

9 (b) Complies with the requirements of this section; and

10 (c) Complies with any other applicable governmental
11 requirements for the operation of such a facility, including, without
12 limitation, compliance with all applicable federal bonding,
13 permitting and other requirements for the production, blending,
14 treatment, storage and bottling of wine.

15 2. A person who is licensed to operate an instructional wine-
16 making facility may:

17 (a) Engage in the process of wine making on the premises of the
18 facility;

19 (b) Charge a fee to other persons of legal age for the purpose of
20 providing those persons with instruction and the opportunity to
21 participate directly in the process of wine making on the premises of
22 the facility; and

23 (c) Serve wine produced on the premises of the facility by the
24 glass for consumption on the premises of the facility.

25 3. Wine produced on the premises of an instructional wine-
26 making facility must be:

27 (a) Used, consumed or disposed of on the premises of the
28 facility; or

29 (b) Distributed from the facility to a person of legal age who has
30 participated directly in the process of wine making on the premises
31 of the facility for the person's own household or personal use. That
32 person:

33 (1) May distribute the wine to any other person of legal age
34 as a gift.

35 (2) Shall not remove from the facility:

36 (I) Any wine other than that which the person participated
37 directly in the process of making on the premises of the facility.

38 (II) More than 60 gallons of wine during any period of 12
39 months.

40 4. Except as otherwise permitted by this section, if a person
41 knows or reasonably should know that wine was produced on the
42 premises of an instructional wine-making facility, the person shall
43 not:



1 (a) Directly or indirectly or through any other person, sell, offer
2 to sell or solicit the purchase or sale of such wine at wholesale or
3 retail; or

4 (b) Use such wine for any purpose other than for the person's
5 own household or personal use.

6 5. A person who violates any provision of this section is guilty
7 of a misdemeanor.

8 6. As used in this section:

9 (a) "Instructional wine-making facility" means any facility that,
10 for a fee, provides a person of legal age with instruction and the
11 opportunity to participate directly in the process of wine making on
12 the premises of the facility. The term does not include:

13 (1) A wine maker or winery that is licensed pursuant to
14 chapter 369 of NRS.

15 (2) A university, state college or community college that is
16 part of *the University of Nevada* or the Nevada System of Higher
17 Education or any other postsecondary educational institution that is
18 licensed by a federal or state agency and is accredited by a
19 nationally recognized educational accrediting association.

20 (b) "Process of wine making" means the usual and customary
21 steps taken to produce wine. Such steps may include, without
22 limitation:

23 (1) Growing, buying and importing agricultural products and
24 ingredients.

25 (2) Selecting, preparing and processing agricultural products
26 and ingredients.

27 (3) Barreling, fermenting, aging, filtering, bottling, labeling,
28 racking, warehousing and storing.

29 (4) Importing bulk wine or juice from a bonded winery in
30 another state, to be fermented into wine or, if already fermented, to
31 be blended with other wine and aged in a suitable cellar.

32 **Sec. 444.** NRS 610.030 is hereby amended to read as follows:

33 610.030 There is hereby created the State Apprenticeship
34 Council composed of:

35 1. The following voting members, appointed by the Governor
36 upon recommendation of the Labor Commissioner:

37 (a) Two members who represent management and have, or have
38 had, a defined role in a jointly administered apprenticeship program,
39 one of whom must be from northern Nevada and one of whom must
40 be from southern Nevada.

41 (b) Two members who represent labor and have, or have had, a
42 defined role in a jointly administered apprenticeship program, one
43 of whom must be from northern Nevada and one of whom must be
44 from southern Nevada.



1 (c) Two members, one who represents management and one
2 who represents labor, who have, or have had, a defined role or job in
3 a statewide, jointly administered apprenticeship program.

4 (d) One member who is a representative of the general public.

5 2. The following nonvoting members:

6 (a) The Executive Director of the Office of Economic
7 Development or his or her designee.

8 (b) The Superintendent of Public Instruction or his or her
9 designee.

10 (c) One representative of a community college located in a
11 county whose population is 700,000 or more, appointed by the
12 ~~{Chancellor}~~ *Director* of the Nevada ~~{System}~~ *Office* of Higher
13 Education ~~{}~~ *Administrative Services*.

14 (d) One representative of a community college located in a
15 county whose population is less than 700,000, appointed by the
16 ~~{Chancellor}~~ *Director* of the Nevada ~~{System}~~ *Office* of Higher
17 Education ~~{}~~ *Administrative Services*.

18 **Sec. 445.** NRS 610.040 is hereby amended to read as follows:

19 610.040 1. Each voting member of the Council shall serve
20 for a term of 3 years, so long as the member has the qualifications
21 required by NRS 610.030. A member of the Council who no longer
22 has the qualifications specified in NRS 610.030 under which the
23 member was appointed shall continue to serve on the Council until
24 the member's successor is appointed. A voting member may not
25 serve more than four terms.

26 2. The voting members of the Council serve at the pleasure of
27 the Governor.

28 3. The nonvoting members of the Council appointed pursuant
29 to paragraphs (c) and (d) of subsection 2 of NRS 610.030 serve at
30 the pleasure of the ~~{Chancellor}~~ *Director* of the Nevada ~~{System}~~
31 *Office* of Higher Education ~~{}~~ *Administrative Services*.

32 **Sec. 446.** NRS 612.265 is hereby amended to read as follows:

33 612.265 1. Except as otherwise provided in this section and
34 NRS 239.0115, 607.217 and 612.642, information obtained from
35 any employing unit or person pursuant to the administration of this
36 chapter, any determination as to the benefit rights of any person and
37 any information relating to the contributions paid by an employing
38 unit under this chapter is confidential and may not be disclosed or
39 be open to public inspection in any manner.

40 2. The Administrator may disclose any confidential
41 information in accordance with the requirements enumerated in 20
42 C.F.R. Part 603 or any successor regulation and any written
43 guidance promulgated and issued by the United States Department
44 of Labor consistent with 20 C.F.R. Part 603.



1 3. The Administrator may, in accordance with a cooperative
2 agreement among all participants in the statewide longitudinal data
3 system developed pursuant to NRS 400.037 and administered
4 pursuant to NRS 232.975, make the information obtained by the
5 Division available to:

6 (a) ~~[The Board of Regents of the University of Nevada]~~ *Each*
7 *higher education governing body* for the purpose of complying
8 with the provisions of subsection 4 of NRS 396.531; and

9 (b) The Director of the Department of Employment, Training
10 and Rehabilitation for the purpose of complying with the provisions
11 of paragraph (d) of subsection 1 of NRS 232.920.

12 4. The Administrator may publish aggregate statistics and
13 information on employers, their type or class of business or industry
14 and the approximate number of employees employed by such
15 employers, if the information released will assist unemployed
16 persons to obtain employment or will be generally useful in
17 developing and diversifying the economic interests of this State.
18 Upon request by a state agency which is able to demonstrate that its
19 intended use of the information will benefit the residents of this
20 State, the Administrator may, in addition to the information listed in
21 this subsection, disclose the number of employees employed by
22 each employer and the total wages paid by each employer. The
23 Administrator may charge a fee to cover the actual costs of any
24 administrative expenses relating to the disclosure of this
25 information.

26 5. To further a current criminal investigation, the chief
27 executive officer of any law enforcement agency of this State,
28 another state or the Federal Government may submit a written
29 request to the Administrator that the Administrator furnish, from the
30 records of the Division, the name, address and place of employment
31 of any person listed in the records of employment of the Division.
32 The request must set forth the social security number of the person
33 about whom the request is made and contain a statement signed by
34 the chief executive officer certifying that the request is made to
35 further a criminal investigation currently being conducted by the
36 agency. Upon receipt of such a request, the Administrator shall
37 furnish the information requested. The Administrator may charge a
38 fee to cover the actual costs of any related administrative expenses.

39 6. In response to a request from a court official with subpoena
40 authority, the Administrator shall, in compliance with 20 C.F.R. Part
41 603, and any other applicable federal laws and regulations
42 governing the Division, furnish the name, address and date of birth
43 of persons who receive benefits in any county or city for use in the
44 selection of trial jurors pursuant to NRS 6.045.



1 7. The Division of Industrial Relations of the Department of
2 Business and Industry shall periodically submit to the
3 Administrator, from information in the index of claims established
4 pursuant to NRS 616B.018, a list containing the name of each
5 person who received benefits pursuant to chapters 616A to 616D,
6 inclusive, or chapter 617 of NRS. Upon receipt of that information,
7 the Administrator shall compare the information so provided with
8 the records of the Employment Security Division regarding persons
9 claiming benefits pursuant to this chapter for the same period. The
10 information submitted by the Division of Industrial Relations must
11 be in a form determined by the Administrator and must contain the
12 social security number of each such person. If it appears from the
13 information submitted that a person is simultaneously claiming
14 benefits under this chapter and under chapters 616A to 616D,
15 inclusive, or chapter 617 of NRS, the Administrator shall notify the
16 Attorney General or any other appropriate law enforcement agency.

17 8. The Administrator may request the Comptroller of the
18 Currency of the United States to cause an examination of the
19 correctness of any return or report of any national banking
20 association rendered pursuant to the provisions of this chapter, and
21 may in connection with the request transmit any such report or
22 return to the Comptroller of the Currency of the United States as
23 provided in section 3305(c) of the Internal Revenue Code of 1954.

24 9. The Administrator, any employee or other person acting on
25 behalf of the Administrator, or any employee or other person acting
26 on behalf of an agency or entity allowed to access information
27 obtained from any employing unit or person in the administration of
28 this chapter, or any person who has obtained a list of applicants for
29 work, or of claimants or recipients of benefits pursuant to this
30 chapter, is guilty of a gross misdemeanor if he or she:

31 (a) Uses or permits the use of the list for any political purpose;

32 (b) Uses or permits the use of the list for any purpose other than
33 one authorized by the Administrator or by law; or

34 (c) Fails to protect and prevent the unauthorized use or
35 dissemination of information derived from the list.

36 10. All letters, reports or communications of any kind, oral,
37 written or electronic, from the employer or employee to each other
38 or to the Division or any of its agents, representatives or employees
39 are confidential and must not be the subject matter or basis for any
40 lawsuit if the letter, report or communication is written, sent,
41 delivered or prepared pursuant to the requirements of this chapter.

42 *11. As used in this section, "higher education governing*
43 *body" has the meaning ascribed to it in NRS 396.005.*



1 **Sec. 447.** NRS 616A.190 is hereby amended to read as
2 follows:

3 616A.190 *1.* Members of state, county and local departments,
4 boards, commissions, agencies or bureaus, whether elected or
5 appointed, who serve without compensation or who receive less
6 than \$250 per month compensation, the members of the State Board
7 of Education, adjunct professors of *the University of Nevada or* the
8 Nevada System of Higher Education and the members of ~~the Board
9 of Regents of the University of Nevada,~~ *any higher education
10 governing body*, while engaged in their designated duties as
11 members and adjunct professors, shall be deemed, for the purpose of
12 chapters 616A to 616D, inclusive, of NRS, employees receiving a
13 wage of \$250 per month and, in the event of injury while
14 performing their designated duties, are entitled to the benefits of
15 those chapters.

16 *2. As used in this section, "higher education governing body"
17 has the meaning ascribed to it in NRS 396.005.*

18 **Sec. 448.** NRS 617.135 is hereby amended to read as follows:

19 617.135 "Police officer" includes:

20 1. A sheriff, deputy sheriff, officer of a metropolitan police
21 department or city police officer;

22 2. A chief, inspector, supervisor, commercial officer or trooper
23 of the Nevada Highway Patrol Division of the Department of Public
24 Safety;

25 3. A chief, investigator or agent of the Investigation Division
26 of the Department of Public Safety;

27 4. A chief, supervisor, investigator or training officer of the
28 Training Division of the Department of Public Safety;

29 5. A chief or investigator of an office of the Department of
30 Public Safety that conducts internal investigations of employees of
31 the Department of Public Safety or investigates other issues relating
32 to the professional responsibility of those employees;

33 6. A chief or investigator of the Department of Public Safety
34 whose duties include, without limitation:

35 (a) The execution, administration or enforcement of the
36 provisions of chapter 179A of NRS; and

37 (b) The provision of technology support services to the Director
38 and the divisions of the Department of Public Safety;

39 7. An officer or investigator of the Section for the Control of
40 Emissions From Vehicles and the Enforcement of Matters Related
41 to the Use of Special Fuel of the Department of Motor Vehicles;

42 8. An investigator of the Division of Compliance Enforcement
43 of the Department of Motor Vehicles;

44 9. A member of ~~the~~ *a* police department ~~of the Nevada
45 System of Higher Education;~~ *created pursuant to NRS 396.325;*



1 10. A:

2 (a) Uniformed employee of; or

3 (b) Forensic specialist employed by,

4 → the Department of Corrections whose position requires regular
5 and frequent contact with the offenders imprisoned and subjects the
6 employee to recall in emergencies;

7 11. A parole and probation officer of the Division of Parole
8 and Probation of the Department of Public Safety;

9 12. A forensic specialist or correctional officer employed by
10 the Division of Public and Behavioral Health of the Department of
11 Health and Human Services at facilities for mentally disordered
12 offenders;

13 13. The State Fire Marshal and his or her assistant and
14 deputies;

15 14. A game warden of the Department of Wildlife who has the
16 powers of a peace officer pursuant to NRS 289.280;

17 15. A ranger or employee of the Division of State Parks of the
18 State Department of Conservation and Natural Resources who has
19 the powers of a peace officer pursuant to NRS 289.260;

20 16. A bailiff or a deputy marshal of the district court or justice
21 court whose duties require him or her to carry a weapon and to make
22 arrests; and

23 17. An agricultural police officer appointed by the Director of
24 the State Department of Agriculture pursuant to NRS 561.225 who
25 has the powers of a peace officer pursuant to NRS 289.290.

26 **Sec. 449.** NRS 631.271 is hereby amended to read as follows:

27 631.271 1. The Board shall, without a clinical examination
28 required by NRS 631.240, 631.300 or 631.3121, issue a limited
29 license to practice dentistry, dental hygiene or dental therapy to a
30 person who:

31 (a) Is qualified for a license to practice dentistry, dental hygiene
32 or dental therapy in this State;

33 (b) Pays the required application fee;

34 (c) Has entered into a contract with:

35 (1) The *University of Nevada or the* Nevada System of
36 Higher Education to provide services as a dental intern, dental
37 resident or instructor of dentistry, dental hygiene or dental therapy at
38 an educational or outpatient clinic, hospital or other facility of *the*
39 *University of Nevada or* the Nevada System of Higher Education;
40 or

41 (2) An accredited program of dentistry, dental hygiene or
42 dental therapy of an institution which is accredited by a regional
43 educational accrediting organization that is recognized by the
44 United States Department of Education to provide services as a
45 dental intern, dental resident or instructor of dentistry, dental



1 hygiene or dental therapy at an educational or outpatient clinic,
2 hospital or other facility of the institution and accredited by the
3 Commission on Dental Accreditation of the American Dental
4 Association or its successor specialty accrediting organization;

5 (d) Satisfies the requirements of NRS 631.230, 631.290 or
6 631.312, as appropriate; and

7 (e) Satisfies at least one of the following requirements:

8 (1) Has a license to practice dentistry, dental hygiene or
9 dental therapy issued pursuant to the laws of another state or
10 territory of the United States, or the District of Columbia;

11 (2) Presents to the Board a certificate granted by the Western
12 Regional Examining Board which contains a notation that the
13 person has passed, within the 5 years immediately preceding
14 the date of the application, a clinical examination administered by
15 the Western Regional Examining Board;

16 (3) Successfully passes a clinical examination approved by
17 the Board and the American Board of Dental Examiners; or

18 (4) Has the educational or outpatient clinic, hospital or other
19 facility where the person will provide services as a dental intern or
20 dental resident in an internship or residency program submit to the
21 Board written confirmation that the person has been appointed to a
22 position in the program. If a person qualifies for a limited license
23 pursuant to this subparagraph, the limited license remains valid only
24 while the person is actively providing services as a dental intern or
25 dental resident in the internship or residency program and is in
26 compliance with all other requirements for the limited license.

27 2. The Board shall not issue a limited license to a person:

28 (a) Who has been issued a license to practice dentistry, dental
29 hygiene or dental therapy if:

30 (1) The person is involved in a disciplinary action concerning
31 the license; or

32 (2) The license has been revoked or suspended; or

33 (b) Who has been refused a license to practice dentistry, dental
34 hygiene or dental therapy,

35 ↪ in this State, another state or territory of the United States, or the
36 District of Columbia.

37 3. Except as otherwise provided in subsection 4, a person to
38 whom a limited license is issued pursuant to subsection 1:

39 (a) May practice dentistry, dental hygiene or dental therapy in
40 this State only:

41 (1) At the educational or outpatient clinic, hospital or other
42 facility where the person is employed; and

43 (2) In accordance with the contract required by paragraph (c)
44 of subsection 1.



1 (b) Shall not, for the duration of the limited license, engage in
2 the private practice of dentistry, dental hygiene or dental therapy in
3 this State or accept compensation for the practice of dentistry, dental
4 hygiene or dental therapy except such compensation as may be paid
5 to the person by *the University of Nevada*, the Nevada System of
6 Higher Education or an accredited program of dentistry, dental
7 hygiene or dental therapy for services provided as a dental intern,
8 dental resident or instructor of dentistry, dental hygiene or dental
9 therapy pursuant to paragraph (c) of subsection 1.

10 4. The Board may issue a permit authorizing a person who
11 holds a limited license to engage in the practice of dentistry, dental
12 hygiene or dental therapy in this State and to accept compensation
13 for such practice as may be paid to the person by entities other than
14 *the University of Nevada*, the Nevada System of Higher Education
15 or an accredited program of dentistry, dental hygiene or dental
16 therapy with whom the person is under contract pursuant to
17 paragraph (c) of subsection 1. The Board shall, by regulation,
18 prescribe the standards, conditions and other requirements for the
19 issuance of a permit.

20 5. A limited license expires 1 year after its date of issuance and
21 may be renewed on or before the date of its expiration, unless the
22 holder no longer satisfies the requirements for the limited license.
23 The holder of a limited license may, upon compliance with the
24 applicable requirements set forth in NRS 631.330 and the
25 completion of a review conducted at the discretion of the Board, be
26 granted a renewal certificate that authorizes the continuation of
27 practice pursuant to the limited license for 1 year.

28 6. A permit issued pursuant to subsection 4 expires on the date
29 that the holder's limited license expires and may be renewed when
30 the limited license is renewed, unless the holder no longer satisfies
31 the requirements for the permit.

32 7. Within 7 days after the termination of a contract required by
33 paragraph (c) of subsection 1, the holder of a limited license shall
34 notify the Board of the termination, in writing, and surrender the
35 limited license and a permit issued pursuant to this section, if any, to
36 the Board.

37 8. The Board may revoke a limited license and a permit issued
38 pursuant to this section, if any, at any time if the Board finds, by a
39 preponderance of the evidence, that the holder of the license
40 violated any provision of this chapter or the regulations of the
41 Board.

42 **Sec. 450.** NRS 632.2856 is hereby amended to read as
43 follows:

44 632.2856 1. The training program required for certification
45 as a nursing assistant must consist of 75 hours of instruction. The



1 program must include no less than 60 hours of theory and learning
2 skills in a laboratory setting.

3 2. Except as otherwise provided in this subsection, the
4 instructor of the program must be a registered nurse with:

5 (a) Three years of nursing experience which includes direct care
6 of patients and supervision and education of members of the staff;
7 and

8 (b) Proof of successful completion of training for instructors
9 which has been approved by the Board.

10 ➔ The Board may approve a licensed practical nurse as an instructor
11 if the Board determines that requiring instruction by a registered
12 nurse would create a hardship.

13 3. Except as otherwise provided in NRS 622.090, upon
14 completion of the program, a nursing assistant trainee must pass a
15 test in theory with an overall score of 80 percent and a test of skills
16 on a pass or fail basis. The test of skills must be given by a
17 registered nurse. If the nursing assistant trainee fails either of the
18 tests, the nursing assistant trainee must repeat the training in the
19 areas in which he or she was deficient before taking the certification
20 examination.

21 4. In a program which is based in a facility, a nursing assistant
22 trainee may only perform those tasks he or she has successfully
23 completed in the training program, and must perform those tasks
24 under the direct supervision of a registered nurse or a licensed
25 practical nurse.

26 5. The Board shall adopt regulations not inconsistent with law:

27 (a) Specifying the scope of the training program and the
28 required components of the program;

29 (b) Establishing standards for the approval of programs and
30 instructors; and

31 (c) Designating the basic nursing services which a nursing
32 assistant may provide upon certification.

33 6. Any medical facility, educational institution or other
34 organization may provide a training program if the program meets
35 the requirements set forth in this chapter and in the regulations of
36 the Board, and is approved by the Board. Such a program must be
37 administered through:

38 (a) The *University of Nevada or the* Nevada System of Higher
39 Education;

40 (b) A program for career and technical education approved by
41 the State Board of Education;

42 (c) A public school in this State; or

43 (d) Any other nationally recognized body or agency authorized
44 by law to accredit or approve such programs.



1 7. An educational institution or agency that administers a
2 training program shall:

3 (a) Develop or approve the curriculum for training provided in
4 its service district;

5 (b) Manage the training program; and

6 (c) Work with medical and other facilities to carry out the
7 requirements of paragraphs (a) and (b).

8 **Sec. 451.** NRS 639.238 is hereby amended to read as follows:

9 639.238 1. Prescriptions filled and on file in a pharmacy are
10 not a public record. Except as otherwise provided in NRS 439.538
11 and 639.2357, a pharmacist shall not divulge the contents of any
12 prescription or provide a copy of any prescription, except to:

13 (a) The patient for whom the original prescription was issued;

14 (b) The practitioner who originally issued the prescription;

15 (c) A practitioner who is then treating the patient;

16 (d) A member, inspector or investigator of the Board or an
17 inspector of the Food and Drug Administration or an agent of the
18 Investigation Division of the Department of Public Safety;

19 (e) An agency of state government charged with the
20 responsibility of providing medical care for the patient;

21 (f) An insurance carrier, on receipt of written authorization
22 signed by the patient or his or her legal guardian, authorizing the
23 release of such information;

24 (g) Any person authorized by an order of a district court;

25 (h) Any member, inspector or investigator of a professional
26 licensing board which licenses a practitioner who orders
27 prescriptions filled at the pharmacy;

28 (i) Other registered pharmacists for the limited purpose of and to
29 the extent necessary for the exchange of information relating to
30 persons who are suspected of:

31 (1) Misusing prescriptions to obtain excessive amounts of
32 drugs; or

33 (2) Failing to use a drug in conformity with the directions for
34 its use or taking a drug in combination with other drugs in a manner
35 that could result in injury to that person;

36 (j) A peace officer employed by a local government for the
37 limited purpose of and to the extent necessary:

38 (1) For the investigation of an alleged crime reported by an
39 employee of the pharmacy where the crime was committed; or

40 (2) To carry out a search warrant or subpoena issued
41 pursuant to a court order; or

42 (k) A county coroner, medical examiner or investigator
43 employed by an office of a county coroner for the purpose of:

44 (1) Identifying a deceased person;

45 (2) Determining a cause of death; or



1 (3) Performing other duties authorized by law.

2 2. Any copy of a prescription for a controlled substance or a
3 dangerous drug as defined in chapter 454 of NRS that is issued to a
4 county coroner, medical examiner or investigator employed by an
5 office of a county coroner must be limited to a copy of the
6 prescription filled or on file for:

7 (a) The person whose name is on the container of the controlled
8 substance or dangerous drug that is found on or near the body of a
9 deceased person; or

10 (b) The deceased person whose cause of death is being
11 determined.

12 3. Except as otherwise provided in NRS 639.2357, any copy of
13 a prescription for a controlled substance or a dangerous drug as
14 defined in chapter 454 of NRS, issued to a person authorized by this
15 section to receive such a copy, must contain all of the information
16 appearing on the original prescription and be clearly marked on its
17 face "Copy, Not Refillable—For Reference Purposes Only." The
18 copy must bear the name or initials of the registered pharmacist who
19 prepared the copy.

20 4. If a copy of a prescription for any controlled substance or a
21 dangerous drug as defined in chapter 454 of NRS is furnished to the
22 customer, the original prescription must be voided and notations
23 made thereon showing the date and the name of the person to whom
24 the copy was furnished.

25 5. As used in this section, "peace officer" does not include:

26 (a) A member of ~~the~~ a Police Department ~~of the Nevada~~
27 ~~System of Higher Education.] created pursuant to NRS 396.325.~~

28 (b) A school police officer who is appointed or employed
29 pursuant to NRS 391.281.

30 **Sec. 452.** NRS 645.343 is hereby amended to read as follows:

31 645.343 1. In addition to the other requirements contained in
32 this chapter, an applicant for an original real estate salesperson's
33 license must furnish proof satisfactory to the Real Estate Division
34 that the applicant has successfully completed a course of instruction
35 which consists of not less than 120 hours of instruction in the
36 principles, practices, procedures, law and ethics of real estate, which
37 course may be an extension or correspondence course offered by *the*
38 *University of Nevada or* the Nevada System of Higher Education,
39 by any other accredited college or university or by any other college
40 or school approved by the Commission. The course of instruction
41 must include:

42 (a) The subject of disclosure of required information in real
43 estate transactions, including instruction on methods a seller may
44 use to obtain the required information;



1 (b) Not less than 15 hours of instruction in the preparation of
2 contracts in real estate transactions to the extent allowed in the
3 capacity of a licensee; and

4 (c) Not less than 15 hours of instruction on agency.

5 2. An applicant for an original real estate broker's or broker-
6 salesperson's license must furnish proof satisfactory to the Real
7 Estate Division that the applicant has successfully completed:

8 (a) Three semester units or an equivalent number of quarter
9 units in real estate law, including at least 18 classroom hours of the
10 real estate law of Nevada;

11 (b) Three semester units or an equivalent number of quarter
12 units in the principles of real estate;

13 (c) Nine semester units or the equivalent in quarter units of
14 college level courses in real estate appraisal and business or
15 economics;

16 (d) Nine semester units or the equivalent in quarter units of
17 college level courses in real estate, business or economics;

18 (e) Three semester units or an equivalent number of quarter
19 units in broker management;

20 (f) Not less than one semester unit or an equivalent number of
21 quarter units of instruction in the preparation of contracts in real
22 estate transactions to the extent allowed in the capacity of a licensee;
23 and

24 (g) Not less than one semester unit or an equivalent number of
25 quarter units of instruction on agency.

26 3. On and after January 1, 1986, in addition to other
27 requirements contained in this chapter, an applicant for an original
28 real estate broker's or broker-salesperson's license must furnish
29 proof satisfactory to the Real Estate Division that the applicant has
30 completed 64 semester units or the equivalent in quarter units of
31 college level courses. This educational requirement includes and is
32 not in addition to the requirements listed in subsection 2.

33 4. For the purposes of this section, each person who holds a
34 license as a real estate broker, broker-salesperson or salesperson, or
35 an equivalent license, issued by a state or territory of the United
36 States, or the District of Columbia, is entitled to receive credit for
37 the equivalent of 16 semester units of college level courses for each
38 2 years of active experience that, during the immediately preceding
39 10 years, the person has obtained while he or she has held such a
40 license, not to exceed 8 years of active experience. This credit may
41 not be applied against the requirement in subsection 2 for three
42 semester units or an equivalent number of quarter units in broker
43 management or 18 classroom hours of the real estate law of Nevada.



1 5. An applicant for a broker’s license pursuant to NRS 645.350
2 must meet the educational prerequisites applicable on the date his or
3 her application is received by the Real Estate Division.

4 6. As used in this section, “college level courses” are courses
5 offered by any accredited college or university or by any other
6 institution which meet the standards of education established by the
7 Commission. The Commission may adopt regulations setting forth
8 standards of education which are equivalent to the college level
9 courses outlined in this subsection. The regulations may take into
10 account the standard of instructors, the scope and content of the
11 instruction, hours of instruction and such other criteria as the
12 Commission requires.

13 **Sec. 453.** NRS 645.830 is hereby amended to read as follows:

14 645.830 1. The following fees must be charged by and paid
15 to the Division:

16		
17	For each original real estate broker’s, broker-	
18	salesperson’s or corporate broker’s license.....	\$105
19	For each original real estate salesperson’s	
20	license.....	85
21	For each original branch office license	120
22	For real estate education, research and recovery	
23	to be paid at the time an application for an	
24	original license is filed	40
25	For real estate education, research and recovery	
26	to be paid at the time an application for	
27	renewal of a license is filed	40
28	For each renewal of a real estate broker’s,	
29	broker-salesperson’s or corporate broker’s	
30	license.....	180
31	For each renewal of a real estate salesperson’s	
32	license.....	140
33	For each renewal of a real estate branch office	
34	license.....	110
35	For each penalty for late filing of a renewal for a	
36	broker’s, broker-salesperson’s or corporate	
37	broker’s license	95
38	For each penalty for late filing of a renewal for a	
39	salesperson’s license	75
40	For each change of name or address.....	20
41	For each transfer of a real estate salesperson’s or	
42	broker-salesperson’s license and change of	
43	association or employment.....	20



1	For each duplicate license where the original	
2	license is lost or destroyed, and an affidavit is	
3	made thereof.....	\$20
4	For each change of broker status from broker to	
5	broker-salesperson.....	20
6	For each change of broker status from broker-	
7	salesperson to broker.....	40
8	For each reinstatement to active status of an	
9	inactive real estate broker's, broker-	
10	salesperson's or salesperson's license.....	20
11	For each reinstatement of a real estate broker's	
12	license when the licensee fails to give	
13	immediate written notice to the Division of a	
14	change of name or business location.....	30
15	For each reinstatement of a real estate	
16	salesperson's or broker-salesperson's license	
17	when he or she fails to notify the Division of	
18	a change of broker within 30 days of	
19	termination by previous broker.....	30
20	For each original registration of an	
21	owner-developer.....	125
22	For each annual renewal of a registration of an	
23	owner-developer.....	125
24	For each enlargement of the area of an owner-	
25	developer's registration.....	50
26	For each cooperative certificate issued to an out-	
27	of-state broker licensee for 1 year or fraction	
28	thereof.....	150
29	For each original accreditation of a course of	
30	continuing education.....	100
31	For each renewal of accreditation of a course of	
32	continuing education.....	50
33	For each annual approval of a course of	
34	instruction offered in preparation for an	
35	original license or permit.....	100

36
37 2. In addition to the fees imposed by subsection 1 and NRS
38 645.843, each applicant for the issuance or renewal of a real estate
39 broker's, broker-salesperson's or salesperson's license issued
40 pursuant to this chapter must pay to the Division a technology fee
41 of \$15.

42 3. The fees prescribed by this section for courses of instruction
43 offered in preparation for an original license or permit or for courses
44 of continuing education do not apply to:



1 (a) Any university, state college or community college of *the*
2 *University of Nevada or* the Nevada System of Higher Education.

3 (b) Any agency of the State.

4 (c) Any regulatory agency of the Federal Government.

5 4. The Commission shall adopt regulations which establish the
6 fees to be charged and collected by the Division to pay the costs of
7 any investigation of a person's background.

8 **Sec. 454.** NRS 645A.021 is hereby amended to read as
9 follows:

10 645A.021 1. In addition to any other requirement, an
11 applicant for an original license as an escrow agent or agency must
12 furnish proof satisfactory to the Commissioner of the successful
13 completion of a course of instruction in the principles, practices,
14 procedures, law and ethics of escrows, which course may be an
15 extension or correspondence course offered by *the University of*
16 *Nevada or* the Nevada System of Higher Education, by any other
17 accredited college or university or by any other college or school
18 approved by the Commissioner.

19 2. An applicant for a license as an escrow agent or agency
20 pursuant to NRS 645A.020 must meet the educational prerequisites
21 required pursuant to this section not later than the date on which his
22 or her application is received by the Office of the Commissioner.

23 3. The Commissioner shall adopt regulations setting forth
24 standards for the educational prerequisites required pursuant to this
25 section. The regulations must address standards for instructors, the
26 scope and content of the instruction, required hours of instruction
27 and such other criteria as the Commissioner considers necessary.

28 **Sec. 455.** NRS 652.170 is hereby amended to read as follows:

29 652.170 1. The Board shall appoint the members of the
30 Medical Laboratory Advisory Committee.

31 2. After the initial terms, members shall serve for 3-year terms.

32 3. A member may not serve for more than two consecutive
33 terms. Service of 2 or more years in filling an unexpired term
34 constitutes a term.

35 4. The Advisory Committee is composed of:

36 (a) Two pathologists, certified in clinical pathology by the
37 American Board of Pathology.

38 (b) Two medical technologists.

39 (c) One bioanalyst who is a laboratory director.

40 (d) One qualified biochemist from *the University of Nevada or*
41 the Nevada System of Higher Education.

42 (e) One licensed physician actively engaged in the practice of
43 clinical medicine in this State.



1 5. No member of the Advisory Committee may have any
2 financial or business arrangement with any other member which
3 pertains to the business of laboratory analysis.

4 6. The Chief Medical Officer or a designated representative of
5 the Chief Medical Officer is an ex officio member of the Advisory
6 Committee.

7 7. Each member of the Advisory Committee is entitled to
8 receive:

9 (a) A salary of not more than \$60, as fixed by the Board, for
10 each day's attendance at a meeting of the Committee; and

11 (b) A per diem allowance and travel expenses at a rate fixed by
12 the Board, while engaged in the business of the Committee. The rate
13 must not exceed the rate provided for state officers and employees
14 generally.

15 8. While engaged in the business of the Committee, each
16 employee of the Committee is entitled to receive a per diem
17 allowance and travel expenses at a rate fixed by the Board. The rate
18 must not exceed the rate provided for state officers and employees
19 generally.

20 **Sec. 456.** NRS 656A.055 is hereby amended to read as
21 follows:

22 656A.055 "Postsecondary educational setting" means
23 communication relating to participation by students in curricular or
24 extracurricular programming provided by or through:

25 1. A university, college or community college within *the*
26 *University of Nevada or* the Nevada System of Higher Education;
27 or

28 2. A postsecondary educational institution, as defined in
29 NRS 394.099.

30 **Sec. 457.** NRS 678C.830 is hereby amended to read as
31 follows:

32 678C.830 1. Any money the Division receives pursuant to
33 NRS 678C.820 or that is appropriated to carry out the provisions of
34 this chapter governing the issuance of registry identification cards
35 and letters of approval and the regulation of the holders of such
36 cards and letters:

37 (a) Must be deposited in the State Treasury and accounted for
38 separately in the State General Fund;

39 (b) May only be used to carry out:

40 (1) The provisions of this chapter governing the issuance of
41 registry identification cards and letters of approval and the
42 regulation of the holders of such cards and letters, including the
43 dissemination of information concerning those provisions and such
44 other information as determined appropriate by the Division;



1 (2) Programs for alcohol or substance use disorders pursuant
2 to NRS 458.094; and

3 (3) Research performed by an institution of *the University of*
4 *Nevada or* the Nevada System of Higher Education on services
5 relating to alcohol and other substance use disorders; and

6 (c) Does not revert to the State General Fund at the end of any
7 fiscal year.

8 2. The Administrator of the Division shall administer the
9 account. Any interest or income earned on the money in the account
10 must be credited to the account. Any claims against the account
11 must be paid as other claims against the State are paid.

12 **Sec. 458.** NRS 701.180 is hereby amended to read as follows:

13 701.180 The Director shall:

14 1. Acquire and analyze information relating to energy and to
15 the supply, demand and conservation of its sources, including,
16 without limitation:

17 (a) Information relating to the Solar Energy Systems Incentive
18 Program created pursuant to NRS 701B.240 and the Wind Energy
19 Systems Demonstration Program created pursuant to 701B.580,
20 including, without limitation, information relating to:

21 (1) The development of distributed generation systems in this
22 State pursuant to participation in the Solar Energy Systems
23 Incentive Program;

24 (2) The use of carbon-based energy in residential and
25 commercial applications due to participation in the Programs; and

26 (3) The average cost of generation on a kilowatt-hour basis
27 for residential and commercial applications due to participation in
28 the Programs; and

29 (b) Information relating to any money distributed pursuant to
30 NRS 702.270.

31 2. Review and evaluate information which identifies trends and
32 permits forecasting of the energy available to the State. Such
33 forecasts must include estimates on:

34 (a) The level of demand for energy in the State for 5-, 10- and
35 20-year periods;

36 (b) The amount of energy available to meet each level of
37 demand;

38 (c) The probable implications of the forecast on the demand and
39 supply of energy; and

40 (d) The sources of renewable energy and other alternative
41 sources of energy which are available and their possible effects.

42 3. Study means of reducing wasteful, inefficient, unnecessary
43 or uneconomical uses of energy and encourage the maximum
44 utilization of existing sources of energy in the State.



1 4. Solicit and serve as the point of contact for grants and other
2 money from the Federal Government, including, without limitation,
3 any grants and other money available pursuant to any program
4 administered by the United States Department of Energy, and other
5 sources:

6 (a) To promote energy projects that enhance the economic
7 development of the State;

8 (b) To promote the use of renewable energy in this State;

9 (c) To promote the use of measures which conserve or reduce
10 the demand for energy or which result in more efficient use of
11 energy;

12 (d) To develop a comprehensive program for retrofitting public
13 buildings in this State with energy efficiency measures; and

14 (e) If the Director determines that it is feasible and cost-
15 effective, to enter into contracts with researchers from *the*
16 *University of Nevada or* the Nevada System of Higher Education
17 for the design of energy efficiency and retrofit projects to carry out
18 the comprehensive program for retrofitting public buildings in this
19 State developed pursuant to paragraph (d).

20 5. Coordinate the activities and programs of the Office of
21 Energy with the activities and programs of the Consumer's
22 Advocate and the Public Utilities Commission of Nevada, and with
23 other federal, state and local officers and agencies that promote,
24 fund, administer or operate activities and programs related to the use
25 of renewable energy and the use of measures which conserve or
26 reduce the demand for energy or which result in more efficient use
27 of energy.

28 6. If requested to make a determination pursuant to NRS
29 111.239 or 278.0208, make the determination within 30 days after
30 receiving the request. If the Director needs additional information to
31 make the determination, the Director may request the information
32 from the person making the request for a determination. Within 15
33 days after receiving the additional information, the Director shall
34 make a determination on the request.

35 7. Cooperate with the Department of Wildlife in carrying out
36 the provisions of NRS 701.600 to 701.640, inclusive.

37 8. Upon request by a developer of an energy development
38 project or a local government in a county in which an energy
39 development project is proposed to be located, coordinate
40 discussions, not otherwise required by any existing regulatory
41 agency, with interested parties concerning any potential effect of the
42 energy development project.

43 9. Carry out all other directives concerning energy that are
44 prescribed by the Governor.



1 **Sec. 459.** NRS 701.390 is hereby amended to read as follows:
2 701.390 The Director shall:

3 1. Utilize all available public and private means to:

4 (a) Provide information to the public about issues relating to
5 energy and to explain how conservation of energy and its sources
6 may be accomplished; and

7 (b) Work with educational and research institutions, trade
8 associations and any other public and private entities in this State to
9 create a database for information on technological development,
10 financing opportunities and federal and state policy developments
11 regarding renewable energy and energy efficiency.

12 2. Encourage the development of any sources of renewable
13 energy and any energy projects which will benefit the State and any
14 measures which conserve or reduce the demand for energy or which
15 result in more efficient use of energy, including, without limitation,
16 by:

17 (a) Identifying appropriate areas in this State for the
18 development of sources of renewable energy, based on:

19 (1) Assessments of solar, wind and geothermal potential;

20 (2) Evaluations of natural resource constraints;

21 (3) Current electric transmission infrastructure and capacity;

22 and

23 (4) The feasibility of the construction of new electric
24 transmission lines;

25 (b) Working with renewable energy developers to locate their
26 projects within appropriate areas of this State, including, without
27 limitation, assisting the developers to interact with the Bureau of
28 Land Management, the Department of Defense and other federal
29 agencies in:

30 (1) Expediting land leases;

31 (2) Resolving site issues; and

32 (3) Receiving permits for projects on public lands within the
33 appropriate areas of this State;

34 (c) Coordinating the planning of renewable energy projects in
35 appropriate areas of this State to establish a mix of solar, wind and
36 geothermal renewable energy systems that create a reliable source of
37 energy and maximize the use of current or future transmission lines
38 and infrastructure; and

39 (d) Developing proposals for the financing of future electric
40 transmission projects for renewable energy if no such financing
41 proposals exist.

42 3. Review jointly with *the University of Nevada and* the
43 Nevada System of Higher Education the policies of this State
44 relating to the research and development of the geothermal energy
45 resources in this State and make recommendations to the appropriate



1 state and federal agencies concerning methods for the development
2 of those resources.

3 4. If the Director determines that it is feasible and cost-
4 effective, enter into contracts with researchers from *the University*
5 *of Nevada* or the Nevada System of Higher Education:

6 (a) To conduct environmental studies relating to the
7 identification of appropriate areas in this State for the development
8 of renewable energy resources, including, without limitation,
9 hydrologic studies, solar resource mapping studies and wind power
10 modeling studies;

11 (b) For the development of technologies that will facilitate the
12 energy efficiency of the electricity grid for this State, including,
13 without limitation, meters that facilitate energy efficiency for
14 consumers of electricity; and

15 (c) For the design of energy efficiency and retrofit projects to
16 carry out the comprehensive program for retrofitting public
17 buildings in this State with energy efficiency measures.

18 5. Carry out all other directives concerning energy that are
19 prescribed by the Legislature.

20 **Sec. 460.** NRS 701B.312 is hereby amended to read as
21 follows:

22 701B.312 “Institution of higher education” means:

23 1. A university, college or community college which is
24 privately owned or which is part of *the University of Nevada* or
25 the Nevada System of Higher Education; or

26 2. A postsecondary educational institution, as defined in NRS
27 394.099, or any other institution of higher education.

28 **Sec. 461.** NRS 701B.460 is hereby amended to read as
29 follows:

30 701B.460 “Institution of higher education” means:

31 1. A university, college or community college which is
32 privately owned or which is part of *the University of Nevada* or
33 the Nevada System of Higher Education; or

34 2. A postsecondary educational institution, as defined in NRS
35 394.099, or any other institution of higher education.

36 **Sec. 462.** Section 2 of the NV Grow Act, being chapter 459,
37 Statutes of Nevada 2015, as last amended by chapter 570, Statutes
38 of Nevada 2019, at page 3666, is hereby amended to read as
39 follows:

40 Sec. 2. 1. The Division, in consultation with the
41 stakeholders group, shall develop, create and oversee the NV
42 Grow Program to stimulate Nevada’s economy with a view
43 toward providing assistance to businesses that are already
44 located and operating in this State rather than recruiting
45 businesses from other states to relocate in Nevada.



2. Under the auspices of the program:

(a) Institutions of *the University of Nevada and* the Nevada System of Higher Education located in Clark County and the Nevada Small Business Development Center in Clark County shall, in cooperation with the geographic information system specialist employed at the College of Southern Nevada, mentor and track businesses participating in the program in Clark County. The Clark County Department of Business License will coordinate with the College to provide such data as may be necessary for the operation of the program in Clark County.

(b) The Nevada Small Business Development Centers located in Clark County and Washoe County shall each cooperate with the geographic information system specialist employed to assist businesses in Clark County that are participating in the program with marketing and other efforts.

3. The Division shall select the lead counselor and manage the NV Grow Program, which must include, without limitation:

(a) The employment of the lead counselor at the College of Southern Nevada who, in addition to his or her other duties, serves as the coordinator of the program;

(b) The employment of a geographic information specialist at the College of Southern Nevada who provides data to clients of the stakeholders group;

(c) The appointment of the College of Southern Nevada as administrator of the geographic information system and fiscal agent for the program;

(d) An analysis and identification by the Division of businesses and business sectors in this State that are ready to expand and a determination of which of these businesses and business sectors will participate in the program;

(e) Identification by the Centers and the Division of the skilled labor that exists in this State and its potential for growth;

(f) Targeting by the Centers and the Division of business sectors and occupations in this State that have demonstrated the ability to grow and stimulate the economy of the State;

(g) A focus by the Centers and the Division on the utilization of existing resources;

(h) The harnessing of the academic expertise of the College of Southern Nevada and the Centers to provide economic and market data to contribute to the diversification and growth of the economy of this State;



1 (i) The use of geographic information systems by the
2 College of Southern Nevada and the Centers to map areas of
3 this State to determine locations in which retail sales and
4 other commerce are flourishing and locations in which retail
5 sales and commerce demonstrate the capacity for further
6 growth;

7 (j) The elements described in subsection 2;

8 (k) The provision of informational and other assistance by
9 the College of Southern Nevada to businesses and business
10 sectors in this State, including, without limitation,
11 business training, nontraditional marketing techniques and
12 business mentoring; and

13 (l) Such other components as the Division, in consultation
14 with the stakeholders group, determines are likely to be
15 necessary, advisable or advantageous for the growth and
16 development of businesses located in this State.

17 4. The program shall, insofar as is possible, use the
18 resources and expertise of the Centers and make available
19 those resources and that expertise to businesses in this State
20 for the purposes of:

21 (a) Developing business connections and business
22 mentorships within the program;

23 (b) Exchanging data and other information with and
24 between businesses and trade associations;

25 (c) Creating and facilitating peer-to-peer mentoring
26 sessions for participants in the NV Grow Program; and

27 (d) Providing to businesses and business sectors data and
28 other information that is calculated or otherwise generated
29 through the use of geographic information systems.

30 5. To the extent possible, the program must be
31 conducted with the goal of selecting at least 30 businesses in
32 Clark County to participate in the program every year.

33 6. To qualify to participate in the program, a business
34 must:

35 (a) Have its principal place of business within the State of
36 Nevada and have had its principal place of business in this
37 State for at least 2 years;

38 (b) Generate at least \$50,000 but not more than \$700,000
39 in revenue; and

40 (c) Have a business plan.

41 7. As used in this section:

42 (a) "Business plan" means a written statement of a set of
43 business goals, the reasons those goals are believed to be
44 attainable and the plan for reaching those goals.



(b) "Centers" means all institutions of *the University of Nevada and* the Nevada System of Higher Education, including, without limitation, the College of Southern Nevada and the University of Nevada, Reno.

(c) "Geographic information system" means a computerized database management system for the capture, storage, retrieval, analysis and display of spatial or locationally defined data.

(d) "Stakeholders group" means a group of persons interested in economic development in this State selected by the Division, including, without limitation, a representative of the College of Southern Nevada, the University of Nevada, Las Vegas, the Urban Chamber of Commerce of Las Vegas, the Las Vegas Latin Chamber of Commerce, the Henderson Chamber of Commerce, the Asian Community Development Council, the Valley Center Opportunity Zone, the University of Nevada Cooperative Extension in Clark County, Clark County and incorporated cities in Clark County and various entities affiliated with the Small Business Administration.

Sec. 463. Section 19 of the Southern Nevada Tourism Improvements Act, being chapter 2, Statutes of Nevada 2016, at page 19, is hereby amended to read as follows:

Sec. 19. "System" means the *University of Nevada* ~~[System of Higher Education.]~~ , *as described in NRS 396.020.*

Sec. 464. The provisions of subsection 1 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. 465. As soon as practicable on or before July 1, 2024:

1. The Governor shall appoint:

(a) The voting members of each board of trustees for each state college or community college in this State established pursuant to section 51 of this act. In appointing such members, the Governor shall, by lot, select:

(1) Four members to serve an initial term of 3 years; and

(2) Three members to serve an initial term of 2 years.

(b) To the State Board of Education, the additional member required to be appointed pursuant to paragraph (c) of subsection 2 of NRS 385.021, as amended by section 1 of this act.

(c) The Director, Deputy Director and assistant directors of the Nevada Office of Higher Education Administrative Services created by section 46 of this act required to be appointed pursuant to section 47 of this act.

2. The Chief Justice of the Nevada Supreme Court shall appoint to the committee created pursuant to NRS 1.530 the member



1 required to be appointed pursuant to paragraph (f) of subsection 1 of
2 that section, as amended by section 235 of this act.

3 3. The Director of the Nevada Office of Higher Education
4 Administrative Services created by section 46 of this act shall
5 appoint to the Committee on the Estate Tax Account for the
6 Endowment of the Nevada System of Higher Education the member
7 required to be appointed pursuant to paragraph (b) of subsection 1 of
8 NRS 375A.710, as amended by section 378 of this act.

9 **Sec. 466.** 1. The Nevada Office of Higher Education
10 Administrative Services created by section 46 of this act and each
11 higher education governing body shall cooperate in effectuating any
12 transfer or termination of current employees of the Nevada System
13 of Higher Education as necessary to carry out the provisions of this
14 act.

15 2. As used in this section, “higher education governing body”
16 has the meaning ascribed to it in NRS 396.005, as amended by
17 section 54 of this act.

18 **Sec. 467.** 1. Any contract, lease or other agreement entered
19 into before July 1, 2024, and in effect after July 1, 2024, by the
20 Nevada System of Higher Education or the Board of Regents on
21 behalf of the University of Nevada relating to the operation of or
22 provision of services by or to any state college or community
23 college in this State shall be deemed a contract, lease or other
24 agreement entered into by the board of trustees of the respective
25 state college or community college, as applicable, created pursuant
26 to section 51 of this act, or the Nevada Office of Higher Education
27 Administrative Services created by section 46 of this act or the
28 Nevada System of Higher Education, as applicable.

29 2. Any contract, lease or other agreement entered into before
30 July 1, 2024, and in effect after July 1, 2024, by the Nevada System
31 of Higher Education or the Board of Regents on behalf of the
32 University of Nevada relating to the operation of or provision of
33 services by or to any university in this State shall be deemed a
34 contract, lease or other agreement entered into by the Board of
35 Regents of the University of Nevada.

36 **Sec. 468.** 1. This section becomes effective upon passage
37 and approval.

38 2. Sections 1 to 467, inclusive, of this act become effective:

39 (a) Upon passage and approval for the purpose of adopting any
40 regulations and performing any other preparatory administrative
41 tasks that are necessary to carry out the provisions of this act; and

42 (b) On July 1, 2024, for all other purposes.



