

SENATE BILL NO. 321—SENATORS SETTELMAYER,  
HAMMOND AND HANSEN

MARCH 22, 2021

Referred to Committee on Education

**SUMMARY**—Creates the Nevada System of Community Colleges.  
(BDR 34-905)

**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 education; creating the Nevada System of Community Colleges; creating the State Board for Community Colleges to administer the community colleges within the System and supervise and control the System separate from the Nevada System of Higher Education; providing for the appointment by the Governor of the membership of the Board; establishing the powers, duties and responsibilities of the Board; authorizing the Board to employ an Executive Director and delegate to the Executive Director any of the powers and duties of the Board; providing for the creation of and the appointment by the Governor of the membership of a board of trustees for each community college within the Nevada System of Community Colleges; establishing the powers, duties and responsibilities of the boards of trustees of the community colleges; providing for the selection of a president for each community college; establishing the Articulation and Transfer Board; transferring to the Board and to the boards of trustees of the community colleges, as applicable, the powers and duties of the Board of Regents of the University of Nevada relating to the supervision and control of community colleges; providing penalties; and providing other matters properly relating thereto.



**Legislative Counsel's Digest:**

1 Existing law provides that the system of community colleges of this State is,  
2 along with the universities and state colleges of this State, part of the Nevada  
3 System of Higher Education administered under the control of the Board of  
4 Regents of the University of Nevada. (NRS 396.020) Effective July 1, 2022, this  
5 bill generally transfers authority for the supervision and control of community  
6 colleges from the Board of Regents to the State Board for Community Colleges and  
7 the boards of trustees of such community colleges.

8 **Section 7** of this bill creates the State Board for Community Colleges and  
9 provides for the appointment by the Governor of the members of the Board.

10 **Section 10** of this bill creates the Nevada System of Community Colleges,  
11 consisting of each community college administered under the direction of the Board  
12 and provides that the System is operated under the direction and control of the  
13 Board. **Sections 7-73 and 77-81** of this bill generally provide the Board with  
14 similar powers and duties relative to the supervision and control of the Nevada  
15 System of Community Colleges as those exercised by the Board of Regents under  
16 existing law. **Section 9** of this bill requires the Board to appoint an Executive  
17 Director and authorizes the Board to delegate any of its powers and duties to the  
18 Executive Director. **Section 11** of this bill requires the Board to establish standards  
19 governing the operation of community colleges within the System and to exercise  
20 any powers necessary to carry out the provisions of this bill.

21 **Section 74** of this bill creates a board of trustees for each community college  
22 within the System and provides for the appointment by the Governor of the  
23 membership of a board of trustees. **Sections 74-76** of this bill establish certain  
24 powers and duties of such a board of trustees. **Section 75** of this bill provides that  
25 the board of trustees of a community college shall operate and manage the  
26 community college for which it was appointed. **Section 74** of this bill provides that  
27 any rules and regulations adopted by a board of trustees for the operation and  
28 management of a community college must be consistent with the rules and  
29 regulations adopted by the State Board for Community Colleges. **Section 76** of this  
30 bill requires the board of trustees to employ a president for the community college  
31 and authorizes the board of trustees to delegate any of its powers and duties to the  
32 president.

33 **Sections 82-149 and sections 154-156** of this bill amend various provisions of  
34 existing law specifically related to education consistent with the provisions of this  
35 bill which transfer the direction and control of community colleges from the Board  
36 of Regents to the State Board for Community Colleges. **Sections 140 and 142** of  
37 this bill provide that provisions of existing law relating to education loans for  
38 nursing students apply to students who attend an institution of the Nevada System  
39 of Higher Education and students who attend a community college. Likewise,  
40 **sections 143-145** of this bill amend existing law to ensure the continued eligibility  
41 of community college students for the Millennium Scholarship and **sections 146-**  
42 **149** of this bill ensure the continued eligibility of community college students for  
43 the Silver State Opportunity Grant Program.

44 **Section 151** of this bill creates the Articulation and Transfer Board and  
45 provides for the appointment by the Governor of the members of the Board.  
46 **Sections 152 and 153** of this bill establish certain powers and duties of the Board.

47 **Sections 157-327** of this bill similarly amend other provisions of existing law  
48 to delineate the powers and duties of the Board of Regents relative to the Nevada  
49 System of Higher Education and the powers and duties of the State Board for  
50 Community Colleges and the boards of trustees of the community colleges relative  
51 to the Nevada System of Community Colleges.

52 **Section 329** of this bill provides for the appointment, on or after July 1, 2022,  
53 by the Governor of the initial members of the State Board for Community Colleges  
54 and the boards of trustees of the community colleges. **Section 330** of this bill



55 provides for the appointment of the members added to various boards, councils and  
56 commissions by **sections 82, 97, 118, 157, 227, 232, 292 and 297** of this bill,  
57 including the: (1) State Board of Education; (2) Commission on Educational  
58 Technology; (3) Commission on Professional Standards in Education; (4)  
59 Committee to advise the Court Administrator regarding court interpreters; (5)  
60 Board of the Public Employees' Benefits Program; (6) Committee to administer the  
61 Public Employees' Deferred Compensation Program; (7) Nevada Early Childhood  
62 Advisory Council; and (8) Advisory Council on the State Program for Wellness and  
63 the Prevention of Chronic Disease. **Sections 180, 183, 261, 269, 273 and 290** of  
64 this bill similarly provide for the appointment of the Executive Director of the State  
65 Board for Community Colleges to various boards, councils and commissions,  
66 including the: (1) Advisory Council on Science, Technology, Engineering and  
67 Mathematics; (2) Board of Economic Development; (3) Technical Advisory  
68 Committee on Future State Revenues; (4) Board of Trustees of the College Savings  
69 Plans of Nevada; (5) corporation for public benefit established by the State  
70 Treasurer; and (6) Interagency Council on Veterans Affairs.

71 **Section 331** of this bill provides for the appointment, on or after July 1, 2022,  
72 by the Governor of the initial members of the Articulation and Transfer Board.  
73 **Section 332** of this bill provides that any lease or contract entered into by the  
74 Nevada System of Higher Education or the Board of Regents before July 1, 2022,  
75 and in effect on or after July 1, 2022, relating to the operation of or the provision of  
76 services by or to the community colleges shall be deemed to be a lease or contract  
77 entered into by the board of trustees of the respective community college.

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

1 **Section 1.** Title 34 of NRS is hereby amended by adding  
2 thereto a new chapter to consist of the provisions set forth as  
3 sections 2 to 81, inclusive, of this act.

4 **Sec. 2.** *As used in this chapter, unless the context otherwise*  
5 *requires, the words and terms defined in sections 3 to 6, inclusive,*  
6 *of this act have the meanings ascribed to them in those sections.*

7 **Sec. 3.** *“Board” means the State Board for Community*  
8 *Colleges created by section 7 of this act.*

9 **Sec. 4.** *“Board of trustees” means the board of trustees of a*  
10 *community college within the System.*

11 **Sec. 5.** *“Executive Director” means the Executive Director*  
12 *of the Board.*

13 **Sec. 6.** *“System” means the Nevada System of Community*  
14 *Colleges created by section 10 of this act.*

15 **Sec. 7. 1.** *The State Board for Community Colleges is*  
16 *hereby created. The Board consists of nine voting members*  
17 *appointed by the Governor.*

18 **2.** *The Governor shall ensure that the members appointed to*  
19 *the Board pursuant to subsection 1 represent the diversity of this*  
20 *State. The members of the Board appointed pursuant to subsection*  
21 *1 must include:*



1 (a) *Representatives of different strategically important*  
2 *industries, different geographic regions of this State, different*  
3 *professions, and different racial and ethnic groups.*

4 (b) *At least one member who is a person active in private*  
5 *business or industry of this State.*

6 (c) *At least one member who is a representative of labor.*

7 3. *After the initial terms, each member appointed to the*  
8 *Board pursuant to subsection 1 serves a term of 4 years, except*  
9 *that each member continues to serve until a successor is*  
10 *appointed. A member of the Board may be reappointed.*

11 4. *A member of the Board may be removed by the Governor*  
12 *before the expiration of the member's term for misconduct in*  
13 *office, incompetence or neglect of duty.*

14 5. *If a vacancy occurs during the term of a member of the*  
15 *Board appointed pursuant to subsection 1, the Governor shall*  
16 *appoint a person to fill the vacancy for the remainder of the*  
17 *unexpired term.*

18 6. *A majority of the members of the Board constitutes a*  
19 *quorum for the transaction of business. A majority vote of the*  
20 *quorum present is required to take action with respect to any*  
21 *matter.*

22 7. *The Board shall adopt a seal.*

23 8. *The Board shall elect annually, from among its members,*  
24 *a Chair, a Vice Chair and a Treasurer.*

25 9. *The Board shall meet at the call of the Chair. At all times,*  
26 *the records of all proceedings of the Board are open to public*  
27 *inspection, except records of a closed meeting which have not*  
28 *become public. The Secretary of the Board shall transmit to the*  
29 *Governor a copy of the approved minutes of each regular meeting*  
30 *of the Board and the boards of trustees.*

31 10. *The Board shall adopt bylaws and rules for the conduct of*  
32 *its business, and shall have the power to amend and rescind these*  
33 *bylaws and rules. Such rules may include rules for its own*  
34 *government and the government of the System.*

35 11. *In addition to the money provided by the Legislature by*  
36 *direct appropriation, the Board may apply for and accept any gift,*  
37 *donation, bequest, grant or other source of money to carry out the*  
38 *provisions of this chapter.*

39 12. *The Board may accept and take in the name of the*  
40 *System, for the benefit of any branch or facility of the System, by*  
41 *grant, gift, devise or bequest, any property for any purpose*  
42 *appropriate to the System. Property so acquired must be taken,*  
43 *received, held, managed and invested, and the proceeds thereof*  
44 *used, bestowed and applied by the Board for the purposes,*



1 *provisions and conditions prescribed by the respective grant, gift,*  
2 *devise or bequest.*

3 **Sec. 8. 1.** *Each member of the Board is entitled to receive a*  
4 *salary of \$80 for each meeting of the Board that he or she attends.*

5 **2.** *Each member of the Board is entitled to receive in*  
6 *attending meetings of the Board, or while on the business of the*  
7 *Board within the State:*

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

9 (1) *The rate of \$60; or*

10 (2) *The maximum rate established by the Federal*  
11 *Government for the locality in which the travel is performed.*

12 (b) *The travel allowance provided for state officers and*  
13 *employees generally.*

14 **3.** *If an account is established for a member of the Board to*  
15 *pay for hosting expenditures of the member:*

16 (a) *The annual expenditures from the account may not exceed*  
17 *\$2,500.*

18 (b) *The account may be used only to pay for activities that are*  
19 *directly related to the duties of the member of the Board, including*  
20 *reasonable expenses for meals, beverages and small gifts. The*  
21 *account must not be used to pay for expenses associated with*  
22 *attending a sporting event or a political fundraising event.*

23 (c) *The member of the Board must submit a monthly report of*  
24 *expenditures from the account to the Executive Director. The*  
25 *report must include, without limitation, the amount of money*  
26 *expended from the account, the specific purpose and activity for*  
27 *which the money was expended and, if applicable, the person for*  
28 *whom the money was expended.*

29 (d) *The Executive Director shall compile the monthly reports*  
30 *into an annual report on or before January 30 of each year. The*  
31 *monthly reports and annual reports are public records and must*  
32 *be made available for public inspection.*

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

39 **Sec. 9. 1.** *The Board shall appoint an Executive Director*  
40 *who serves at the pleasure of the Board. Before appointing an*  
41 *Executive Director, the Board must consider an applicant's fitness*  
42 *and background in education, knowledge of and recent practical*  
43 *experience in the field of education, particularly in institutions*  
44 *beyond the high school level. The Board may also consider an*



1 *applicant's proven management background in a field other than*  
2 *education.*

3 *2. The Board may delegate to the Executive Director any of*  
4 *its powers or duties.*

5 *3. The Executive Director shall:*

6 *(a) Attend all meetings of the Board and act as Secretary,*  
7 *keeping a full record of all proceedings of the Board.*

8 *(b) Direct and supervise any offices of the Board and all*  
9 *activities of the Board.*

10 *(c) Prepare reports and collect and disseminate data and other*  
11 *information relating to the community colleges within the System.*

12 *(d) At the direction of the Board, together with the Chair of the*  
13 *Board, execute any contract entered into by the State to carry out*  
14 *the provisions of this chapter.*

15 *(e) With approval of the Board, appoint and remove or*  
16 *discharge such personnel as may be necessary for the*  
17 *performance of the functions of the Board.*

18 **Sec. 10. 1.** *There is hereby created the Nevada System of*  
19 *Community Colleges consisting of the community colleges*  
20 *administered under the direction of the Board and such branches*  
21 *and facilities as the Board deems appropriate. The legal and*  
22 *corporate name of the System is the Community Colleges of*  
23 *Nevada.*

24 *2. In addition to the other powers and duties imposed upon*  
25 *the Board pursuant to the provisions of this chapter, the Board*  
26 *shall:*

27 *(a) Supervise and control the System.*

28 *(b) Review annually each budget prepared by a board of*  
29 *trustees pursuant to paragraph (a) of subsection 2 of section 75 of*  
30 *this act.*

31 *(c) Prepare annually a budget for the System.*

32 *(d) Prepare and submit biennially to the Governor and to the*  
33 *Director of the Legislative Counsel Bureau for transmittal to the*  
34 *Legislature the comprehensive plan for each community college*  
35 *prepared by a board of trustees pursuant to subsection 2 of section*  
36 *75 of this act and a comprehensive plan for the System for the*  
37 *next 4 years which must include, without limitation:*

38 *(1) An explanation of any anticipated new programs and*  
39 *expansions of existing programs of instruction, public service or*  
40 *research, itemized by community college, by year and by purpose;*

41 *(2) The anticipated cost of each new or expanded program*  
42 *described pursuant to subparagraph (1);*

43 *(3) The amount and the source of any money anticipated to*  
44 *be available, from sources other than legislative appropriation, to*



1 *meet each item of anticipated cost listed pursuant to subparagraph*  
2 *(2); and*

3 *(4) Any other information deemed appropriate by the*  
4 *Board.*

5 *3. In preparing the budget for the System pursuant to*  
6 *paragraph (c) of subsection 2, the Board:*

7 *(a) May adopt objective criteria and metrics for measuring the*  
8 *performance of a community college and include in the budget for*  
9 *the next fiscal year additional funding for community colleges that*  
10 *meet such criteria and metrics; and*

11 *(b) Shall give preference to portions of the budgets of*  
12 *community colleges that fund programs of instruction in career*  
13 *and technical education.*

14 **Sec. 11. The Board shall:**

15 *1. Establish minimum standards governing the operation of*  
16 *the community colleges within the System, including, without*  
17 *limitation:*

18 *(a) Qualifications and credentials for administrative and*  
19 *educational personnel.*

20 *(b) Internal budgeting, accounting, auditing and financial*  
21 *procedures.*

22 *(c) The content of the curricula and other educational and*  
23 *training programs, and the requirements for degrees and*  
24 *certificates awarded by a community college. The Board shall*  
25 *establish the areas in which a community college may award a*  
26 *baccalaureate degree, which must be limited to career and*  
27 *occupational areas, including, without limitation, computer*  
28 *technology and logistics.*

29 *(d) Standard admission policies.*

30 *(e) Common student identifiers, such that once a student has*  
31 *enrolled at any community college within the System the student*  
32 *retains the same student identification upon transfer to any other*  
33 *community college within the System.*

34 *(f) Have the power to prescribe the time and standards of*  
35 *graduation from a community college.*

36 *2. Adopt rules to ensure that the community colleges within*  
37 *the System maintain consistent policies concerning tuition and fee*  
38 *rates, tuition waivers, the counting of students who are enrolled*  
39 *and the authority to grant certificates and degrees to students.*

40 *3. In consultation with the Board of Regents of the University*  
41 *of Nevada, adopt any rules necessary to ensure that credits from a*  
42 *community college within the System can be transferred to an*  
43 *institution of the Nevada System of Higher Education.*

44 *4. Develop rules that provide the greatest opportunity for a*  
45 *student who has earned any credits from a community college*



1 *within the System to transfer those credits to an out-of-state*  
2 *college or university which awards a bachelor's degree.*

3 *5. Encourage the community colleges within the System to*  
4 *use multiple measures to determine whether a student must enroll*  
5 *in remedial courses, including, without limitation, placement*  
6 *examinations, college and career readiness assessments, the*  
7 *transcript from each school previously attended by the student and*  
8 *the initial performance of the student in community college*  
9 *courses.*

10 *6. Publish a list of any measures used by a community college*  
11 *within the System to determine whether a student must enroll in*  
12 *remedial courses on the Internet website maintained by the Board*  
13 *and require each board of trustees to publish such a list in any*  
14 *admissions materials relating to the community college.*

15 *7. Encourage innovation in the development of new*  
16 *educational programs and training programs available at the*  
17 *community colleges within the System and the instructional*  
18 *methods to be used at the community colleges.*

19 *8. Coordinate research efforts for the development of new*  
20 *educational programs, training programs and instructional*  
21 *methods for the community colleges within the System and publish*  
22 *any information relating to such research efforts.*

23 *9. Prescribe rules for the granting of permission to carry or*  
24 *possess a weapon pursuant to NRS 202.265.*

25 *10. Exercise any other powers, duties and responsibilities*  
26 *necessary to carry out the provisions of this chapter.*

27 **Sec. 12.** *The Treasurer elected by the Board pursuant to*  
28 *subsection 8 of section 7 of this act is ex officio Treasurer of the*  
29 *System.*

30 **Sec. 13.** *1. The Board may establish policies and*  
31 *procedures for personnel which govern student employees and*  
32 *which are separate from the policies and procedures established*  
33 *for the unclassified personnel of the System. Any such policy or*  
34 *procedure does not diminish the eligibility of those persons for*  
35 *coverage as employees under the provisions of chapters 616A to*  
36 *616D, inclusive, or chapter 617 of NRS.*

37 *2. In establishing policies and procedures pursuant to*  
38 *subsection 1, the Board is not bound by any of the other provisions*  
39 *of this chapter or the provisions of title 23 of NRS. Those*  
40 *provisions do not apply to a student employee of the System unless*  
41 *otherwise provided by the Board.*

42 **Sec. 14.** *The Board shall, to carry out the purposes of*  
43 *subsection 4 of NRS 281.221, subsection 4 of NRS 281.230 and*  
44 *subsection 4 of NRS 281A.430, establish policies governing the*



1 *contracts that faculty members and employees of the System may*  
2 *enter into or benefit from.*

3 **Sec. 15.** *Notwithstanding the provisions of any other law, the*  
4 *Board may employ any teacher, instructor or professor authorized*  
5 *to teach in the United States under the teacher exchange programs*  
6 *authorized by laws of the Congress of the United States.*

7 **Sec. 16.** *1. Each teacher, instructor and professor*  
8 *employed by the System whose compensation is payable out of the*  
9 *public funds, except teachers, instructors and professors employed*  
10 *pursuant to the provisions of section 15 of this act, shall take and*  
11 *subscribe to the constitutional oath of office before entering upon*  
12 *the discharge of his or her duties.*

13 *2. The oath of office, when taken and subscribed, shall be*  
14 *filed in the office of the Board.*

15 **Sec. 17.** *The Board shall have the power to fix the salaries of*  
16 *the academic staff of the System and the members of the boards of*  
17 *trustees.*

18 **Sec. 18.** *1. All employees of the System, including those*  
19 *employees who were receiving benefits under the provisions of*  
20 *chapter 204, Statutes of Nevada 1915, and chapter 99, Statutes of*  
21 *Nevada 1943, may elect to continue to receive the benefits*  
22 *provided under the contract of integration entered into between*  
23 *the Board of Regents of the University of Nevada and the Public*  
24 *Employees' Retirement Board on June 30, 1950, pursuant to the*  
25 *provisions of NRS 286.370 or be a member of the Public*  
26 *Employees' Retirement System pursuant to NRS 286.290.*

27 *2. The provisions of this section do not apply to student*  
28 *employees.*

29 **Sec. 19.** *The Board may prescribe rules for the reports of*  
30 *officers and teachers of the System.*

31 **Sec. 20.** *1. A member of the Board or employee of the*  
32 *Board, including, without limitation, the Executive Director or a*  
33 *member of a board of trustees, shall not be interested, directly or*  
34 *indirectly, as principal, partner, agent or otherwise, in any*  
35 *contract or expenditure created by the Board or a board of*  
36 *trustees.*

37 *2. An employee of the Board may be appointed as a member*  
38 *of the System.*

39 **Sec. 21.** *The Board shall adopt regulations establishing a*  
40 *system of probation for the professional employees of the System.*  
41 *The regulations must provide for a probationary period of such*  
42 *length as the Board deems appropriate.*

43 **Sec. 22.** *The Board shall adopt and promulgate regulations*  
44 *establishing a fair dismissal system for the professional employees*  
45 *of the System who have completed probation as required by the*



1 *Board pursuant to section 21 of this act. The regulations must*  
2 *provide that no professional employee who has successfully*  
3 *completed his or her probationary period is subject to termination*  
4 *or nonrenewal of his or her contract except for good cause shown.*  
5 *The regulations must specify what constitutes good cause for such*  
6 *termination or nonrenewal of contract, and must include*  
7 *provisions for:*

8 1. *Adequate notice;*

9 2. *A hearing to determine whether good cause exists, to be*  
10 *held before an impartial hearing officer or hearing committee*  
11 *selected in a manner provided by the Board; and*

12 3. *Opportunity for review of the decision of the hearing*  
13 *officer or hearing committee,*  
14 *↳ in any case involving termination or nonrenewal of the contract*  
15 *of a professional employee who has completed probation.*

16 **Sec. 23.** 1. *The willful neglect or failure on the part of any*  
17 *teacher, instructor, professor, president or chancellor in the*  
18 *System to observe and carry out the requirements of this chapter is*  
19 *sufficient cause for the dismissal or removal of the person from*  
20 *his or her position.*

21 2. *It is sufficient cause for the dismissal of any teacher,*  
22 *instructor, professor, president or chancellor in the System when*  
23 *the person advocates, or is a member of an organization which*  
24 *advocates, overthrow of the Government of the United States or of*  
25 *the State by force, violence or other unlawful means.*

26 **Sec. 24.** 1. *The Board, the Executive Director and the*  
27 *presidents of each community college within the System may issue*  
28 *subpoenas in all instances involving disciplinary hearings of*  
29 *members of the System.*

30 2. *Those persons may issue subpoenas requiring the*  
31 *attendance of witnesses before them together with all books,*  
32 *memoranda, papers and other documents relative to the matters*  
33 *under investigation or to be heard, administer oaths and take*  
34 *testimony thereunder.*

35 3. *The district court in and for the county in which any*  
36 *hearing is being conducted by any of the persons named in*  
37 *subsection 1 may compel the attendance of witnesses, the giving of*  
38 *testimony and the production of books and papers as required by*  
39 *any subpoena issued by the person holding the hearing.*

40 4. *In case of the refusal of any witness to attend or testify or*  
41 *produce any papers required by the subpoena, the person holding*  
42 *the hearing may report to the district court in and for the county*  
43 *in which the hearing is pending by petition, setting forth:*



1 (a) That due notice has been given of the time and place of  
2 attendance of the witness or the production of the books and  
3 papers;

4 (b) That the witness has been subpoenaed in the manner  
5 prescribed in this chapter; and

6 (c) That the witness has failed and refused to attend or  
7 produce the papers required by subpoena before the person  
8 holding the hearing named in the subpoena, or has refused to  
9 answer questions propounded to the witness in the course of the  
10 hearing,

11 ↪ and asking an order of the court compelling the witness to  
12 attend and testify or produce the books or papers before the  
13 person.

14 5. The court, upon petition of the person holding the hearing,  
15 shall enter an order directing the witness to appear before the  
16 court at a time and place to be fixed by the court in the order, the  
17 time must not be more than 10 days after the date of the order, and  
18 then and there show cause why the witness has not attended or  
19 testified or produced the books or papers before the person  
20 holding the hearing. A certified copy of the order must be served  
21 upon the witness. If it appears to the court that the subpoena was  
22 regularly issued by the person holding the hearing, the court shall  
23 thereupon enter an order that the witness appear before the person  
24 at the time and place fixed in the order and testify or produce the  
25 required books or papers, and upon failure to obey the order the  
26 witness must be dealt with as for contempt of court.

27 **Sec. 25.** The person who is the subject of a disciplinary  
28 hearing under this chapter or who is a witness at that hearing, and  
29 who is a person with a communications disability as defined in  
30 NRS 50.050, is entitled to the services of an interpreter at public  
31 expense in accordance with the provisions of NRS 50.050 to  
32 50.053, inclusive. The interpreter must be appointed by the person  
33 who presides at the hearing.

34 **Sec. 26.** The Board may:

35 1. Create a Police Department for the System and appoint  
36 one or more persons to be members of the Department; and

37 2. Authorize the Department to enter into interlocal  
38 agreements pursuant to chapter 277 of NRS with other law  
39 enforcement agencies to provide for the rendering of mutual aid.

40 **Sec. 27.** Every member of the Police Department for the  
41 System must be supplied with, authorized and required to wear a  
42 badge bearing the words "Community College Police, Nevada."

43 **Sec. 28.** The Police Department for the System shall, within  
44 7 days after receipt of a written request of a person who claims to  
45 have sustained damages as a result of a crash, or the person's



1 *legal representative or insurer, and upon receipt of a reasonable*  
2 *fee to cover the cost of reproduction, provide the person, his or her*  
3 *legal representative or insurer, as applicable, with a copy of the*  
4 *crash report and all statements by witnesses and photographs in*  
5 *the possession or under the control of the Department that*  
6 *concern the crash, unless:*

7 1. *The materials are privileged or confidential pursuant to a*  
8 *specific statute; or*

9 2. *The crash involved:*

10 (a) *The death or substantial bodily harm of a person;*

11 (b) *Failure to stop at the scene of a crash; or*

12 (c) *The commission of a felony.*

13 **Sec. 29.** 1. *The Board shall, not later than April 15 of each*  
14 *odd-numbered year, prepare and submit to the Director of the*  
15 *Legislative Counsel Bureau for submission to the Legislature, a*  
16 *report concerning the activities of the Police Department for the*  
17 *System.*

18 2. *The report must include, without limitation:*

19 (a) *A copy of each of the annual security reports compiled for*  
20 *the immediately preceding 2 years pursuant to 20 U.S.C. § 1092,*  
21 *including the executive summary and statistics regarding crimes*  
22 *on campus; and*

23 (b) *A statement of:*

24 (1) *The policy of each police department regarding the use*  
25 *of force and the equipment authorized for use by its officers in*  
26 *carrying out that policy;*

27 (2) *The activities performed by each police department*  
28 *during the reporting period to improve or maintain public*  
29 *relations between the campus and the community;*

30 (3) *The number of full-time and reserve officers in each*  
31 *police department;*

32 (4) *The programs held in each police department during*  
33 *the reporting period in which training was given to its officers and*  
34 *the rates of participation in those programs; and*

35 (5) *The number, itemized by each police department, of*  
36 *incidents during the reporting period in which an excessive use of*  
37 *force was alleged and the number of those allegations which were*  
38 *sustained.*

39 **Sec. 30.** 1. *The Board may create on each campus of the*  
40 *System a campus review board to advise the president or other*  
41 *chief administrative officer of the campus and, upon request, the*  
42 *Board on issues concerning allegations made against peace*  
43 *officers of the Police Department for the System involving*  
44 *misconduct while serving on the campus.*



1       2. A campus review board created pursuant to subsection 1  
2       must consist of not less than 15 members.

3       3. A campus review board must be appointed by the Board  
4       from a list of names submitted by interested persons within the  
5       System and in the general public. If an insufficient number of  
6       names of persons interested in serving on a campus review board  
7       are submitted, the Board shall appoint the remaining members in  
8       the manner it deems appropriate.

9       4. A person appointed to a campus review board:

10      (a) Must be a resident of this State;

11      (b) Must not be employed as a peace officer;

12      (c) Must complete training relating to law enforcement before  
13      serving as a member of the campus review board, including,  
14      without limitation, training in the policies and procedures of the  
15      Police Department for the System, the provisions of chapter 284 of  
16      NRS, the regulations adopted pursuant thereto and NRS 289.010  
17      to 289.120, inclusive, and the terms and conditions of employment  
18      of the peace officers of the System; and

19      (d) Shall serve without salary, but may receive from the System  
20      such per diem allowances and travel expenses as are authorized by  
21      the Board.

22      **Sec. 31.** A campus review board created pursuant to section  
23      30 of this act:

24      1. Does not have jurisdiction over any matter in which it is  
25      alleged that a crime has been committed.

26      2. Shall not abridge the rights of a peace officer of the Police  
27      Department for the System that are granted pursuant to a contract  
28      or by law.

29      **Sec. 32.** 1. A campus review board created pursuant to  
30      section 30 of this act shall meet in panels to carry out its duties.

31      2. Members must be selected randomly to serve on a panel,  
32      and each panel shall select one of its members to serve as chair of  
33      the panel.

34      3. A panel of a campus review board may:

35      (a) Refer a complaint against a peace officer of the Police  
36      Department for the System who has served on the campus to the  
37      office of the Police Department for the System on the campus.

38      (b) Review an internal investigation of such a peace officer  
39      and make recommendations regarding any disciplinary action  
40      against the peace officer that is recommended by the office of the  
41      Police Department for the System on the campus, including,  
42      without limitation:

43      (1) Increasing or decreasing the recommended level of  
44      discipline; and



1           (2) *Exonerating the peace officer who has been the subject*  
2 *of the internal investigation.*

3           4. *The Police Department for the System shall make available*  
4 *to a panel of a campus review board any information within a*  
5 *personnel file that is specific to a complaint against a peace officer*  
6 *of the Police Department for the System who has served on the*  
7 *campus, or any other material that is specific to the complaint.*

8           5. *When reviewing an internal investigation of a peace officer*  
9 *of the system pursuant to subsection 3, a panel of a campus review*  
10 *board shall provide the peace officer with notice and an*  
11 *opportunity to be heard. The peace officer may represent himself*  
12 *or herself at the hearing before the panel or be represented by an*  
13 *attorney or other person of his or her own choosing. The campus*  
14 *review board and the Police Department for the System are not*  
15 *responsible for providing such 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.*

21           7. *A proceeding of a panel of a campus review board must be*  
22 *closed to the public.*

23           8. *The findings and recommendations of a panel of a campus*  
24 *review board are public records unless otherwise declared*  
25 *confidential by state or federal law.*

26           **Sec. 33.** 1. *A panel of a campus review board created*  
27 *pursuant to section 30 of this act may:*

28           (a) *Administer oaths;*

29           (b) *Take testimony;*

30           (c) *Within the scope of its jurisdiction, issue subpoenas to*  
31 *compel the attendance of witnesses to testify before the panel;*

32           (d) *Require the production of books, papers and documents*  
33 *specific to a complaint; and*

34           (e) *Issue commissions to take testimony.*

35           2. *If a witness refuses to attend or testify or produce books,*  
36 *papers or documents as required by the subpoena, the panel may*  
37 *petition the district court to order the witness to appear or testify or*  
38 *produce the requested books, papers or documents.*

39           **Sec. 34.** *The Legislature of Nevada hereby gratefully assents*  
40 *to the purposes of all grants of money which may hereafter be*  
41 *made to the State of Nevada by Congress and agrees that the*  
42 *grants must be used only for the purposes named in the Act of*  
43 *Congress, or acts amendatory thereof or supplemental thereto.*

44           **Sec. 35.** 1. *The Nevada System of Community Colleges*  
45 *Accounts Payable Revolving Fund is hereby created. The Board*



1 *may deposit the money of the Fund in one or more state or*  
2 *national banks or credit unions in the State of Nevada.*

3 2. *The chief business officer of each business center of the*  
4 *System shall:*

5 (a) *Pay from the Fund such operating expenses of the System*  
6 *as the Board may by rule prescribe.*

7 (b) *Submit claims to the State Board of Examiners for money*  
8 *of the System on deposit in the State Treasury or elsewhere to*  
9 *replace money paid from the Nevada System of Community*  
10 *Colleges Accounts Payable Revolving Fund.*

11 **Sec. 36.** 1. *Before payment, all claims of every name and*  
12 *nature involving the payment of money by or under the direction*  
13 *of the Board from funds set aside and appropriated must be passed*  
14 *upon by the State Board of Examiners.*

15 2. *The Board shall, with the approval of the Governor,*  
16 *require all officers and employees of the System whose duties, as*  
17 *prescribed by law, require the officers or employees to approve*  
18 *claims against any public funds to file the claims in the office of*  
19 *the Board for transmittal.*

20 **Sec. 37.** 1. *The Board may establish an electronic payment*  
21 *system to pay the salaries and wages of academic staff and*  
22 *employees of the System through the use of direct deposit.*

23 2. *If the Board establishes an electronic payment system*  
24 *pursuant to subsection 1, upon application by a member of*  
25 *academic staff or an employee, the Board may waive the*  
26 *participation of the member of academic staff or employee in the*  
27 *electronic payment system established pursuant to subsection 1 if:*

28 (a) *Participation in the electronic payment system by the*  
29 *member of academic staff or employee would cause the member of*  
30 *academic staff or employee to suffer undue hardship or extreme*  
31 *inconvenience; or*

32 (b) *The member of academic staff or employee does not have*  
33 *an account at a financial institution that accepts direct deposit.*

34 3. *As used in this section "direct deposit" means payment of*  
35 *the salary and wages of a person by causing the net amount of*  
36 *such person's salary and wages to be deposited in an account*  
37 *maintained in a financial institution in the name of the person.*

38 **Sec. 38.** *The Board shall keep open to public inspection an*  
39 *account of receipts and expenditures.*

40 **Sec. 39.** 1. *A community college foundation:*

41 (a) *Shall comply with the provisions of chapter 241 of NRS;*

42 (b) *Except as otherwise provided in subsection 2, shall make*  
43 *its records public and open to inspection pursuant to*  
44 *NRS 239.010;*



1 (c) *Is exempt from the taxes imposed by NRS 375.020, 375.023*  
2 *and 375.026 pursuant to subsection 14 of NRS 375.090; and*

3 (d) *May allow a president or an administrator of the*  
4 *community college which it supports to serve as a member of its*  
5 *governing body.*

6 2. *A community college foundation is not required to disclose*  
7 *the name of any contributor or potential contributor to the*  
8 *community college foundation, the amount of his or her*  
9 *contribution or any information which may reveal or lead to the*  
10 *discovery of his or her identity. The community college foundation*  
11 *shall, upon request, allow a contributor to examine, during*  
12 *regular business hours, any record, document or other*  
13 *information of the community college foundation relating to that*  
14 *contributor.*

15 3. *As used in this section, "community college foundation"*  
16 *means a nonprofit corporation, association or institution or a*  
17 *charitable organization that is:*

18 (a) *Organized and operated primarily for the purpose of*  
19 *fundraising in support of a community college;*

20 (b) *Formed pursuant to the laws of this State; and*

21 (c) *Exempt from taxation pursuant to 26 U.S.C. § 501(c)(3).*

22 **Sec. 40.** 1. *The Board may accept and take in the name of*  
23 *the System, for the benefit of any community college or any*  
24 *branch or facility of the System, by grant, gift, devise or bequest,*  
25 *any property for any purpose appropriate to the System.*

26 2. *Property so acquired must be taken, received, held,*  
27 *managed and invested, and the proceeds thereof used, bestowed*  
28 *and applied by the Board for the purposes, provisions and*  
29 *conditions prescribed by the respective grant, gift, devise or*  
30 *bequest.*

31 3. *Nothing in this chapter prohibits the State of Nevada from*  
32 *accepting and taking by grant, gift, devise or bequest any property*  
33 *for the use and benefit of the System.*

34 **Sec. 41.** 1. *The Board may purchase real property for cash*  
35 *or by making a cash down payment and executing or assuming an*  
36 *obligation to pay the remainder of the price in deferred*  
37 *installments.*

38 2. *Such obligation may be secured by a mortgage or deed of*  
39 *trust of the real property acquired, but shall not constitute an*  
40 *obligation of the State of Nevada.*

41 **Sec. 42.** 1. *The Board may sell or lease any property*  
42 *granted, donated, devised or bequeathed to the System if:*

43 (a) *The sale or lease is not prohibited by or inconsistent with*  
44 *the provisions or conditions prescribed by the grant, gift, devise or*  
45 *bequest; and*



1 (b) *The sale or lease is approved by the Governor.*

2 2. *The proceeds and rents from the sale or lease must be held,*  
3 *managed, invested, used, bestowed and applied by the Board for*  
4 *the purposes, provisions and conditions prescribed by the original*  
5 *grant, gift, devise or bequest of the property so sold or leased.*

6 **Sec. 43.** 1. *If the System sells, leases, transfers or conveys*  
7 *land to, or exchanges land with, a domestic or foreign limited-*  
8 *liability company, the Board shall require the domestic or foreign*  
9 *limited-liability company to submit a disclosure to the Board*  
10 *setting forth the name of any person who holds an ownership*  
11 *interest of 1 percent or more in the domestic or foreign limited-*  
12 *liability company. The disclosure must be made available for*  
13 *public inspection upon request.*

14 2. *As used in this section, "land" includes all lands, including*  
15 *improvements and fixtures thereon, lands under water, all*  
16 *easements and hereditaments, corporeal or incorporeal, and every*  
17 *estate, interest and right, legal or equitable, in lands or water, and*  
18 *all rights, interests, privileges, easements, encumbrances and*  
19 *franchises relating to the same, including terms for years*  
20 *and liens by way of judgment, mortgage or otherwise.*

21 **Sec. 44.** *Any property which is in the possession of any*  
22 *authorized agent of the System and which is not claimed within 1*  
23 *year by the owner of the property or the owner's authorized agent*  
24 *or representative must be disposed of by the System in the*  
25 *following manner:*

26 1. *Money may be forfeited to the System;*

27 2. *Personal property may be sold at public auction and the*  
28 *proceeds forfeited to the System; and*

29 3. *Any property not otherwise disposed of as provided in this*  
30 *section must be donated to a charitable institution.*

31 **Sec. 45.** 1. *The Board may budget for and purchase fidelity*  
32 *insurance and insurance against:*

33 (a) *Any liability arising under NRS 41.031.*

34 (b) *Tort liability on the part of any of its employees resulting*  
35 *from an act or omission in the scope of his or her employment.*

36 (c) *The expense of defending a claim against itself whether or*  
37 *not liability exists on such claim.*

38 2. *Such insurance shall be limited in amount according to the*  
39 *limitation of liability imposed by NRS 41.035 and shall be*  
40 *purchased from companies authorized to do business in the State*  
41 *of Nevada.*

42 3. *Each contract of insurance shall be free of any condition*  
43 *of contingent liability and shall contain a clause which provides*  
44 *that no assessment may be levied against the insured over and*  
45 *above the premium fixed by such contract.*



1     **Sec. 46. 1.** *The Board may by affirmative vote of a majority*  
2 *of its members adopt, amend, repeal and enforce reasonable*  
3 *regulations governing vehicular and pedestrian traffic on all*  
4 *property owned or used by the System.*

5     2. *The regulations have the force and effect of law.*

6     3. *A copy of every such regulation, giving the date that it*  
7 *takes effect, must be filed with the Secretary of State, and copies of*  
8 *the regulations must be published immediately after adoption and*  
9 *issued in pamphlet form for distribution to faculty and students of*  
10 *the System and to the general public.*

11     4. *A person who violates any regulation adopted pursuant to*  
12 *this section is guilty of a misdemeanor.*

13     **Sec. 47. 1.** *The Board shall, for each fiscal year, compile a*  
14 *report concerning the capital improvements owned, leased or*  
15 *operated by the System.*

16     2. *The report of the capital improvements required pursuant*  
17 *to subsection 1 must be prepared in such detail as is required by*  
18 *generally accepted accounting principles.*

19     3. *The Board shall, on or before February 1 of each year,*  
20 *submit, in any format, including an electronic format, a copy of*  
21 *the report compiled pursuant to subsection 1 to the Director of the*  
22 *Legislative Counsel Bureau for distribution to each regular*  
23 *session of the Legislature.*

24     **Sec. 48.** *The Board shall cause perpetual inventory records*  
25 *and controls to be maintained for all equipment, materials and*  
26 *supplies stored or used by or belonging to the System. Copies of*  
27 *current inventory records and controls must be delivered to the*  
28 *Administrator of the Purchasing Division of the Department of*  
29 *Administration, and the copies must satisfy the requirements of*  
30 *NRS 333.220.*

31     **Sec. 49. 1.** *The Board shall ensure that each community*  
32 *college within the System:*

33     (a) *Maintains at the community college a material safety data*  
34 *sheet for each hazardous chemical used in the buildings or on the*  
35 *grounds of the community college;*

36     (b) *Complies with any safety precautions contained in those*  
37 *sheets; and*

38     (c) *Makes those sheets available to all the personnel of the*  
39 *community college and the parents of each student attending the*  
40 *community college.*

41     2. *For the purposes of this section, "material safety data*  
42 *sheet" has the meaning ascribed to "safety data sheet" in 29*  
43 *C.F.R. § 1910.1200.*

44     **Sec. 50. 1.** *Except as otherwise provided in this section, the*  
45 *System shall recycle or cause to be recycled the paper, paper*



1 *products, electronic waste and other recyclable materials it*  
2 *produces. This subsection does not apply to:*

3 (a) *Construction and demolition waste; or*

4 (b) *Confidential documents if there is an additional cost for*  
5 *recycling those documents.*

6 2. *Before recycling electronic waste, the System shall*  
7 *permanently remove any data stored on the electronic waste.*

8 3. *The System is not required to comply with the*  
9 *requirements of subsection 1 if the Board determines that the cost*  
10 *to recycle or cause to be recycled the paper, paper products,*  
11 *electronic waste or other recyclable materials produced by the*  
12 *System or one of its branches or facilities is unreasonable and*  
13 *would place an undue burden on the operations of the System,*  
14 *branch or facility.*

15 4. *Except as otherwise provided in this subsection, the Board*  
16 *shall consult with the State Department of Conservation and*  
17 *Natural Resources for the disposition of the paper, paper products,*  
18 *electronic waste and other recyclable materials to be recycled,*  
19 *including, without limitation, the placement of recycling*  
20 *containers on the premises of the System. This subsection does not*  
21 *apply to construction and demolition waste.*

22 5. *Any money received by the System for recycling or causing*  
23 *to be recycled the paper, paper products, electronic waste and*  
24 *other recyclable materials it produces must be:*

25 (a) *Accounted for separately; and*

26 (b) *Used to carry out the provisions of this section.*

27 6. *As used in this section:*

28 (a) *“Electronic waste has the meaning ascribed to it in*  
29 *NRS 444A.0115.*

30 (b) *“Paper” has the meaning ascribed to it in NRS 444A.0123.*

31 (c) *“Paper product” has the meaning ascribed to it in*  
32 *NRS 444A.0126.*

33 (d) *“Recyclable material” has the meaning ascribed to it in*  
34 *NRS 444A.013.*

35 **Sec. 51.** *The Board may prescribe the course of study, the*  
36 *commencement and duration of the terms, and the length of the*  
37 *vacations for the System.*

38 **Sec. 52.** 1. *Instruction within the System must be given in*  
39 *the essentials of the Constitution of the United States and the*  
40 *Constitution of the State of Nevada, including the origin and*  
41 *history of the Constitutions and the study of and devotion to*  
42 *American institutions and ideals.*

43 2. *The instruction required in subsection 1 must be given*  
44 *during at least 1 year of the college grades.*



1       3. *The System shall not issue a certificate or diploma of*  
2 *graduation to a student who has not passed a satisfactory*  
3 *examination upon the Constitutions.*

4       **Sec. 53. 1.** *The Legislature hereby encourages the Board*  
5 *to:*

6       (a) *Examine and audit the function, strengths and most*  
7 *efficient use of the facilities, resources and staff of each*  
8 *community college within the System to address the needs of the*  
9 *students of the System.*

10       (b) *Review periodically their mission for higher education, as*  
11 *the number of community colleges within the System expands and*  
12 *the focus of each such community college is defined and further*  
13 *redefined, to determine whether there is unnecessary duplication*  
14 *of programs or courses within the System which might be more*  
15 *appropriate for a different community college.*

16       (c) *Examine and audit the educational opportunities,*  
17 *programs and services offered by the community colleges within*  
18 *the System to ensure that those opportunities, programs and*  
19 *services are tailored appropriately to:*

20       (1) *The different categories of students and prospective*  
21 *students having varied aptitudes, aspirations and educational*  
22 *needs, including, without limitation, students who are veterans;*

23       (2) *The jobs and industries likely to be employing the*  
24 *students; and*

25       (3) *The state economic development plan.*

26       (d) *Insofar as is practicable to achieve the goals set forth in*  
27 *paragraphs (a), (b) and (c), implement measures pursuant to*  
28 *which the educational needs of students and prospective students*  
29 *will be met by:*

30       (1) *Providing programs of remedial education, continuing*  
31 *education and entry-level higher education at community colleges.*

32       (2) *Fostering a culture that recognizes the unique*  
33 *challenges of students who are veterans and works to*  
34 *accommodate the transition of those students to higher education*  
35 *by collecting, tracking and sharing data concerning those*  
36 *students.*

37       (e) *On or before September 1 of each year, provide a report of*  
38 *its findings and any adjustments made and actions taken as a*  
39 *result of those findings to the Director of the Legislative Counsel*  
40 *Bureau for transmission to the Interim Finance Committee and*  
41 *the next regular session of the Nevada Legislature.*

42       2. *The System is encouraged to review the core curriculum at*  
43 *each community college within the System to determine whether*  
44 *there is parity among the community colleges within the System.*



1       **Sec. 54. 1.** *The Board shall, not later than November 30 of*  
2 *each year, prepare and submit to the Director of the Legislative*  
3 *Counsel Bureau for submission to the Legislature or to the*  
4 *Legislative Committee on Education when the Legislature is not in*  
5 *regular session, a report concerning the participation of students*  
6 *who are veterans in the System. The report must cover the*  
7 *immediately preceding academic year.*

8       2. *The report must include, without limitation:*

9       (a) *The number of students who:*

10       (1) *Identify themselves as veterans.*

11       (2) *Are receiving payments or benefits from the United*  
12 *States Department of Veterans Affairs.*

13       (b) *The number of students who are veterans divided by*  
14 *gender.*

15       (c) *The rate of retention and average age of the students who*  
16 *are veterans.*

17       (d) *The most common areas of study among the students who*  
18 *are veterans.*

19       (e) *Any information necessary to determine the impact of*  
20 *policy changes on the number of students who are veterans who*  
21 *are enrolled in the System.*

22       (f) *The number of students who are veterans who graduated*  
23 *during the immediately preceding academic year.*

24       (g) *The efforts of each community college within the System to*  
25 *retain and graduate students who are veterans through retention*  
26 *and other related programs.*

27       **Sec. 55. 1.** *The Board may plan for and establish a model*  
28 *program to educate and train persons for work in a nursing home.*

29       2. *The program must be developed and administered through*  
30 *the community colleges and in cooperation with the University of*  
31 *Nevada School of Medicine.*

32       3. *The Board may carry out the program through a joint*  
33 *venture with one or more nursing homes, but the Board must have*  
34 *final authority to direct and supervise the program.*

35       4. *The Board may apply for any available grants and accept*  
36 *any gifts, grants or donations for the support of the program.*

37       **Sec. 56.** *The Board shall not discriminate in the admission of*  
38 *students on account of national origin, religion, age, physical*  
39 *disability, sex, sexual orientation, gender identity or expression,*  
40 *race or color.*

41       **Sec. 57.** *The Board shall, on or before February 1 of each*  
42 *odd-numbered year submit a written report to the Director of the*  
43 *Legislative Counsel Bureau for transmittal to the next regular*  
44 *session of the Legislature which includes:*



1 *1. By community college within the System and by each*  
2 *academic program at the community college:*

3 *(a) The number of students who enter the academic program;*

4 *(b) The percentage of students who complete the academic*  
5 *program; and*

6 *(c) The average length of time for completion of the academic*  
7 *program to obtain a degree or certificate.*

8 *2. A comparison of the data which is reported pursuant to*  
9 *subsection 1 with available national metrics measuring how states*  
10 *throughout the country rank in the completion of academic*  
11 *programs leading to a degree or certificate and the average time*  
12 *for completion of those programs.*

13 *3. Initiatives undertaken by the Board to increase the rate of*  
14 *students who complete degree and certificate programs, including*  
15 *initiatives to shorten the time to complete those programs.*

16 *4. The number and percentage of students who have obtained*  
17 *employment within their field of study in this State, and the*  
18 *average starting salary, which must be reported by community*  
19 *college within the System and by each academic program at the*  
20 *community college. The data must be:*

21 *(a) Matched with industries identified in state economic*  
22 *development goals to determine whether students who graduated*  
23 *and obtained a degree or certificate are finding employment in*  
24 *those industries in this State; and*

25 *(b) Based upon the employment and wage information*  
26 *provided by the Director of the Department of Employment,*  
27 *Training and Rehabilitation pursuant to NRS 232.920.*

28 *5. Initiatives undertaken by the Board to align the degree and*  
29 *certificate programs offered by the community colleges within the*  
30 *System with the economic development goals identified by the*  
31 *Office of Economic Development.*

32 **Sec. 58.** *1. The Board shall, not later than February 1 of*  
33 *each odd-numbered year, prepare and submit to the Director of*  
34 *the Legislative Counsel Bureau for submission to the Legislature,*  
35 *a report concerning the participation of ethnic and racial*  
36 *minorities, women and other members of protected classes in the*  
37 *System. The report must cover each of the immediately preceding*  
38 *2 academic years.*

39 *2. The Board shall make the report submitted pursuant to*  
40 *subsection 1 available to the general public, including publishing*  
41 *it on the website maintained by the System.*

42 *3. The report must include, without limitation:*

43 *(a) The number of students divided by ethnic category;*



1 (b) *The number of employees divided by ethnic category and*  
2 *occupational classification, as defined by the National Center for*  
3 *Education Statistics;*

4 (c) *The number of students divided by gender;*

5 (d) *The number of employees divided by gender and*  
6 *occupational classification, as defined by the National Center for*  
7 *Education Statistics;*

8 (e) *Any information necessary to determine the impact of*  
9 *policy changes on the number of protected classes specified in*  
10 *subsection 1 who are enrolled at or employed by the System;*

11 (f) *The efforts of each community college within the System to*  
12 *increase the enrollment in underrepresented ethnic and racial*  
13 *categories through outreach programs and recruitment to*  
14 *maintain levels of minority enrollment comparable to the*  
15 *distribution of the population of the State; and*

16 (g) *The efforts of each community college within the System to*  
17 *retain and graduate students in underrepresented ethnic and*  
18 *racial categories through retention and other related programs.*

19 **Sec. 59.** *A student who is enrolled in a community college*  
20 *within the System must be granted access to all the library*  
21 *facilities that are available to students enrolled in any of the*  
22 *community colleges within the System and must be adequately*  
23 *informed of the library services that are available.*

24 **Sec. 60.** *1. The Board shall prescribe a form that provides*  
25 *for the informed consent of students concerning the directory*  
26 *information that a community college or community college*  
27 *foundation, as applicable, makes public. The form must:*

28 (a) *Allow each student a reasonable opportunity to indicate*  
29 *whether the student opts not to authorize the release or disclosure*  
30 *of personally identifiable information concerning the student for:*

31 (1) *Commercial purposes, without the prior written consent*  
32 *of the student;*

33 (2) *Noncommercial purposes, without the prior written*  
34 *consent of the student; or*

35 (3) *Both commercial and noncommercial purposes, without*  
36 *the prior written consent of the student.*

37 (b) *Inform the student that:*

38 (1) *If the student does not return the form indicating that*  
39 *his or her personally identifiable information must not be released*  
40 *or disclosed, then it is probable that the information will be*  
41 *released or disclosed.*

42 (2) *If the student returns the form indicating that his or her*  
43 *personally identifiable information must not be released or*  
44 *disclosed, then the community college or community college*



1 *foundation, as applicable, will not release or disclose the*  
2 *information without the student's prior written consent.*

3 (c) *Be included with the other forms required for admission to*  
4 *the community college.*

5 2. *Except as otherwise required by federal law, a community*  
6 *college or community college foundation, as applicable, shall not*  
7 *release, disclose or otherwise use any personally identifiable*  
8 *information concerning a student without the prior written*  
9 *consent of the student for:*

10 (a) *Commercial or noncommercial purposes if the student has*  
11 *returned a form indicating that the student does not authorize*  
12 *release or disclosure for those purposes without his or her*  
13 *consent;*

14 (b) *Commercial purposes if the student has returned a form*  
15 *indicating that the student does not authorize release or disclosure*  
16 *for those purposes without his or her consent; or*

17 (c) *Noncommercial purposes if the student has returned a*  
18 *form indicating that the student does not authorize release or*  
19 *disclosure for those purposes.*

20 3. *As used in this section:*

21 (a) *"Commercial purposes" means the use of directory*  
22 *information by any person, including, without limitation, a*  
23 *corporation or other business, outside of the System to solicit or*  
24 *provide facilities, goods or services in exchange for the payment of*  
25 *any purchase price, fee, contribution, donation or other valuable*  
26 *consideration.*

27 (b) *"Community college foundation" has the meaning*  
28 *ascribed to it in section 39 of this act.*

29 (c) *"Directory information" has the meaning ascribed to it in*  
30 *20 U.S.C. § 1232g(a)(5)(A).*

31 (d) *"Personally identifiable information" means information*  
32 *that may be used to identify a person, including, without*  
33 *limitation, the name, address, telephone number, date of birth and*  
34 *directory information of a person.*

35 **Sec. 61. 1. For the purposes of this section:**

36 (a) *"Bona fide resident" shall be construed in accordance with*  
37 *the provisions of NRS 10.155 and policies established by the*  
38 *Board, to the extent that those policies do not conflict with any*  
39 *statute. The qualification "bona fide" is intended to ensure that*  
40 *the residence is genuine and established for purposes other than*  
41 *the avoidance of tuition.*

42 (b) *"Matriculation" has the meaning ascribed to it in*  
43 *regulations adopted by the Board.*

44 (c) *"Tuition charge" means a charge assessed against students*  
45 *who are not residents of Nevada and which is in addition to*



1 registration fees or other fees assessed against students who are  
2 residents of Nevada.

3 2. The Board may fix a tuition charge for students at all  
4 community colleges within the System, but tuition charges must  
5 not be assessed against:

6 (a) All students whose families have been bona fide residents  
7 of the State of Nevada for at least 12 months before the  
8 matriculation of the student at a community college within the  
9 System;

10 (b) All students whose families reside outside of the State of  
11 Nevada, providing such students have themselves been bona fide  
12 residents of the State of Nevada for at least 12 months before their  
13 matriculation at a community college within the System;

14 (c) All students whose parent, legal guardian or spouse is a  
15 member of the Armed Forces of the United States who:

16 (1) Is on active duty and stationed at a military installation  
17 in the State of Nevada or a military installation in another state  
18 which has a specific nexus to this State, including, without  
19 limitation, the Marine Corps Mountain Warfare Training Center  
20 located at Pickel Meadow, California; or

21 (2) Was on active duty and stationed at a military  
22 installation in the State of Nevada or a military installation in  
23 another state which has a specific nexus to this State, including,  
24 without limitation, the Marine Corps Mountain Warfare Training  
25 Center located at Pickel Meadow, California, on the date on which  
26 the student enrolled at an institution of the System if such students  
27 maintain continuous enrollment at an institution of the System;

28 (d) All students who are using benefits under the Marine  
29 Gunnery Sergeant John David Fry Scholarship pursuant to 38  
30 U.S.C. § 3311(b)(8);

31 (e) All public school teachers who are employed full-time by  
32 school districts in the State of Nevada;

33 (f) All full-time teachers in private elementary, secondary and  
34 postsecondary educational institutions in the State of Nevada  
35 whose curricula meet the requirements of chapter 394 of NRS;

36 (g) Employees of the System who take classes other than  
37 during their regular working hours;

38 (h) Members of the Armed Forces of the United States who are  
39 on active duty and stationed at a military installation in the State  
40 of Nevada or a military installation in another state which has a  
41 specific nexus to this State, including, without limitation, the  
42 Marine Corps Mountain Warfare Training Center located at  
43 Pickel Meadow, California;

44 (i) Veterans of the Armed Forces of the United States who  
45 were honorably discharged and who were on active duty while



1 *stationed at a military installation in the State of Nevada or a*  
2 *military installation in another state which has a specific nexus to*  
3 *this State, including, without limitation, the Marine Corps*  
4 *Mountain Warfare Training Center located at Pickel Meadow,*  
5 *California, on the date of discharge;*

6 *(j) Except as otherwise provided in subsection 3, veterans of*  
7 *the Armed Forces of the United States who were honorably*  
8 *discharged within the 5 years immediately preceding the date of*  
9 *matriculation of the veteran at a community college within the*  
10 *System; and*

11 *(k) Veterans of the Armed Forces of the United States who*  
12 *have been awarded the Purple Heart.*

13 *3. The Board may grant more favorable exemptions from*  
14 *tuition charges for veterans of the Armed Forces of the United*  
15 *States who were honorably discharged than the exemption*  
16 *provided pursuant to paragraph (j) of subsection 2, if required for*  
17 *the receipt of federal money.*

18 *4. The Board may grant exemptions from tuition charges*  
19 *each semester to other worthwhile and deserving students from*  
20 *other states and foreign countries, in a number not to exceed a*  
21 *number equal to 3 percent of the total matriculated enrollment of*  
22 *students for the last preceding fall semester.*

23 **Sec. 62.** *1. In fixing a tuition charge for students at any*  
24 *community college within the System as provided by section 61 of*  
25 *this act and in setting the amount of registration fees and other*  
26 *fees which are assessed against students, the Board may provide*  
27 *for the adjustment of the amount of the tuition charge or*  
28 *registration fee or other fee based on the demand for or the costs*  
29 *of carrying out the academic program or major for which the*  
30 *tuition charge, registration fee or other fee is assessed, including,*  
31 *without limitation, the costs of professional instruction, laboratory*  
32 *resources and other ancillary support.*

33 *2. If the Board provides for the adjustment of tuition charges,*  
34 *registration fees or other fees in the manner authorized by*  
35 *subsection 1, the Board shall establish a program to authorize*  
36 *scholarships and reduced fees for students who are economically*  
37 *disadvantaged and who are enrolled in academic programs or*  
38 *majors for which the adjustment of tuition charges, registration*  
39 *fees or other fees in the manner authorized by subsection 1 results*  
40 *in an increase in the costs of enrollment in such programs or*  
41 *majors.*

42 *3. If the Board provides for the adjustment of tuition charges,*  
43 *registration fees or other fees in the manner authorized by*  
44 *subsection 1, the Board shall, on or before February 1 of each*  
45 *year, submit a written report to the Director of the Legislative*



1 *Counsel Bureau for transmittal to the Legislature, or to the*  
2 *Legislative Commission if the Legislature is not in session, which*  
3 *must, without limitation:*

4 (a) *Identify the demand for each academic program and*  
5 *major;*

6 (b) *Identify the costs of providing each academic program and*  
7 *major; and*

8 (c) *Include a schedule of all tuition charges, registration fees*  
9 *and other fees assessed for each academic program and major.*

10 4. *As used in this section, "tuition charge" has the meaning*  
11 *ascribed to it in section 61 of this act.*

12 **Sec. 63.** 1. *The Board may enter into an agreement with*  
13 *another state for the granting of full or partial waivers of the*  
14 *nonresident tuition to residents of the other state who are students*  
15 *at or are eligible for admission to any community college of the*  
16 *System if the agreement provides that, under substantially the*  
17 *same circumstances, the other state will grant reciprocal waivers*  
18 *to residents of Nevada who are students at or are eligible for*  
19 *admission to colleges in the other state.*

20 2. *Each agreement must specify:*

21 (a) *The criteria for granting the waivers; and*

22 (b) *The specific community colleges for which the waivers will*  
23 *be granted.*

24 3. *The Board shall provide by regulation for the*  
25 *administration of any waivers for which an agreement is entered*  
26 *into pursuant to subsection 1.*

27 4. *The waivers granted pursuant to this section must not be*  
28 *included in the number of waivers determined for the purpose of*  
29 *applying the limitation in subsection 4 of section 43 of this act.*

30 **Sec. 64.** 1. *The Board may grant a waiver of registration*  
31 *fees and laboratory fees for any member of the active Nevada*  
32 *National Guard, including, without limitation, a recruit, who*  
33 *attends a school within the System as a full-time or part-time*  
34 *student. For the purpose of assessing fees and charges against a*  
35 *person to whom a waiver is granted pursuant to this subsection,*  
36 *including, without limitation, tuition charges pursuant to section*  
37 *61 of this act, such a person shall be deemed to be a bona fide*  
38 *resident of this State.*

39 2. *To be eligible for a waiver pursuant to subsection 1, a*  
40 *person must:*

41 (a) *Be a member in good standing of the active Nevada*  
42 *National Guard, including, without limitation, a recruit, at the*  
43 *beginning of and throughout the entire semester for which the*  
44 *waiver is granted; and*



1 (b) *Maintain at least a 2.0 grade point average, on a 4.0*  
2 *grading scale, each semester, or the equivalent of a 2.0 grade point*  
3 *average if a different grading scale is used.*

4 3. *The Board may request the Adjutant General to verify the*  
5 *membership in the active Nevada National Guard of a person who*  
6 *is seeking or has been granted a waiver of registration fees and*  
7 *laboratory fees pursuant to subsection 1. The Adjutant General*  
8 *shall, upon receiving such a request, notify the Board in writing*  
9 *concerning the status and dates of membership of that person in*  
10 *the active Nevada National Guard.*

11 4. *If a waiver is granted pursuant to subsection 1 for a recruit*  
12 *and the recruit does not enter full-time National Guard duty*  
13 *within 1 year after enlisting, the recruit shall reimburse the Board*  
14 *for all registration fees and laboratory fees waived on behalf of the*  
15 *recruit if the recruit's failure to enter full-time National Guard*  
16 *duty is attributable to his or her own conduct.*

17 5. *As used in this section:*

18 (a) *"Full-time National Guard duty" has the meaning ascribed*  
19 *to it in 32 U.S.C. § 101(19).*

20 (b) *"Recruit" means a person who has enlisted in the Nevada*  
21 *National Guard but has not begun his or her required military*  
22 *duty.*

23 **Sec. 65. 1.** *The Board may grant a waiver of registration*  
24 *fees and laboratory fees for a child or the surviving spouse of a*  
25 *person who was killed while performing his or her duties as a*  
26 *member of the Nevada National Guard. For the purpose of*  
27 *assessing fees and charges against a person to whom such a*  
28 *waiver is granted, including, without limitation, tuition charges*  
29 *pursuant to section 61 of this act, the person shall be deemed to be*  
30 *a bona fide resident of this State.*

31 2. *A person is eligible for a waiver pursuant to subsection 1 if*  
32 *the person maintains at least a 2.0 grade point average, on a 4.0*  
33 *grading scale, each semester or the equivalent of a 2.0 grade point*  
34 *average if a different scale is used.*

35 3. *A child may use a waiver granted pursuant to this section*  
36 *for 10 years after the child attains the age of 18 years or, if the*  
37 *child enrolls in the System before the age of 18 years, for 10 years*  
38 *after the date of such enrollment. A surviving spouse may use a*  
39 *waiver granted pursuant to this section for 10 years after the date*  
40 *of the death of the member.*

41 4. *The Board may request the Adjutant General to verify that*  
42 *a person is the child or surviving spouse of a person who was*  
43 *killed while performing his or her duties as a member of the*  
44 *Nevada National Guard. The Adjutant General shall, upon*



1 *receiving such a request, notify the Board in writing concerning*  
2 *the status of that person.*

3 **Sec. 66. 1.** *The Board shall grant a waiver of the payment*  
4 *of registration fees, laboratory fees and any other mandatory fees*  
5 *assessed each semester against a student who is a veteran of the*  
6 *Armed Forces of the United States who has been awarded the*  
7 *Purple Heart.*

8 2. *The amount of the waiver must be equal to:*

9 (a) *If the student is entitled to receive any federal educational*  
10 *benefits for a semester, the balance of registration fees, laboratory*  
11 *fees and any other mandatory fees assessed against the student*  
12 *that remain unpaid after the student's account has been credited*  
13 *with the full amount of the federal educational benefits to which*  
14 *the student is entitled for that semester; or*

15 (b) *If the student is not entitled to receive any federal*  
16 *educational benefits for a semester, the full amount of the*  
17 *registration fees, laboratory fees and any other mandatory fees*  
18 *assessed against the student for that semester.*

19 3. *The waiver must be granted to a student who enrolls in any*  
20 *program offered by a school within the System.*

21 4. *For the purpose of assessing fees and charges against a*  
22 *student to whom a waiver is granted pursuant to this section,*  
23 *including, without limitation, tuition charges pursuant to section*  
24 *61 of this act, such a student shall be deemed to be a bona fide*  
25 *resident of this State.*

26 5. *The Board may grant more favorable waivers of*  
27 *registration fees, laboratory fees and any other mandatory fees for*  
28 *veterans of the Armed Forces of the United States who have been*  
29 *awarded the Purple Heart than the waiver provided pursuant to*  
30 *this section if required for the receipt of federal money.*

31 **Sec. 67. 1.** *The Board may grant a waiver of registration*  
32 *fees and laboratory fees for a spouse or child of a person who is*  
33 *identified as a prisoner of war or missing in action while*  
34 *performing his or her duties as a member of the Armed Forces of*  
35 *the United States. For the purpose of assessing fees and charges*  
36 *against a person to whom such a waiver is granted, including,*  
37 *without limitation, tuition charges pursuant to section 61 of this*  
38 *act, the person shall be deemed to be a bona fide resident of this*  
39 *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 spouse may use a waiver granted pursuant to this section*  
45 *for 10 years after the date on which the member of the Armed*



1 *Forces was identified as a prisoner of war or missing in action. A*  
2 *child may use a waiver granted pursuant to this section for 10*  
3 *years after the child attains the age of 18 years or, if the child*  
4 *enrolls in the System before the age of 18 years, for 10 years after*  
5 *the date of such enrollment.*

6 *4. The Board may request such documentation as it deems*  
7 *necessary to verify that a person is the spouse or child of a*  
8 *member of the Armed Forces of the United States who is identified*  
9 *as a prisoner of war or missing in action while performing his or*  
10 *her duties as a member of the Armed Forces.*

11 **Sec. 68. 1.** *The Board may grant a waiver of not less than*  
12 *half of the total registration fees and other fees for a veteran who*  
13 *is a bona fide resident of this State if:*

14 *(a) The veteran has completed a bachelor's degree and is*  
15 *enrolled in or plans to enroll in a graduate degree program within*  
16 *the fields of science, technology, engineering, arts, mathematics or*  
17 *health science designated as a critical need occupation by the*  
18 *Department of Employment, Training and Rehabilitation*  
19 *pursuant to NRS 232.932; and*

20 *(b) The veteran or a third party will pay the remainder of the*  
21 *registration fees and other fees of the graduate degree program.*

22 *↳ For the purpose of this subsection, a scholarship or a waiver of*  
23 *registration fees or other fees received by the veteran for any*  
24 *reason other than this subsection is deemed to be a payment by a*  
25 *third party.*

26 *2. A veteran is eligible for a waiver pursuant to subsection 1*  
27 *if the veteran maintains at least a 2.75 grade point average, on a*  
28 *4.0 grading scale, each semester or the equivalent of a 2.75 grade*  
29 *point average if a different scale is used.*

30 *3. As used in this section, "veteran" has the meaning*  
31 *ascribed to it in NRS 417.005.*

32 **Sec. 69. 1.** *The Board may determine whether grants are*  
33 *available to assist the Nevada System of Community Colleges in*  
34 *defraying the costs of granting the waiver of registration fees and*  
35 *other fees to a veteran pursuant to section 68 of this act and apply*  
36 *for and accept any such grant.*

37 *2. The Board may accept gifts, grants, bequests and*  
38 *donations to fund waivers of registration fees and other fees*  
39 *granted to veterans pursuant to section 68 of this act.*

40 **Sec. 70. 1.** *The Board may grant a waiver of registration*  
41 *fees and laboratory fees for a person who is identified as a*  
42 *homeless or unaccompanied pupil. For the purpose of assessing*  
43 *fees and charges against a person to whom such a waiver is*  
44 *granted, including, without limitation, tuition charges pursuant to*



1 *section 61 of this act, the person shall be deemed to be a bona fide*  
2 *resident of this State.*

3 *2. A person is eligible for a waiver pursuant to subsection 1 if*  
4 *the person maintains at least a 2.0 grade point average, on a 4.0*  
5 *grading scale, each semester or the equivalent of a 2.0 grade point*  
6 *average if a different scale is used.*

7 *3. A person may use a waiver granted pursuant to subsection*  
8 *1 for 10 years after the person attains the age of 18 years or, if the*  
9 *person enrolls in the System before the age of 18 years, for 10*  
10 *years after the date of such enrollment.*

11 *4. The Board may request documentation from a person*  
12 *requesting a waiver pursuant to subsection 1 as it deems necessary*  
13 *to verify that such a person was a homeless or unaccompanied*  
14 *pupil.*

15 *5. As used in this section:*

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

18 *(b) "Unaccompanied pupil" has the meaning ascribed to the*  
19 *term "unaccompanied youth" in 42 U.S.C. § 11434a(6).*

20 **Sec. 71. 1.** *The Board or its designee shall, in consultation*  
21 *with the State approving agency designated pursuant to 38 U.S.C.*  
22 *§ 3671 and the American Council on Education, establish*  
23 *statewide standards for awarding credit for military education,*  
24 *training or occupational experience. Such standards must include,*  
25 *without limitation, the:*

26 *(a) Identification of any military education, training or*  
27 *occupational experience listed on a Joint Services Transcript or*  
28 *an Air University or Community College of the Air Force*  
29 *transcript for which credit must be awarded;*

30 *(b) Amount of credit that will be awarded for the completion of*  
31 *such education, training or occupational experience; and*

32 *(c) Specific academic program in a community college to*  
33 *which such credit is applicable.*

34 **2.** *Credit earned by a student for military education, training*  
35 *or occupational experience must be applicable toward the course*  
36 *work required of the student for the award of an associate's*  
37 *degree, baccalaureate degree or certificate at any community*  
38 *college.*

39 **Sec. 72. 1.** *In the most timely manner practicable after*  
40 *receiving a written request for an electronic version of*  
41 *instructional material from a student with a print access disability,*  
42 *a community college shall provide to the student, at no cost, an*  
43 *electronic version of each requested instructional material that the*  
44 *community college determines is essential to the success of the*



1 *student in a course of study offered by the community college in*  
2 *which the student is enrolled.*

3 2. *If a community college receives a request for an electronic*  
4 *version of nonprinted instructional material from a student*  
5 *pursuant to subsection 1 to whom the community college would be*  
6 *required to provide an electronic version of the material pursuant*  
7 *to subsection 1 and an electronic version of the nonprinted*  
8 *instructional material is not currently available at the community*  
9 *college or at another community college within the System, the*  
10 *community college must contact the publisher of the nonprinted*  
11 *instructional material and request an electronic version of the*  
12 *nonprinted instructional material. If the publisher:*

13 (a) *Has an electronic version of the nonprinted instructional*  
14 *material, the publisher must provide the electronic version to the*  
15 *community college for distribution to the student; or*

16 (b) *Does not have an electronic version of the nonprinted*  
17 *instructional material, the community college must create and*  
18 *provide to the student an electronic version in the most timely*  
19 *manner practicable after the community college is notified by the*  
20 *publisher that the publisher does not have an electronic version of*  
21 *the nonprinted instructional material.*

22 3. *As used in this section:*

23 (a) *“Instructional material” means any published textbook*  
24 *and other published material that is used by students of the*  
25 *System. The term does not include nontextual mathematics and*  
26 *science materials unless, as determined by the Board, such*  
27 *materials are commercially available in a format that is*  
28 *compatible for use with equipment which is used by students of the*  
29 *System with print access disabilities to convert material into a*  
30 *format that provides them with the ability to have increased*  
31 *independent access to the material. The term includes, without*  
32 *limitation, nonprinted instructional material.*

33 (b) *“Nonprinted instructional material” means instructional*  
34 *material that is in a format other than print. The term does not*  
35 *include a website or Internet link that is associated with*  
36 *instructional material. The term includes, without limitation,*  
37 *instructional material that requires electronic equipment other*  
38 *than a computer or computer peripheral for the material to be*  
39 *used as a learning resource, such as a software program,*  
40 *videodisc, videotape and audiotape.*

41 (c) *“Print access disability” means a condition in which a*  
42 *person’s independent reading of, reading comprehension of, or*  
43 *visual access to printed material is limited or reduced because of a*  
44 *sensory, neurological, cognitive, physical or psychiatric disability.*



1       **Sec. 73.** *The Board shall require each board of trustees of a*  
2 *community college within the System to provide to the board of*  
3 *trustees of each school district of this State, as appropriate,*  
4 *information regarding the:*

5       1. *Number of pupils who graduated from a high school in the*  
6 *district in the immediately preceding year and enrolled in remedial*  
7 *courses in reading, writing or mathematics at the community*  
8 *college.*

9       2. *Costs incurred by the System in providing remedial*  
10 *instruction pursuant to subsection 1.*

11       **Sec. 74.** 1. *There is hereby created a board of trustees for*  
12 *each community college within the System. The Governor shall*  
13 *appoint to each board of trustees the following seven members:*

14       (a) *One member, nominated by the mayor of the largest city in*  
15 *the county in which the community college or the principal*  
16 *campus of the community college is located;*

17       (b) *Three members, nominated by the board of county*  
18 *commissioners of the county in which the community college or*  
19 *the principal campus of the community college is located;*

20       (c) *One member, nominated by the largest labor organization*  
21 *that represents the employees of a private employer in the county*  
22 *in which the community college or the principal campus of the*  
23 *community college is located;*

24       (d) *One member, nominated by the chamber of commerce with*  
25 *the largest membership in the county in which the community*  
26 *college or the principal campus of the community college is*  
27 *located or, if there is no local chamber of commerce in the county,*  
28 *by the largest business group in the county; and*

29       (e) *One member who represents the Governor. If students who*  
30 *reside in different counties are enrolled in the community college,*  
31 *the Governor shall, upon the expiration of the term of a member*  
32 *appointed pursuant to this paragraph, appoint a new member who*  
33 *resides in a different county than the member whom he or she is*  
34 *replacing. The Governor shall not appoint another member who*  
35 *resides in the same county as the member who is being replaced*  
36 *until the seat has been filled by a member who resides in each*  
37 *county where students who are enrolled in the community college*  
38 *also reside.*

39       2. *The members appointed to the board of trustees pursuant*  
40 *to subsection 1 must not be employed by the community college*  
41 *and may not be a member of the board of trustees of a school*  
42 *district or a member of the governing board of any public or*  
43 *private educational institution.*

44       3. *The Governor shall ensure that the members appointed to*  
45 *a board of trustees pursuant to subsection 1 represent the diversity*



1 of this State. The members appointed pursuant to subsection 1  
2 must include representatives of different strategically important  
3 industries, different geographic regions of this State, different  
4 professions, and different racial and ethnic groups.

5 4. After the initial terms, each member of a board of trustees  
6 appointed pursuant to subsection 1 serves a term of 4 years, except  
7 that each member continues to serve until a successor is  
8 appointed. A member of a board of trustees appointed pursuant to  
9 subsection 1 may be reappointed.

10 5. In addition to the members appointed by the Governor  
11 pursuant to subsection 1, upon a majority vote of the members of a  
12 board of trustees, the Governor may appoint a nonvoting student  
13 member to the board of trustees from a list submitted by the  
14 student government at the community college of at least three but  
15 not more than five candidates who meet the requirements specified  
16 in subsection 6. A student member of a board of trustees serves a  
17 term of 1 year. A student member may be reappointed.

18 6. A nonvoting student member appointed pursuant to  
19 subsection 5 must be a full-time student in good standing at the  
20 community college at the time of appointment and remain in good  
21 standing. The Governor shall remove a student member before the  
22 expiration of the student's term if the student fails to be enrolled at  
23 the community college full-time or fails to remain in good  
24 standing at the community college.

25 7. A member of a board of trustees may be removed by the  
26 Governor before the expiration of the member's term for  
27 misconduct in office, incompetence or neglect of duty.

28 8. If a vacancy occurs during the term of any member of a  
29 board of trustees, the Governor shall appoint a person to fill the  
30 vacancy for the remainder of the unexpired term in the same  
31 manner as the original appointment.

32 9. A majority of the voting members of a board of trustees  
33 constitutes a quorum for the transaction of business. A majority  
34 vote of the quorum present shall be required to take action with  
35 respect to any matter.

36 10. Each board of trustees shall adopt a seal.

37 11. Each board of trustees shall elect annually, from among  
38 its members, a chair.

39 12. The president of the community college or his or her  
40 designee shall attend all meetings of the board of trustees of the  
41 community college and act as secretary, keeping a full record of  
42 all proceedings of the board of trustees.

43 13. Each board of trustees shall meet at the call of the chair.  
44 At all times the records of all proceedings of the board of trustees  
45 are open to public inspection, except records of a closed meeting



1 *which have not become public. The secretary shall transmit to the*  
2 *Executive Director a copy of the approved minutes of each regular*  
3 *meeting of the board of trustees.*

4 *14. Each board of trustees shall adopt bylaws and rules for*  
5 *the conduct of its business, and shall have the power to amend and*  
6 *rescind these bylaws and rules.*

7 *15. A board of trustees may adopt such regulations as it*  
8 *deems necessary for the operation and management of the*  
9 *community college and any dormitories or facilities connected*  
10 *with the community college. Such regulations must be consistent*  
11 *with any rules, regulations, policies or procedures adopted by the*  
12 *Board.*

13 **Sec. 75. 1.** *The board of trustees of a community college*  
14 *shall operate and manage the community college.*

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

18 *(a) Annually prepare and submit to the Board a budget for the*  
19 *community college.*

20 *(b) Annually prepare and submit to the Board, for its approval,*  
21 *a comprehensive plan for the community college for the next 4*  
22 *years which includes, without limitation:*

23 *(1) An explanation of any anticipated new programs and*  
24 *expansions of existing programs of instruction, public service or*  
25 *research, itemized by year and by purpose;*

26 *(2) The anticipated cost of each new or expanded program*  
27 *described under subparagraph (1);*

28 *(3) The amount and the source of any money anticipated to*  
29 *be available, from sources other than legislative appropriation, to*  
30 *meet each item of anticipated cost listed pursuant to subparagraph*  
31 *(2); and*

32 *(4) Any other information or reports required by the Board.*

33 *(c) Comply with and enforce any rules prescribed by the Board*  
34 *for the governance of a community college.*

35 *(d) Perform any other duties and responsibilities required by*  
36 *the Board.*

37 *3. The members of the board of trustees are the sole trustees*  
38 *to receive and disburse all money appropriated to or received by*  
39 *the community college. The board of trustees shall control the*  
40 *expenditures of all money appropriated for the support and*  
41 *maintenance of the community college and all money received*  
42 *from any other source.*

43 **Sec. 76. 1.** *The board of trustees of a community college*  
44 *shall employ and fix the salary of:*

45 *(a) A president for the community college; and*



1       ***(b) Any administrative officers and other employees deemed by***  
2 ***the board of trustees to be necessary or appropriate for the***  
3 ***governance, operation and management of the community college***  
4 ***and any dormitories or facilities connected with operation of the***  
5 ***community college.***

6       ***2. The board of trustees may, consistent with any rules,***  
7 ***regulations, policies or procedures adopted by the Board:***

8       ***(a) Establish or lease, operate, equip and maintain***  
9 ***dormitories, facilities for food services, facilities for the sale or***  
10 ***lease of books and other facilities connected with the operation of***  
11 ***the community college.***

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

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

17       ***(d) Adopt any rules deemed necessary or advisable by the***  
18 ***board of trustees for the governance, management and operation***  
19 ***of dormitories and other facilities connected with the operation of***  
20 ***the community college.***

21       ***(e) Prescribe the course of study for the community college***  
22 ***and publish a catalog of any courses offered at the community***  
23 ***college.***

24       ***(f) Delegate to the president of the community college any of***  
25 ***the powers and duties of the board of trustees.***

26       ***3. In addition to any money appropriated by the Legislature,***  
27 ***the board of trustees may apply for and accept any gift, donation,***  
28 ***bequest, grant or other source of money to carry out its duties and***  
29 ***responsibilities.***

30       ***Sec. 77. 1. The student body of each community college***  
31 ***within the System may establish a student government. The***  
32 ***student government shall adopt a set of bylaws which are subject***  
33 ***to the approval of:***

34       ***(a) A majority of the students who vote in an election held for***  
35 ***that purpose; and***

36       ***(b) The board of trustees of the community college.***

37       ***2. Such a student government to the extent of its authority set***  
38 ***forth in the bylaws is self-governing and independent of the***  
39 ***administration of the System, financially and otherwise.***

40       ***3. The board of trustees shall collect a fee from each***  
41 ***undergraduate student at the community college for the support of***  
42 ***the student government of that community college upon:***

43       ***(a) Receipt of a request by the student government for the***  
44 ***imposition of such a fee; and***



1 (b) Approval by the board of trustees of the amount of the fee  
2 so requested.

3 **Sec. 78.** The Board shall adopt a written policy for the  
4 community colleges within the System for student publications  
5 which:

6 1. Establishes reasonable provisions governing the time,  
7 place and manner for the distribution of student publications;

8 2. Protects the right of expression in a manner consistent  
9 with the rights guaranteed by the First and Fourteenth  
10 Amendments to the United States Constitution for students  
11 working on student publications as journalists in their  
12 determination of the news, opinions, feature content, advertising  
13 content and other content of the student publications;

14 3. Prohibits, without limitation, the following:

15 (a) Restricting the publication of any content in student  
16 publications unless the content would substantially disrupt the  
17 ability of the institution to perform its educational mission;

18 (b) Dismissing, suspending, disciplining or retaliating against  
19 a faculty member, employee or other person acting as an adviser  
20 for a student publication or as an adviser to students working as  
21 journalists on a student publication for acting within the scope of  
22 that position, including, without limitation, taking responsible and  
23 appropriate action to protect a student engaged in conduct  
24 protected pursuant to the written policy or refusing to perform an  
25 action which violates the written policy; and

26 (c) Expelling, suspending or otherwise disciplining a student  
27 for engaging in conduct in accordance with the policy, unless  
28 such conduct substantially disrupts the ability of the institution to  
29 perform its educational mission and the disruption was  
30 intentional; and

31 4. Includes a disclaimer indicating that any content published  
32 in a student publication is not endorsed by the Board, the System  
33 or a community college within the System.

34 **Sec. 79.** 1. Except as otherwise provided in subsection 2, it  
35 is unlawful for a person to engage in any kind of surreptitious  
36 electronic surveillance on a campus of the System without the  
37 knowledge of the person being observed.

38 2. Subsection 1 does not apply to any electronic surveillance:

39 (a) Authorized by a court order issued to a public officer,  
40 based upon a showing of probable cause to believe that criminal  
41 activity is occurring on the property under surveillance;

42 (b) By a law enforcement agency pursuant to a criminal  
43 investigation;

44 (c) By a peace officer pursuant to NRS 289.830;



1 (d) Which is necessary as part of a system of security used to  
2 protect and ensure the safety of persons on the campus; or

3 (e) Of a class or laboratory when authorized by the teacher of  
4 the class or laboratory.

5 **Sec. 80. 1.** It is unlawful for a person who knows or in the  
6 exercise of reasonable care should know that a substance or  
7 material contains at least one-tenth of 1 percent by weight or  
8 volume of a diisocyanate to use, or cause or permit another person  
9 to use, the substance or material in the maintenance or repair of a  
10 building owned or operated by the System while any person who is  
11 not necessary to the maintenance or repair is present in the  
12 building.

13 2. A person who knows or in the exercise of reasonable care  
14 should know that a substance or material which contains at least  
15 one-tenth of 1 percent by weight or volume of a diisocyanate has  
16 been used in the maintenance or repair of a building owned or  
17 operated by the System shall ensure that the building is not  
18 occupied for at least 4 hours following the use of that substance or  
19 material by any person who is not necessary to the maintenance or  
20 repair.

21 3. A person who violates subsection 1 or 2 is guilty of a gross  
22 misdemeanor.

23 4. For the purposes of this section, "diisocyanate" includes,  
24 without limitation, toluene diisocyanate (TDI), methylene  
25 bisphenyl isocyanate (MDI) or hexamethylene diisocyanate (HDI).

26 **Sec. 81. 1.** It is unlawful for a person knowingly to use or  
27 attempt to use:

28 (a) A false or misleading degree or honorary degree conferred  
29 by the System; or

30 (b) A degree or honorary degree conferred by the System,  
31 ↪ in connection with admission to a community college or in  
32 connection with any business, employment, occupation,  
33 profession, trade or public office.

34 2. Unless a greater penalty is provided by specific statute, a  
35 person who violates the provisions of this section is guilty of a  
36 misdemeanor and shall be punished by a fine of not more than  
37 \$5,000 or by imprisonment in the county jail for not more than 6  
38 months, or by both fine and imprisonment.

39 3. In addition to any criminal penalty imposed pursuant to  
40 subsection 2, a person who violates the provisions of this section is  
41 subject to a civil penalty in an amount not to exceed \$5,000 for  
42 each violation. The Attorney General or any district attorney of  
43 this State may recover the penalty in a civil action brought in the  
44 name of the State of Nevada in any court of competent  
45 jurisdiction.



1       4. *For the purposes of this section, a degree or honorary*  
2 *degree is false or misleading or is used in a false or misleading*  
3 *manner if it:*

4       (a) *States or suggests that the person named in the degree or*  
5 *honorary degree has completed the requirements of an academic*  
6 *or professional program of study in a particular field of endeavor*  
7 *beyond the secondary school level and the person has not, in fact,*  
8 *completed the requirements of the program of study;*

9       (b) *Is offered as his or her own by a person other than the*  
10 *person who completed the requirements of the program of study;*  
11 *or*

12       (c) *Is awarded, bestowed, conferred, given, granted, conveyed*  
13 *or sold:*

14           (1) *Based upon more than 10 percent of the recipient's*  
15 *documented life experience and not based upon actual completion*  
16 *of academic work; or*

17           (2) *In violation of this chapter.*

18       5. *As used in this section:*

19       (a) *"Degree" has the meaning ascribed to it in NRS 394.620.*

20       (b) *"Honorary degree" has the meaning ascribed to it in*  
21 *NRS 394.620.*

22       **Sec. 82.** NRS 385.021 is hereby amended to read as follows:

23       385.021 1. The State Board of Education is hereby created.

24       The State Board consists of the following voting members:

25       (a) One member elected by the registered voters of each  
26 congressional district described in NRS 304.060 to 304.120,  
27 inclusive;

28       (b) One member appointed by the Governor;

29       (c) One member appointed by the Governor, nominated by the  
30 Majority Leader of the Senate; and

31       (d) One member appointed by the Governor, nominated by the  
32 Speaker of the Assembly.

33       2. In addition to the voting members described in subsection 1,  
34 the State Board consists of the following ~~four~~ five nonvoting  
35 members:

36       (a) One member appointed by the Governor who is a member of  
37 a board of trustees of a school district, nominated by the Nevada  
38 Association of School Boards;

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

42       (c) One member appointed by the Governor who represents the  
43 Nevada System of Higher Education, nominated by the Board of  
44 Regents of the University of Nevada; ~~and~~



1 (d) *One member appointed by the Governor who represents the*  
2 *Nevada System of Community Colleges, nominated by the State*  
3 *Board for Community Colleges; and*

4 (e) One member appointed by the Governor who is a pupil  
5 enrolled in a public school in this State, nominated by the Nevada  
6 Association of Student Councils or its successor organization and in  
7 consultation with the Nevada Youth Legislature. After the initial  
8 term, the term of the member appointed pursuant to this paragraph  
9 commences on June 1 and expires on May 31 of the following year.

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

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

16 5. Except as otherwise provided in paragraphs (a) , ~~and~~ (c)  
17 *and (d)* of subsection 2, a person who is elected to serve as an  
18 officer of this State or any political subdivision thereof or a person  
19 appointed to serve for the unexpired term of such an office may not  
20 serve or continue to serve on the State Board.

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

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

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

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

31 7. After the initial terms, each member:

32 (a) Elected pursuant to paragraph (a) of subsection 1 serves a  
33 term of 4 years. A member may be elected to serve not more than  
34 three terms but may be appointed to serve pursuant to paragraph (b),  
35 (c) or (d) of subsection 1 or subsection 2 after service as an elected  
36 member, notwithstanding the number of terms the member served as  
37 an elected member.

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

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



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

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

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

11 **Sec. 83.** NRS 385.106 is hereby amended to read as follows:

12 385.106 1. The Superintendent of Public Instruction may  
13 administer the Higher Education Student Loan Program and may  
14 consult with any public officer or private person in the State who  
15 may have an interest in higher education or in the Program. The  
16 Superintendent of Public Instruction shall notify the State Board at  
17 least 30 days in advance if the Superintendent intends to stop  
18 administering the Program.

19 2. After receiving notice from the Superintendent of Public  
20 Instruction that he or she intends to stop administering the Program,  
21 but before the Superintendent actually stops administering it, the  
22 State Board, with the concurrence of the Governor, shall designate  
23 another public agency or private nonprofit organization to  
24 administer the Program in a manner which ensures continued access  
25 to the Program by postsecondary schools in this State, including all  
26 of the ~~institutions~~ *community colleges of the Nevada System of*  
27 *Community Colleges and colleges and universities* of the Nevada  
28 System of Higher Education. The designation may authorize  
29 assumption of any reserves or liability accruing to an agency or  
30 organization engaged in administering the Program or the guarantee  
31 of student loans.

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

34 (a) Negotiate and accept federal and other money appropriated  
35 and available to insure loans for student educational purposes under  
36 the Program.

37 (b) Negotiate and enter into such agreements with other agencies  
38 as it deems proper for the administration and conduct of the  
39 Program.

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

42 **Sec. 84.** NRS 385.111 is hereby amended to read as follows:

43 385.111 1. The State Board shall prepare a plan to improve  
44 the achievement of pupils enrolled in the public schools in this  
45 State. The plan:



- 1 (a) Must be prepared in consultation with:  
2 (1) Employees of the Department;  
3 (2) At least one employee of a school district in a county  
4 whose population is 100,000 or more, appointed by the Nevada  
5 Association of School Boards;  
6 (3) At least one employee of a school district in a county  
7 whose population is less than 100,000, appointed by the Nevada  
8 Association of School Boards; and  
9 (4) At least one representative of the Statewide Council for  
10 the Coordination of the Regional Training Programs created by NRS  
11 391A.130, appointed by the Council; and

- 12 (b) May be prepared in consultation with:  
13 (1) Representatives of institutions of higher education;  
14 (2) Representatives of regional educational laboratories;  
15 (3) Representatives of outside consultant groups;  
16 (4) Representatives of the regional training programs for the  
17 professional development of teachers and administrators created by  
18 NRS 391A.120;  
19 (5) The Legislative Bureau of Educational Accountability  
20 and Program Evaluation; and  
21 (6) Other persons who the State Board determines are  
22 appropriate.

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

- 25 (a) Governor;  
26 (b) Legislative Committee on Education;  
27 (c) Legislative Bureau of Educational Accountability and  
28 Program Evaluation;  
29 (d) Board of Regents of the University of Nevada;  
30 (e) *State Board for Community Colleges*;  
31 (f) Board of trustees of each school district; and  
32 ~~(f)~~ (g) Governing body of each charter school.

33 **Sec. 85.** NRS 385.620 is hereby amended to read as follows:  
34 385.620 The Advisory Council shall:

35 1. Review the policy of parental involvement adopted by the  
36 State Board and the policy of parental involvement and family  
37 engagement adopted by the board of trustees of each school district  
38 pursuant to NRS 392.457;

39 2. Review the information relating to communication with and  
40 participation, involvement and engagement of parents and families  
41 that is included in the annual report of accountability for each school  
42 district pursuant to NRS 385A.320 and similar information in the  
43 annual report of accountability prepared by the State Public Charter  
44 School Authority and a *community college*, college or university  
45 within the *Nevada System of Community Colleges or Nevada*



1 System of Higher Education , *as applicable*, that sponsors a charter  
2 school pursuant to subsection 3 of NRS 385A.070;

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

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

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

15 6. Identify the manner in which the level of parental  
16 involvement and family engagement affects the performance,  
17 attendance and discipline of pupils;

18 7. Identify methods to communicate effectively with and  
19 provide outreach to parents, legal guardians and families of pupils  
20 who are English learners;

21 8. Determine the necessity for the appointment of a statewide  
22 parental involvement and family engagement coordinator or a  
23 parental involvement and family engagement coordinator in each  
24 school district, or both;

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

28 10. On or before February 1 of each year, submit a report to the  
29 Director of the Legislative Counsel Bureau for transmission to the  
30 Legislature in odd-numbered years and to the Legislative  
31 Commission in even-numbered years, describing the activities of the  
32 Advisory Council and any recommendations for legislation.

33 **Sec. 86.** NRS 385A.070 is hereby amended to read as follows:

34 385A.070 1. The board of trustees of each school district in  
35 this State, in cooperation with associations recognized by the State  
36 Board as representing licensed educational personnel in the district,  
37 shall adopt a program providing for the accountability of the school  
38 district to the residents of the district and to the State Board for the  
39 quality of the schools and the educational achievement of the pupils  
40 in the district, including, without limitation, pupils enrolled in  
41 charter schools sponsored by the school district. The board of  
42 trustees of each school district shall report the information required  
43 by NRS 385A.070 to 385A.320, inclusive, for each charter school  
44 sponsored by the school district. The information for charter schools  
45 must be reported separately.



1 2. The board of trustees of each school district shall, on or  
2 before December 31 of each year, prepare for the immediately  
3 preceding school year a single annual report of accountability  
4 concerning the educational goals and objectives of the school  
5 district, the information prescribed by NRS 385A.070 to 385A.320,  
6 inclusive, and such other information as is directed by the  
7 Superintendent of Public Instruction. A separate reporting for a  
8 group of pupils must not be made pursuant to NRS 385A.070 to  
9 385A.320, inclusive, if the number of pupils in that group is  
10 insufficient to yield statistically reliable information or the results  
11 would reveal personally identifiable information about an individual  
12 pupil. The Department shall use the mechanism approved by the  
13 United States Department of Education for the statewide system of  
14 accountability for public schools for determining the minimum  
15 number of pupils that must be in a group for that group to yield  
16 statistically reliable information.

17 3. The State Public Charter School Authority and each  
18 *community college*, college or university within the *Nevada System*  
19 *of Community Colleges or* Nevada System of Higher Education , *as*  
20 *applicable*, that sponsors a charter school shall, on or before  
21 December 31 of each year, prepare for the immediately preceding  
22 school year an annual report of accountability of the charter schools  
23 sponsored by the State Public Charter School Authority or  
24 institution, as applicable, concerning the accountability information  
25 prescribed by the Department pursuant to this section. The  
26 Department, in consultation with the State Public Charter School  
27 Authority and each *community college*, college or university within  
28 the *Nevada System of Community Colleges or* Nevada System of  
29 Higher Education , *as applicable*, that sponsors a charter school,  
30 shall prescribe by regulation the information that must be prepared  
31 by the State Public Charter School Authority and institution, as  
32 applicable, which must include, without limitation, the information  
33 contained in subsection 2 and NRS 385A.070 to 385A.320,  
34 inclusive, as applicable to charter schools. The Department shall  
35 provide for public dissemination of the annual report of  
36 accountability prepared pursuant to this section by posting a copy of  
37 the report on the Internet website maintained by the Department.

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

42 **Sec. 87.** NRS 385A.080 is hereby amended to read as follows:

43 385A.080 1. The Superintendent of Public Instruction shall:

44 (a) Prescribe forms for the reports required pursuant to NRS  
45 385A.070 and provide the forms to the respective school districts,



1 the State Public Charter School Authority and each *community*  
2 *college*, college or university within the *Nevada System of*  
3 *Community Colleges or* Nevada System of Higher Education , *as*  
4 *applicable*, that sponsors a charter school.

5 (b) Provide statistical information and technical assistance to the  
6 school districts, the State Public Charter School Authority and each  
7 *community college*, college or university within the *Nevada System*  
8 *of Community Colleges or* Nevada System of Higher Education , *as*  
9 *applicable*, that sponsors a charter school to ensure that the reports  
10 provide comparable information with respect to each school in each  
11 district, each charter school and among the districts and charter  
12 schools throughout this State.

13 (c) Consult with a representative of the:

- 14 (1) Nevada State Education Association;
- 15 (2) Nevada Association of School Boards;
- 16 (3) Nevada Association of School Administrators;
- 17 (4) Nevada Parent Teacher Association;
- 18 (5) Budget Division of the Office of Finance;
- 19 (6) Legislative Counsel Bureau; and
- 20 (7) Charter School Association of Nevada,

21 ↪ concerning the program adopted pursuant to subsection 1 of NRS  
22 385A.070 and consider any advice or recommendations submitted  
23 by the representatives with respect to the program.

24 2. The Superintendent of Public Instruction may consult with  
25 representatives of parent groups other than the Nevada Parent  
26 Teacher Association concerning the program adopted pursuant to  
27 subsection 1 of NRS 385A.070 and consider any advice or  
28 recommendations submitted by the representatives with respect to  
29 the program.

30 **Sec. 88.** NRS 385A.090 is hereby amended to read as follows:

31 385A.090 1. On or before September 30 of each year:

32 (a) The board of trustees of each school district, the State Public  
33 Charter School Authority and each *community college*, college or  
34 university within the *Nevada System of Community Colleges or*  
35 Nevada System of Higher Education , *as applicable*, that sponsors a  
36 charter school shall provide written notice that the report required  
37 pursuant to NRS 385A.070 is available on the Internet website  
38 maintained by the school district, State Public Charter School  
39 Authority or institution, if any, or otherwise provide written notice  
40 of the availability of the report. The written notice must be provided  
41 to the:

- 42 (1) Governor;
- 43 (2) State Board;
- 44 (3) Department;
- 45 (4) Committee;



1 (5) Bureau; and

2 (6) The Attorney General, with a specific reference to the  
3 information that is reported pursuant to paragraph (e) of subsection  
4 1 of NRS 385A.250.

5 (b) The board of trustees of each school district, the State Public  
6 Charter School Authority and each *community college*, college or  
7 university within the *Nevada System of Community Colleges or*  
8 *Nevada System of Higher Education, as applicable*, that sponsors a  
9 charter school shall provide for public dissemination of the annual  
10 report of accountability prepared pursuant to NRS 385A.070 by  
11 posting a copy of the report on the Internet website maintained by  
12 the school district, the State Public Charter School Authority or the  
13 institution, if any. If a school district does not maintain a website,  
14 the district shall otherwise provide for public dissemination of the  
15 annual report by providing a copy of the report to the schools in the  
16 school district, including, without limitation, each charter school  
17 sponsored by the district, the residents of the district, and the parents  
18 and guardians of pupils enrolled in schools in the district, including,  
19 without limitation, each charter school sponsored by the district. If  
20 the State Public Charter School Authority or the institution does not  
21 maintain a website, the State Public Charter School Authority or the  
22 institution, as applicable, shall otherwise provide for public  
23 dissemination of the annual report by providing a copy of the report  
24 to each charter school it sponsors and the parents and guardians of  
25 pupils enrolled in each charter school it sponsors.

26 2. Upon the request of the Governor, the Attorney General, an  
27 entity described in paragraph (a) of subsection 1 or a member of the  
28 general public, the board of trustees of a school district, the State  
29 Public Charter School Authority, *a community college within the*  
30 *Nevada System of Community Colleges* or a college or university  
31 within the Nevada System of Higher Education that sponsors a  
32 charter school, as applicable, shall provide a portion or portions of  
33 the report required pursuant to NRS 385A.070.

34 **Sec. 89.** NRS 385A.240 is hereby amended to read as follows:

35 385A.240 1. The annual report of accountability prepared  
36 pursuant to NRS 385A.070 must include information on the  
37 attendance, truancy and transiency of pupils, including, without  
38 limitation:

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

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

44 (2) For each elementary school, middle school and junior  
45 high school in the district, including, without limitation, each charter



1 school sponsored by the district that provides instruction to pupils  
2 enrolled in a grade level other than high school, information that  
3 compares the attendance of the pupils enrolled in the school with the  
4 attendance of pupils throughout the district and throughout this  
5 State. The information required by this subparagraph must be  
6 provided in consultation with the Department to ensure the accuracy  
7 of the comparison.

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

12 (c) The transiency rate of pupils for each school in the district  
13 and the district as a whole, including, without limitation, each  
14 charter school sponsored by the district. For the purposes of this  
15 paragraph, a pupil is not transient if the pupil is transferred to a  
16 different school within the school district as a result of a change in  
17 the zone of attendance by the board of trustees of the school district  
18 pursuant to NRS 388.040.

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

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

25 (2) Referred to an advisory board to review school  
26 attendance pursuant to paragraph (b) of subsection 2 of NRS  
27 392.144; and

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

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

32 (a) Pupils who are economically disadvantaged;

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

34 (c) Pupils with disabilities;

35 (d) Pupils who are English learners;

36 (e) Pupils who are migratory children;

37 (f) Gender;

38 (g) Pupils who are homeless;

39 (h) Pupils in foster care; and

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

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

44 (a) The board of trustees of each school district shall submit to  
45 each advisory board to review school attendance created in the



1 county pursuant to NRS 392.126 the information required by  
2 paragraph (a) of subsection 1.

3 (b) The State Public Charter School Authority and each  
4 *community college*, college or university within the *Nevada System*  
5 *of Community Colleges or* Nevada System of Higher Education, *as*  
6 *applicable*, that sponsors a charter school shall submit to each  
7 advisory board to review school attendance created in a county  
8 pursuant to NRS 392.126 the information regarding the records of  
9 the attendance and truancy of pupils enrolled in the charter school  
10 located in that county, if any, in accordance with the regulations  
11 prescribed by the Department pursuant to subsection 3 of  
12 NRS 385A.070.

13 **Sec. 90.** NRS 385A.260 is hereby amended to read as follows:

14 385A.260 The annual report of accountability prepared  
15 pursuant to NRS 385A.070 must include information on the  
16 graduation and drop-out rates of pupils and the enrollment of pupils  
17 in remedial courses in college, including, without limitation:

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

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

25 2. For each high school in the district, including, without  
26 limitation, each charter school sponsored by the district that operates  
27 as a high school, information that provides a comparison of the rate  
28 of graduation of pupils enrolled in the high school with the rate of  
29 graduation of pupils throughout the district and throughout this  
30 State. The information required by this subsection must be provided  
31 in consultation with the Department to ensure the accuracy of the  
32 comparison.

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

38 (a) Provide proof to the school district of successful completion  
39 of the high school equivalency assessment selected by the State  
40 Board pursuant to NRS 390.055.

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

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

44 4. For each high school in the district, including, without  
45 limitation, each charter school sponsored by the district, the



1 percentage of pupils who graduated from that high school or charter  
2 school in the immediately preceding school year and enrolled in  
3 remedial courses in reading, writing or mathematics at a *community*  
4 *college within the Nevada System of Community Colleges or a*  
5 university ~~[ ]~~ or state college ~~[for community college]~~ within the  
6 Nevada System of Higher Education.

7 **Sec. 91.** NRS 385A.400 is hereby amended to read as follows:

8 385A.400 1. The State Board shall, on or before January 15  
9 of each year, prepare for the immediately preceding school year a  
10 single annual report of accountability that includes, without  
11 limitation the information prescribed by NRS 385A.400 to  
12 385A.520, inclusive.

13 2. A separate reporting for a group of pupils must not be made  
14 pursuant to NRS 385A.400 to 385A.520, inclusive, if the number of  
15 pupils in that group is insufficient to yield statistically reliable  
16 information or the results would reveal personally identifiable  
17 information about an individual pupil. The Department shall use the  
18 mechanism approved by the United States Department of Education  
19 for the statewide system of accountability for public schools for  
20 determining the minimum number of pupils that must be in a group  
21 for that group to yield statistically reliable information.

22 3. The annual report of accountability must:

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

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

27 4. On or before January 15 of each year, the State Board shall  
28 provide for public dissemination of the annual report of  
29 accountability by posting a copy of the report on the Internet  
30 website maintained by the Department.

31 5. Upon the request of the Governor, the Attorney General, the  
32 Committee, the Bureau, the Board of Regents of the University of  
33 Nevada, *the State Board for Community Colleges*, the board of  
34 trustees of a school district, the State Public Charter School  
35 Authority, *a community college within the Nevada System of*  
36 *Community Colleges*, a college or university within the Nevada  
37 System of Higher Education, the governing body of a charter school  
38 or a member of the general public, the State Board *of Education*  
39 shall provide a portion or portions of the annual report of  
40 accountability.

41 **Sec. 92.** NRS 385A.470 is hereby amended to read as follows:

42 385A.470 The annual report of accountability prepared by the  
43 State Board pursuant to NRS 385A.400 must include information on  
44 the graduation and drop-out rates of pupils and the enrollment of  
45 pupils in remedial courses in college, including, without limitation:



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

- 4 (a) A standard high school diploma.
- 5 (b) An adult diploma.
- 6 (c) An adjusted diploma.
- 7 (d) An alternative diploma.

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

14 (a) Provide proof to the school district of successful completion  
15 of the high school equivalency assessment selected by the State  
16 Board pursuant to NRS 390.055.

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

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

20 3. The percentage of pupils who graduated from a high school  
21 or charter school in the immediately preceding year and enrolled in  
22 remedial courses in reading, writing or mathematics at a *community*  
23 *college within the Nevada System of Community Colleges or a*  
24 *university* ~~[ ]~~ *or state college* ~~[for community college]~~ within the  
25 Nevada System of Higher Education, reported for each school  
26 district, including, without limitation, each charter school in the  
27 district, and for this State as a whole.

28 **Sec. 93.** NRS 385A.670 is hereby amended to read as follows:

29 385A.670 1. On or before July 31 of each year, the  
30 Department shall determine whether each public school is meeting the  
31 school achievement targets and performance targets established  
32 pursuant to the statewide system of accountability for public  
33 schools.

34 2. The determination pursuant to subsection 1 for a public  
35 school, including, without limitation, a charter school sponsored by  
36 the board of trustees of the school district, must be made in  
37 consultation with the board of trustees of the school district in which  
38 the public school is located. If a charter school is sponsored by the  
39 State Public Charter School Authority, *a community college within*  
40 *the Nevada System of Community Colleges* or a college or  
41 university within the Nevada System of Higher Education, the  
42 Department shall make a determination for the charter school in  
43 consultation with the State Public Charter School Authority or ~~[the~~  
44 ~~institution within the Nevada System of Higher Education]~~  
45 *community college, college or university* that sponsors the charter



1 school, as applicable. The determination made for each school must  
2 be based only upon the information and data for those pupils who  
3 are enrolled in the school for a full academic year. On or before  
4 July 31 of each year, the Department shall transmit:

5 (a) Except as otherwise provided in paragraph (b), ~~for~~ (c) ~~H~~ or  
6 (d), the determination made for each public school to the board of  
7 trustees of the school district in which the public school is located.

8 (b) To the State Public Charter School Authority the  
9 determination made for each charter school that is sponsored by the  
10 State Public Charter School Authority.

11 (c) *The determination made for the charter school to the*  
12 *community college that sponsors the charter school if a charter*  
13 *school is sponsored by a community college within the Nevada*  
14 *System of Community Colleges.*

15 (d) The determination made for the charter school to the  
16 institution that sponsors the charter school if a charter school is  
17 sponsored by a college or university within the Nevada System of  
18 Higher Education.

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

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

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

28 ➔ The Department shall use the mechanism approved by the United  
29 States Department of Education for the statewide system of  
30 accountability for public schools for determining the number of  
31 pupils that must be in a group for that group to yield statistically  
32 reliable information.

33 4. If an irregularity in testing administration or an irregularity  
34 in testing security occurs at a school and the irregularity invalidates  
35 the test scores of pupils, those test scores must be included in the  
36 scores of pupils reported for the school, the attendance of those  
37 pupils must be counted towards the total number of pupils who took  
38 the examinations and the pupils must be included in the total  
39 number of pupils who were required to take the examinations.

40 5. As used in this section:

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

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



1       **Sec. 94.** NRS 385A.720 is hereby amended to read as follows:

2       385A.720 1. Based upon the information received from the  
3 Department pursuant to NRS 385A.670, the board of trustees of  
4 each school district shall, on or before August 15 of each year, issue  
5 a preliminary rating for each public school in the school district in  
6 accordance with the statewide system of accountability for public  
7 schools, excluding charter schools sponsored by the State Public  
8 Charter School Authority , *a community college within the Nevada*  
9 *System of Community Colleges* or a college or university within the  
10 Nevada System of Higher Education. The board of trustees shall  
11 make preliminary ratings for all charter schools that are sponsored  
12 by the board of trustees. The Department shall make preliminary  
13 ratings for all charter schools sponsored by the State Public Charter  
14 School Authority and all charter schools sponsored by a *community*  
15 *college*, college or university within the *Nevada System of*  
16 *Community Colleges or* Nevada System of Higher Education , *as*  
17 *applicable.*

18       2. Before making a final rating for a school, the board of  
19 trustees of the school district or the Department, as applicable, shall  
20 provide the school an opportunity to review the data upon which the  
21 preliminary rating is based and to present evidence. If the school is a  
22 public school of the school district or a charter school sponsored by  
23 the board of trustees, the board of trustees of the school district  
24 shall, in consultation with the Department, make a final  
25 determination concerning the rating for the school on September 15.  
26 If the school is a charter school sponsored by the State Public  
27 Charter School Authority , *a community college within the Nevada*  
28 *System of Community Colleges* or a college or university within the  
29 Nevada System of Higher Education, the Department shall make a  
30 final determination concerning the rating for the school on  
31 September 15.

32       3. On or before September 15 of each year, the Department  
33 shall post on the Internet website maintained by the Department the  
34 determinations and final ratings made for all schools in this State.

35       **Sec. 95.** NRS 385A.800 is hereby amended to read as follows:

36       385A.800 1. The Department shall establish and maintain an  
37 automated system of accountability information for Nevada. The  
38 system must:

39       (a) Have the capacity to provide and report information,  
40 including, without limitation, the results of the achievement of  
41 pupils:

42       (1) In the manner required by 20 U.S.C. §§ 6301 et seq., and  
43 the regulations adopted pursuant thereto, and NRS 385A.070 and  
44 385A.400; and



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

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

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

6 (2) That, to the extent practicable, may be used for purposes  
7 of identifying a pupil for ~~both~~ the public schools, *the Nevada*  
8 *System of Community Colleges* and the Nevada System of Higher  
9 Education, if that pupil enrolls in ~~the~~ *either* System after  
10 graduation from high school; and

11 (3) Which must, to the extent money is available for this  
12 purpose, include, without limitation, a unique identifier for each  
13 pupil whose parent or guardian is a member of the Armed Forces of  
14 the United States, a reserve component thereof or the National  
15 Guard in a manner that will allow for the disaggregation of each  
16 category;

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

20 (d) Have the capacity to perform a variety of longitudinal  
21 analyses of the results of individual pupils on assessments,  
22 including, without limitation, the results of pupils by classroom and  
23 by school;

24 (e) Have the capacity to identify which teachers are assigned to  
25 individual pupils;

26 (f) Have the capacity to provide other information concerning  
27 schools and school districts that is not linked to individual pupils,  
28 including, without limitation, the ratings of schools and, if available,  
29 school districts pursuant to the statewide system of accountability  
30 for public schools and an identification of which schools, if any, are  
31 persistently dangerous;

32 (g) Have the capacity to access financial accountability  
33 information for each public school, including, without limitation,  
34 each charter school, for each school district and for this State as a  
35 whole; and

36 (h) Be designed to improve the ability of the Department, the  
37 sponsors of charter schools, the school districts and the public  
38 schools in this State, including, without limitation, charter schools,  
39 to account for the pupils who are enrolled in the public schools,  
40 including, without limitation, charter schools.

41 ➔ The information maintained pursuant to paragraphs (c), (d) and  
42 (e) must be used for the purpose of improving the achievement of  
43 pupils and improving classroom instruction.

44 2. The Department shall establish, to the extent authorized by  
45 the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §



1 1232g, and any regulations adopted pursuant thereto, a mechanism  
2 by which persons or entities, including, without limitation, state  
3 officers who are members of the Executive or Legislative Branch,  
4 administrators of public schools and school districts, teachers and  
5 other educational personnel, and parents and guardians, will have  
6 different types of access to the accountability information contained  
7 within the automated system to the extent that such information is  
8 necessary for the performance of a duty or to the extent that such  
9 information may be made available to the general public without  
10 posing a threat to the confidentiality of an individual pupil.

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

17 4. The Department may, to the extent authorized by the Family  
18 Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g,  
19 and any regulations adopted pursuant thereto, enter into an  
20 agreement with the *Nevada System of Community Colleges and the*  
21 *Nevada System of Higher Education* to provide access to data  
22 contained within the automated system for research purposes.

23 **Sec. 96.** NRS 388.205 is hereby amended to read as follows:

24 388.205 1. The board of trustees of each school district shall  
25 adopt a policy for each public school in the school district in which  
26 ninth grade pupils are enrolled to develop a 4-year academic plan  
27 for each of those pupils. Except as otherwise provided in subsection  
28 4, the policy must require each public school to provide each pupil  
29 with an academic plan at the beginning of the pupil's ninth grade  
30 year. The academic plan must set forth the specific educational  
31 goals established pursuant to subsection 7 each year and the steps  
32 that the pupil intends to take in order to achieve those goals. The  
33 plan may include, without limitation, the designation of a career  
34 pathway and enrollment in dual credit courses, career and technical  
35 education courses, advanced placement courses and honors courses.

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

39 (a) The advanced placement courses, honors courses,  
40 international baccalaureate courses, dual credit courses, career and  
41 technical education courses, including, without limitation, career  
42 and technical skills-building programs, and any other educational  
43 programs, pathways or courses available to the pupil which will  
44 assist the pupil in the advancement of his or her education;



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

3 (c) The requirements for admission to the *Nevada System of*  
4 *Community Colleges and* Nevada System of Higher Education,  
5 including, without limitation, the average score on the college and  
6 career readiness assessment administered pursuant to NRS 390.610  
7 of students admitted to each community college, state college or  
8 university in the *Nevada System of Community Colleges or the*  
9 Nevada System of Higher Education, *as applicable*, and the  
10 eligibility requirements for a Governor Guinn Millennium  
11 Scholarship;

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

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

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

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

21 (b) Sign the academic plan; and

22 (c) Review the academic plan at least once each school year in  
23 consultation with a school counselor and revise the plan if  
24 necessary.

25 4. If a pupil enrolls in a high school after ninth grade, an  
26 academic plan must be developed for that pupil as soon as  
27 reasonably practicable with appropriate modifications for the grade  
28 level of the pupil.

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

32 6. An academic plan for a pupil must be used as a guide for the  
33 pupil and the parent or legal guardian of the pupil to plan, monitor  
34 and manage the pupil's educational and occupational development  
35 and make determinations of the appropriate courses of study for the  
36 pupil. If a pupil does not satisfy all the goals set forth in the  
37 academic plan, the pupil is eligible to graduate and receive a high  
38 school diploma if the pupil otherwise satisfies the requirements for a  
39 diploma.

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



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

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

5 (b) Reviewed the academic plan for each such pupil and adjust the  
6 plan as appropriate to maximize the accrual of credits by the pupil  
7 and the progress of the pupil towards graduation.

8 9. As used in this section:

9 (a) "Foster care" has the meaning ascribed to it in 45 C.F.R. §  
10 1355.20.

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

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

15 **Sec. 97.** NRS 388.790 is hereby amended to read as follows:

16 388.790 1. The Commission on Educational Technology,  
17 consisting of 2 members who serve ex officio and ~~11~~ 12 members  
18 who are appointed, is hereby created. The Superintendent of Public  
19 Instruction and the Administrator of the Division of Enterprise  
20 Information Technology Services of the Department of  
21 Administration shall serve ex officio as nonvoting members of the  
22 Commission.

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

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

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

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

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

36 (e) *One representative of the Nevada System of Community  
37 Colleges who possesses knowledge and experience in the use of  
38 educational technology in institutions of higher education;*

39 (f) One representative of the Nevada System of Higher  
40 Education who possesses knowledge and experience in the use of  
41 educational technology in institutions of higher education;

42 ~~(g)~~ (g) One representative of the private sector who possesses  
43 knowledge and experience in the use of technology; and

44 ~~(h)~~ (h) One parent or legal guardian who possesses knowledge  
45 and experience in the general application of technology.



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

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

5 4. The Speaker of the Assembly shall appoint two voting  
6 members to the Commission:

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

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

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

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

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

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

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

- 39 (a) Compensation provided for a majority of the members of the  
40 Legislature during the first 60 days of the preceding session;
- 41 (b) Per diem allowance provided for state officers and  
42 employees generally; and
- 43 (c) Travel expenses provided pursuant to NRS 218A.655.



1 ↪ The compensation, per diem allowances and travel expenses of  
2 the legislative members of the Commission must be paid from the  
3 Legislative Fund.

4 **Sec. 98.** NRS 388.795 is hereby amended to read as follows:

5 388.795 1. The Commission shall establish a plan for the use  
6 of educational technology in the public schools of this State. In  
7 preparing the plan, the Commission shall consider:

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

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

11 (c) The information reported pursuant to NRS 385A.310 and  
12 similar information included in the annual report of accountability  
13 information prepared by the State Public Charter School Authority  
14 and a *community college*, college or university within the *Nevada*  
15 *System of Community Colleges or* Nevada System of Higher  
16 Education, *as applicable*, that sponsors a charter school pursuant to  
17 subsection 3 of NRS 385A.070;

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

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

22 2. The plan established by the Commission must include  
23 recommendations for methods to:

24 (a) Incorporate educational technology into the public schools of  
25 this State;

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

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

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

35 (e) Address the needs of teachers in incorporating the use of  
36 educational technology in the classroom, including, without  
37 limitation, the completion of training that is sufficient to enable the  
38 teachers to instruct pupils in the use of educational technology.

39 3. The Department shall provide:

40 (a) Administrative support;

41 (b) Equipment; and

42 (c) Office space,

43 ↪ as is necessary for the Commission to carry out the provisions of  
44 this section.



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

- 3 (a) The State Board.  
4 (b) The board of trustees of each school district.  
5 (c) The superintendent of schools of each school district.  
6 (d) The Department.

7 5. The Commission shall:

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

14 (b) Allocate money to the school districts from the Trust Fund  
15 for Educational Technology created pursuant to NRS 388.800 and  
16 any money appropriated by the Legislature for educational  
17 technology, subject to any priorities for such allocation established  
18 by the Legislature.

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

- 21 (1) Repair, replace and maintain computer systems.  
22 (2) Upgrade and improve computer hardware and software  
23 and other educational technology.

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

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

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

31 (f) In addition to the recommendations set forth in the plan  
32 pursuant to subsection 2, make further recommendations to the  
33 Committee and the Department as the Commission deems  
34 necessary.

35 6. During the spring semester of each even-numbered school  
36 year, the Commission shall conduct an assessment of the needs of  
37 each school district relating to educational technology. In  
38 conducting the assessment, the Commission shall consider:

39 (a) The recommendations set forth in the plan pursuant to  
40 subsection 2;

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

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

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



1 ↪ The Commission shall submit a final written report of the  
2 assessment to the Superintendent of Public Instruction on or before  
3 April 1 of each even-numbered year.

4 7. The Superintendent of Public Instruction shall prepare a  
5 written compilation of the results of the assessment conducted by  
6 the Commission and transmit the written compilation on or before  
7 June 1 of each even-numbered year to the Legislative Committee on  
8 Education and to the Director of the Legislative Counsel Bureau for  
9 transmission to the next regular session of the Legislature.

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

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

22 **Sec. 99.** NRS 388.834 is hereby amended to read as follows:

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

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

44 3. If the Department denies an application, the Department  
45 shall include in the written notice the reasons for the denial and the



1 deficiencies of the application. The applicant must be granted 30  
2 days after receipt of the written notice to correct any deficiencies  
3 identified in the written notice and resubmit the application. The  
4 Department shall approve an application that has been resubmitted  
5 pursuant to this subsection if the application satisfies the  
6 requirements of NRS 388.820 to 388.874, inclusive, and all other  
7 applicable statutes and regulations.

8 **Sec. 100.** NRS 388A.105 is hereby amended to read as  
9 follows:

10 388A.105 The Department shall adopt regulations that  
11 prescribe:

12 1. The process for submission of an application pursuant to  
13 NRS 388A.220 by the board of trustees of a school district , *a*  
14 *community college within the Nevada System of Community*  
15 *Colleges* or a college or university within the Nevada System of  
16 Higher Education to the Department for authorization to sponsor  
17 charter schools, the contents of the application, the process for the  
18 Department to review the application and the timeline for review;

19 2. The process for submission of an application to form a  
20 charter school to the board of trustees of a school district , *a*  
21 *community college within the Nevada System of Community*  
22 *Colleges* and a college or university within the Nevada System of  
23 Higher Education, and the contents of the application;

24 3. The process for submission of an application to renew a  
25 charter contract to the board of trustees of a school district , *a*  
26 *community college within the Nevada System of Community*  
27 *Colleges* and a college or university within the Nevada System of  
28 Higher Education, and the contents of the application;

29 4. The criteria and type of investigation that must be applied by  
30 the board of trustees of a school district , *a community college*  
31 *within the Nevada System of Community Colleges* and a college or  
32 university within the Nevada System of Higher Education in  
33 determining whether to approve an application to form a charter  
34 school, an application to renew a charter contract or a request for an  
35 amendment of a charter contract;

36 5. The process for submission of an amendment of a charter  
37 contract to the board of trustees of a school district , *a community*  
38 *college within the Nevada System of Community Colleges* and a  
39 college or university within the Nevada System of Higher Education  
40 pursuant to NRS 388A.276 and the contents of the application; and

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



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

4 (b) Ethics requirements for the governing bodies of charter  
5 schools.

6 **Sec. 101.** NRS 388A.159 is hereby amended to read as  
7 follows:

8 388A.159 1. The State Public Charter School Authority is  
9 hereby deemed a local educational agency for all purposes,  
10 including, without limitation:

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

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

17 (c) Directing the proportionate share of any money available  
18 from federal and state categorical grant programs to charter schools  
19 which are sponsored by the State Public Charter School Authority ,  
20 *a community college within the Nevada System of Community*  
21 *Colleges* or a college or university within the Nevada System of  
22 Higher Education that are eligible to receive such money.

23 2. A *community college*, college or university within the  
24 *Nevada System of Community Colleges or* Nevada System of  
25 Higher Education , *as applicable*, that sponsors a charter school  
26 shall enter into an agreement with the State Public Charter School  
27 Authority for the provision of any necessary functions of a local  
28 educational agency. A charter school that receives money pursuant  
29 to such a grant program shall comply with any applicable reporting  
30 requirements to receive the grant.

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

33 **Sec. 102.** NRS 388A.171 is hereby amended to read as  
34 follows:

35 388A.171 The State Public Charter School Authority shall:

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

37 (a) In consultation with the Department and each board of  
38 trustees of a school district and *community college*, college or  
39 university within the *Nevada System of Community Colleges or*  
40 Nevada System of Higher Education , *as applicable*, that sponsors a  
41 charter school, review all statutes and regulations from which  
42 charter schools are not exempt and determine whether such statutes  
43 and regulations assisted or impeded the charter schools in achieving  
44 their academic, fiscal and organizational goals and objectives;



1 (b) Make recommendations to the Legislative Committee on  
2 Education concerning any legislation that would assist charter  
3 schools in achieving their academic, fiscal and organizational goals;  
4 and

5 (c) Make recommendations to the State Board and the  
6 Department concerning any changes to regulations that would assist  
7 charter schools in achieving their academic, fiscal and  
8 organizational goals.

9 2. Make available information concerning the formation and  
10 operation of charter schools in this State and the academic, fiscal  
11 and organizational performance of each charter school in this State  
12 to pupils, parents and legal guardians of pupils, teachers and other  
13 educational personnel and members of the general public. The State  
14 Public Charter School Authority shall update such information  
15 annually.

16 **Sec. 103.** NRS 388A.220 is hereby amended to read as  
17 follows:

18 388A.220 1. The board of trustees of a school district may  
19 apply to the Department for authorization to sponsor charter schools  
20 within the school district in accordance with the regulations adopted  
21 by the Department pursuant to NRS 388A.105 or 388A.110. An  
22 application must be approved by the Department before the board of  
23 trustees may sponsor a charter school. Not more than 180 days after  
24 receiving approval to sponsor charter schools, the board of trustees  
25 shall provide public notice of its ability to sponsor charter schools  
26 and solicit applications for charter schools.

27 2. The State Public Charter School Authority shall sponsor  
28 charter schools whose applications have been approved by the State  
29 Public Charter School Authority pursuant to NRS 388A.255. Except  
30 as otherwise provided by specific statute, if the State Public Charter  
31 School Authority sponsors a charter school, the State Public Charter  
32 School Authority is responsible for the evaluation, monitoring and  
33 oversight of the charter school.

34 3. *A community college within the Nevada System of*  
35 *Community Colleges may submit an application to the Department*  
36 *to sponsor charter schools in accordance with the regulations*  
37 *adopted by the Department pursuant to NRS 388A.105 or*  
38 *388A.110. An application must be approved by the Department*  
39 *before a community college within the Nevada System of*  
40 *Community Colleges may sponsor charter schools.*

41 4. A college or university within the Nevada System of Higher  
42 Education may submit an application to the Department to sponsor  
43 charter schools in accordance with the regulations adopted by the  
44 Department pursuant to NRS 388A.105 or 388A.110. An  
45 application must be approved by the Department before a college or



1 university within the Nevada System of Higher Education may  
2 sponsor charter schools.

3 ~~[4.]~~ 5. The board of trustees of a school district , *a community*  
4 *college within the Nevada System of Community Colleges* or a  
5 college or university within the Nevada System of Higher Education  
6 may enter into an agreement with the State Public Charter School  
7 Authority to provide technical assistance and support in preparing  
8 an application to sponsor a charter school and planning and  
9 executing the duties of a sponsor of a charter school as prescribed in  
10 this section.

11 ~~[5.]~~ 6. Before a board of trustees of a school district , *a*  
12 *community college within the Nevada System of Community*  
13 *Colleges* or a college or university within the Nevada System of  
14 Higher Education that is approved to sponsor charter schools  
15 approves an application to form a charter school, the board of  
16 trustees ~~[or]~~ , *community college*, college or university, as  
17 applicable, shall prepare, in collaboration with the Department and,  
18 to the extent practicable, the school district in which the proposed  
19 charter school will be located and any other sponsor of a charter  
20 school located in that school district, an evaluation of demographic  
21 information of pupils, the academic needs of pupils and the needs of  
22 any pupils who are at risk of dropping out of school in the  
23 geographic areas served by the sponsor.

24 ~~[6.]~~ 7. On or before January 31 of each year, the State Public  
25 Charter School Authority shall prepare, in collaboration with the  
26 Department and, to the extent practicable, the board of trustees of  
27 each school district in this State and any other sponsor of a charter  
28 school in this State, an evaluation of demographic information of  
29 pupils, the academic needs of pupils and the needs of any pupils  
30 who are at risk of dropping out of school in this State.

31 **Sec. 104.** NRS 388A.229 is hereby amended to read as  
32 follows:

33 388A.229 1. The sponsor of a charter school shall ensure the  
34 collection, analysis and reporting of all data from the results of  
35 pupils enrolled in the charter school on statewide examinations to  
36 determine whether the charter school is meeting the performance  
37 indicators, measures and metrics for the achievement and  
38 proficiency of pupils as set forth in the performance framework for  
39 the charter school in a manner that complies with all applicable  
40 federal and state laws.

41 2. The sponsor of the charter school may aggregate data  
42 reported by the State and collected by the sponsor concerning pupil  
43 achievement and school performance at separate facilities operated  
44 by the same governing body or charter management organization  
45 and across all grades served by the charter school for the purpose of



1 evaluating and reporting pupil achievement and school performance.  
2 Such an aggregation of data may include, without limitation, a  
3 weighted average of data concerning pupil achievement and school  
4 performance of each elementary school, junior high school, middle  
5 school or high school program operated by the charter school. The  
6 sponsor may also disaggregate such data by facility and by grade  
7 level or group of grade levels to provide greater transparency and  
8 accountability. The sponsor may also adopt policies for determining  
9 pupil achievement and school performance at a charter school. Any  
10 data reported pursuant to this subsection must be reported in a  
11 manner that complies with the Family Educational Rights and  
12 Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations  
13 adopted pursuant thereto.

14 3. The State Board may adopt regulations to place  
15 requirements on the manner in which data is reported by the board  
16 of trustees of a school district , *a community college within the*  
17 *Nevada System of Community Colleges* or a college or university  
18 within the Nevada System of Higher Education that sponsors a  
19 charter school , including, without limitation, the manner in which  
20 data must be aggregated or disaggregated in any report.

21 4. The State Public Charter School Authority may adopt  
22 regulations establishing requirements concerning the manner in  
23 which it reports data, including, without limitation, the manner in  
24 which data must be aggregated or disaggregated in any report.

25 **Sec. 105.** NRS 388A.240 is hereby amended to read as  
26 follows:

27 388A.240 1. A committee to form a charter school must  
28 consist of:

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

33 (b) One member who:

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

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

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

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

42 (1) Accounting;

43 (2) Financial services;

44 (3) Law; or

45 (4) Human resources.



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

- 4 (a) Members of the general public;
- 5 (b) Representatives of nonprofit organizations and businesses;
- 6 *(c) Representatives of a community college within the Nevada*  
7 *System of Community Colleges;* or
- 8 ~~[(e)]~~ (d) Representatives of a college or university within the  
9 Nevada System of Higher Education.

10 3. A majority of the persons who serve on the committee to  
11 form a charter school must be residents of this State at the time that  
12 the application to form the charter school is submitted to the  
13 Department.

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

- 15 (a) Holds a current license to teach issued pursuant to chapter  
16 391 of NRS or who previously held such a license and is retired, as  
17 long as his or her license was held in good standing; and
  - 18 (b) Has at least 2 years of experience as an employed teacher.
- 19 ↪ The term does not include a person who is employed as a  
20 substitute teacher.

21 **Sec. 106.** NRS 388A.246 is hereby amended to read as  
22 follows:

23 388A.246 An application to form a charter school must include  
24 all information prescribed by the Department by regulation and:

- 25 1. A summary of the plan for the proposed charter school.
- 26 2. A clear written description of the mission of the charter  
27 school and the goals for the charter school. A charter school must  
28 have as its stated purpose at least one of the following goals:
  - 29 (a) Improving the academic achievement of pupils;
  - 30 (b) Encouraging the use of effective and innovative methods of  
31 teaching;
  - 32 (c) Providing an accurate measurement of the educational  
33 achievement of pupils;
  - 34 (d) Establishing accountability and transparency of public  
35 schools;
  - 36 (e) Providing a method for public schools to measure  
37 achievement based upon the performance of the schools; or
  - 38 (f) Creating new professional opportunities for teachers.

39 3. A clear description of the indicators, measures and metrics  
40 for the categories of academics, finances and organization that the  
41 charter school proposes to use, the external assessments that will be  
42 used to assess performance in those categories and the objectives  
43 that the committee to form a charter school plans to achieve in those  
44 categories, which must be expressed in terms of the objectives,  
45 measures and metrics. The objectives and the indicators, measures



1 and metrics used by the charter school must be consistent with the  
2 performance framework adopted by the sponsor pursuant to  
3 NRS 388A.270.

4 4. A resume and background information for each person who  
5 serves on the board of the charter management organization or the  
6 committee to form a charter school, as applicable, which must  
7 include the name, telephone number, electronic mail address,  
8 background, qualifications, any past or current affiliation with any  
9 charter school in this State or any other state, any potential conflicts  
10 of interest and any other information required by the sponsor.

11 5. The proposed location of, or the geographic area to be  
12 served by, the charter school and evidence of a need and community  
13 support for the charter school in that area.

14 6. The minimum, planned and maximum projected enrollment  
15 of pupils in each grade in the charter school for each year that the  
16 charter school would operate under the proposed charter contract.

17 7. The procedure for applying for enrollment in the proposed  
18 charter school, which must include, without limitation, the proposed  
19 dates for accepting applications for enrollment in each year of  
20 operation under the proposed charter contract and a statement of  
21 whether the charter school will enroll pupils who are in a particular  
22 category of at-risk pupils before enrolling other children who are  
23 eligible to attend the charter school pursuant to NRS 388A.456 and  
24 the method for determining eligibility for enrollment in each such  
25 category of at-risk pupils served by the charter school.

26 8. The academic program that the charter school proposes to  
27 use, a description of how the academic program complies with the  
28 requirements of NRS 388A.366, the proposed academic calendar for  
29 the first year of operation and a sample daily schedule for a pupil in  
30 each grade served by the charter school.

31 9. A description of the proposed instructional design of the  
32 charter school and the type of learning environment the charter  
33 school will provide, including, without limitation, whether the  
34 charter school will provide a program of distance education, the  
35 planned class size and structure, the proposed curriculum for  
36 the charter school and the teaching methods that will be used at the  
37 charter school.

38 10. The manner in which the charter school plans to identify  
39 and serve the needs of pupils with disabilities, pupils who are  
40 English learners, pupils who are academically behind their peers and  
41 gifted pupils.

42 11. A description of any co-curricular or extracurricular  
43 activities that the charter school plans to offer and the manner in  
44 which these programs will be funded.



1 12. Any uniform or dress code policy that the charter school  
2 plans to use.

3 13. Plans and timelines for recruiting and enrolling students,  
4 including procedures for any lottery for admission that the charter  
5 school plans to conduct.

6 14. The rules of behavior and punishments that the charter  
7 school plans to adopt pursuant to NRS 388A.495, including, without  
8 limitation, any unique discipline policies for pupils enrolled in a  
9 program of special education.

10 15. A chart that clearly presents the proposed organizational  
11 structure of the charter school and a clear description of the roles  
12 and responsibilities of the governing body, administrators and any  
13 other persons included on the chart and a table summarizing the  
14 decision-making responsibilities of the staff and governing body of  
15 the charter school and, if applicable, the charter management  
16 organization that operates the charter school. The table must also  
17 identify the person responsible for each activity conducted by the  
18 charter school, including, without limitation, the person responsible  
19 for establishing curriculum and culture, providing professional  
20 development to employees of the charter school and making  
21 determinations concerning the staff of the charter school.

22 16. The names of any external organizations that will play a  
23 role in operating the charter school and the role each such  
24 organization will play.

25 17. The manner in which the governing body of the charter  
26 school will be chosen.

27 18. A staffing chart for the first year in which the charter  
28 school plans to operate and a projected staffing plan for the term of  
29 the charter contract.

30 19. Plans for recruiting administrators, teachers and other staff,  
31 providing professional development to such staff.

32 20. Proposed bylaws for the governing body, a description of  
33 the manner in which the charter school will be governed, including,  
34 without limitation, any governance training that will be provided to  
35 the governing body, and a code of ethics for members and  
36 employees of the governing body. The code of ethics must be  
37 prepared with guidance from the Nevada Commission on Ethics and  
38 must not conflict with any policy adopted by the sponsor.

39 21. Explanations of any partnerships or contracts central to the  
40 operations or mission of the charter school.

41 22. A statement of whether the charter school will provide for  
42 the transportation of pupils to and from the charter school. If the  
43 charter school will provide transportation, the application must  
44 include the proposed plan for the transportation of pupils. If the  
45 charter school will not provide transportation, the application must



1 include a statement that the charter school will work with the  
2 parents and guardians of pupils enrolled in the charter school to  
3 develop a plan for transportation to ensure that pupils have access to  
4 transportation to and from the charter school.

5 23. The procedure for the evaluation of teachers of the charter  
6 school, if different from the procedure prescribed in NRS 391.680  
7 and 391.725. If the procedure is different from the procedure  
8 prescribed in NRS 391.680 and 391.725, the procedure for the  
9 evaluation of teachers of the charter school must provide the same  
10 level of protection and otherwise comply with the standards for  
11 evaluation set forth in NRS 391.680 and 391.725.

12 24. A statement of the charter school's plans for food service  
13 and other significant operational services, including a statement of  
14 whether the charter school will provide food service or participate in  
15 the National School Lunch Program, 42 U.S.C. §§ 1751 et seq. If  
16 the charter school will not provide food service or participate in the  
17 National School Lunch Program, the application must include an  
18 explanation of the manner in which the charter school will ensure  
19 that the lack of such food service or participation does not prevent  
20 pupils from attending the charter school.

21 25. Opportunities and expectations for involving the parents of  
22 pupils enrolled in the charter school in instruction at the charter  
23 school and the operation of the charter school, including, without  
24 limitation, the manner in which the charter school will solicit input  
25 concerning the governance of the charter school from such parents.

26 26. A detailed plan for starting operation of the charter school  
27 that identifies necessary tasks, the persons responsible for  
28 performing them and the dates by which such tasks will be  
29 accomplished.

30 27. A description of the financial plan and policies to be used  
31 by the charter school.

32 28. A description of the insurance coverage the charter school  
33 will obtain.

34 29. Budgets for starting operation at the charter school, the first  
35 year of operation of the charter school and the first 5 years of  
36 operation of the charter school, with any assumptions inherent in the  
37 budgets clearly stated.

38 30. Evidence of any money pledged or contributed to the  
39 budget of the charter school.

40 31. A statement of the facilities that will be used to operate the  
41 charter school and a plan for operating such facilities, including,  
42 without limitation, any backup plan to be used if the charter school  
43 cannot be operated out of the planned facilities.



1 32. If the charter school operates a vocational school, a  
2 description of the career and technical education program that will  
3 be used by the charter school.

4 33. If the charter school will provide a program of distance  
5 education, a description of the system of course credits that the  
6 charter school will use and the manner in which the charter school  
7 will:

8 (a) Monitor and verify the participation in and completion of  
9 courses by pupils;

10 (b) Require pupils to participate in assessments and submit  
11 course work;

12 (c) Conduct parent-teacher conferences; and

13 (d) Administer any test, examination or assessment required by  
14 state or federal law in a proctored setting.

15 34. If the charter school will provide a program where a  
16 student may earn college credit for courses taken in high school, a  
17 draft memorandum of understanding between the charter school and  
18 the *community college*, college or university through which the  
19 credits will be earned and a term sheet, which must set forth:

20 (a) The proposed duration of the relationship between the  
21 charter school and the *community college*, college or university and  
22 the conditions for renewal and termination of the relationship;

23 (b) The roles and responsibilities of the governing body of the  
24 charter school, the employees of the charter school and the  
25 *community college*, college or university;

26 (c) The scope of the services and resources that will be provided  
27 by the *community college*, college or university;

28 (d) The manner and amount that the *community college*, college  
29 or university will be compensated for providing such services and  
30 resources, including, without limitation, any tuition and fees that  
31 pupils at the charter school will pay to the *community college*,  
32 college or university;

33 (e) The manner in which the *community college*, college or  
34 university will ensure that the charter school effectively monitors  
35 pupil enrollment and attendance and the acquisition of college  
36 credits; and

37 (f) Any employees of the *community college*, college or  
38 university who will serve on the governing body of the charter  
39 school.

40 35. If the applicant currently operates a charter school in  
41 another state, evidence of the performance of such charter schools  
42 and the capacity of the applicant to operate the proposed charter  
43 school.



1 36. If the applicant proposes to contract with an educational  
2 management organization or any other person to provide  
3 educational or management services:

4 (a) Evidence of the performance of the educational management  
5 organization or other person when providing such services to a  
6 population of pupils similar to the population that will be served by  
7 the proposed charter school;

8 (b) A term sheet that sets forth:

9 (1) The proposed duration of the proposed contract between  
10 the governing body of the charter school and the educational  
11 management organization;

12 (2) A description of the responsibilities of the governing  
13 body of the charter school, employees of the charter school and the  
14 educational management organization or other person;

15 (3) All fees that will be paid to the educational management  
16 organization or other person;

17 (4) The manner in which the governing body of the charter  
18 school will oversee the services provided by the educational  
19 management organization or other person and enforce the terms of  
20 the contract;

21 (5) A disclosure of the investments made by the educational  
22 management organization or other person in the proposed charter  
23 school; and

24 (6) The conditions for renewal and termination of the  
25 contract; and

26 (c) A disclosure of any conflicts of interest concerning the  
27 applicant and the educational management organization or other  
28 person, including, without limitation, any past or current  
29 employment, business or familial relationship between any  
30 prospective employee of the charter school and a member of the  
31 committee to form a charter school or the board of directors of the  
32 charter management organization, as applicable.

33 37. Any additional information that the sponsor determines is  
34 necessary to evaluate the ability of the proposed charter school to  
35 serve pupils in the school district in which the proposed charter  
36 school will be located.

37 **Sec. 107.** NRS 388A.249 is hereby amended to read as  
38 follows:

39 388A.249 1. A committee to form a charter school or charter  
40 management organization may submit the application to the  
41 proposed sponsor of the charter school. If an application proposes to  
42 convert an existing public school, homeschool or other program of  
43 home study into a charter school, the proposed sponsor shall deny  
44 the application.



1 2. The proposed sponsor of a charter school shall, in reviewing  
2 an application to form a charter school:

3 (a) Assemble a team of reviewers, which may include, without  
4 limitation, natural persons from different geographic areas of the  
5 United States who possess the appropriate knowledge and expertise  
6 with regard to the academic, financial and organizational experience  
7 of charter schools, to review and evaluate the application;

8 (b) Conduct a thorough evaluation of the application, which  
9 includes an in-person interview with the applicant designed to elicit  
10 any necessary clarifications or additional information about the  
11 proposed charter school and determine the ability of the applicants  
12 to establish a high-quality charter school;

13 (c) Consider the degree to which the proposed charter school  
14 will address the needs identified in the evaluation prepared by the  
15 proposed sponsor pursuant to subsection 5 or 6 of NRS 388A.220,  
16 as applicable;

17 (d) If the proposed sponsor is not the board of trustees of a  
18 school district, solicit input from the board of trustees of the school  
19 district in which the proposed charter school will be located;

20 (e) Base its determination on documented evidence collected  
21 through the process of reviewing the application; and

22 (f) Adhere to the policies and practices developed by the  
23 proposed sponsor pursuant to subsection 2 of NRS 388A.223.

24 3. The proposed sponsor of a charter school may approve an  
25 application to form a charter school only if the proposed sponsor  
26 determines that:

27 (a) The application:

28 (1) Complies with this chapter and the regulations applicable  
29 to charter schools; and

30 (2) Is complete in accordance with the regulations of the  
31 Department and the policies and practices of the sponsor;

32 (b) The applicant has demonstrated competence in accordance  
33 with the criteria for approval prescribed by the sponsor pursuant to  
34 subsection 2 of NRS 388A.223 that will likely result in a successful  
35 opening and operation of the charter school;

36 (c) Based on the most recent evaluation prepared by the  
37 proposed sponsor pursuant to subsection 5 or 6 of NRS 388A.220,  
38 as applicable, the proposed charter school will address one or more  
39 of the needs identified in the evaluation; and

40 (d) It has received sufficient input from the public, including,  
41 without limitation, input received at the meeting held pursuant to  
42 subsection 1 of NRS 388A.252 or subsection 1 of NRS 388A.255,  
43 as applicable.

44 4. The identity of each member of the team of reviewers  
45 assembled by a proposed sponsor of a charter school is confidential



1 for 5 years after the review of an application to form a charter  
2 school is complete and must not be disclosed unless ordered by a  
3 district court in an action brought pursuant to subsection 3 of  
4 NRS 388A.255.

5 5. On or before January 1 of each odd-numbered year, the  
6 Superintendent of Public Instruction shall submit a written report to  
7 the Director of the Legislative Counsel Bureau for transmission to  
8 the next regular session of the Legislature. The report must include:

9 (a) A list of each application to form a charter school that was  
10 submitted to the board of trustees of a school district, the State  
11 Public Charter School Authority, a *community college*, a college or  
12 a university during the immediately preceding biennium;

13 (b) The educational focus of each charter school for which an  
14 application was submitted;

15 (c) The current status of the application; and

16 (d) If the application was denied, the reasons for the denial.

17 **Sec. 108.** NRS 388A.252 is hereby amended to read as  
18 follows:

19 388A.252 1. If the board of trustees of a school district , *a*  
20 *community college within the Nevada System of Community*  
21 *Colleges* or a college or a university within the Nevada System of  
22 Higher Education, as applicable, receives an application to form a  
23 charter school, the board of trustees or the institution, as applicable,  
24 shall consider the application at a meeting that must be held not later  
25 than 60 days after the receipt of the application, or a later period  
26 mutually agreed upon by the committee to form the charter school  
27 and the board of trustees of the school district , *the community*  
28 *college, the college* or the ~~institution,~~ *university*, as applicable, and  
29 ensure that notice of the meeting has been provided pursuant to  
30 chapter 241 of NRS. The board of trustees, the *community college*,  
31 *the college* or the university, as applicable, shall review an  
32 application in accordance with the requirements for review set forth  
33 in subsections 2 and 3 of NRS 388A.249.

34 2. The board of trustees, the *community college, the college* or  
35 the university, as applicable, may approve an application if the  
36 requirements of subsection 3 of NRS 388A.249 are satisfied.

37 3. The board of trustees, *the community college*, the college or  
38 the university, as applicable, shall provide written notice to the  
39 applicant of its approval or denial of the application. If the board of  
40 trustees, *the community college*, the college or the university, as  
41 applicable, denies an application, it shall include in the written  
42 notice the reasons for the denial and the deficiencies. The applicant  
43 must be granted 30 days after receipt of the written notice to correct  
44 any deficiencies identified in the written notice and resubmit the  
45 application.



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

8 **Sec. 109.** NRS 388A.258 is hereby amended to read as  
9 follows:

10 388A.258 Notwithstanding the provisions of NRS 388A.249,  
11 388A.252 and 388A.255, the State Public Charter School Authority  
12 may adopt regulations establishing timelines and procedures by  
13 which the State Public Charter School Authority will review  
14 applications and the board of trustees of a school district that is  
15 approved to sponsor charter schools, *a community college within*  
16 *the Nevada System of Community Colleges that is approved to*  
17 *sponsor charter schools* or a college or university within the  
18 Nevada System of Higher Education that is approved to sponsor  
19 charter schools may adopt policies establishing timelines and  
20 procedures by which the board of trustees ~~for~~, *community college*,  
21 college or university, as applicable, will review applications. These  
22 regulations or policies may:

23 1. Establish different timelines and review procedures for  
24 different types of applicants; and

25 2. Authorize or require an applicant to submit an abbreviated  
26 application, the contents of such an application and criteria that the  
27 State Public Charter School Authority will use to determine whether  
28 to invite the applicant to submit a full application that meets the  
29 requirements of NRS 388A.243 and 388A.246 or deny the  
30 abbreviated application and recommend that the applicant make  
31 substantial revisions and submit the application during another  
32 application cycle.

33 **Sec. 110.** NRS 388A.270 is hereby amended to read as  
34 follows:

35 388A.270 1. If the proposed sponsor of a charter school  
36 approves an application to form a charter school, it shall negotiate,  
37 develop and execute a charter contract with the governing body of  
38 the charter school. A charter contract must be executed not later  
39 than 60 days before the charter school commences operation. The  
40 charter contract must be in writing and incorporate, without  
41 limitation:

42 (a) The performance framework for the charter school;

43 (b) A description of the administrative relationship between the  
44 sponsor of the charter school and the governing body of the charter



1 school, including, without limitation, the rights and duties of the  
2 sponsor and the governing body; and

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

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

9 (a) If the board of trustees of a school district is the sponsor of  
10 the charter school, the superintendent of schools of the school  
11 district;

12 (b) If the State Public Charter School Authority is the sponsor of  
13 the charter school, the Chair of the State Public Charter School  
14 Authority; ~~or~~

15 (c) *If a community college within the Nevada System of*  
16 *Community Colleges is the sponsor of the charter school, the*  
17 *president of the community college; or*

18 (d) If a college or university within the Nevada System of  
19 Higher Education is the sponsor of the charter school, the president  
20 of the college or university.

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

24 4. The sponsor of the charter school shall, not later than 10  
25 days after the execution of the charter contract, provide to the  
26 Department:

27 (a) Written notice of the charter contract and the date of  
28 execution; and

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

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

33 6. If the State Public Charter School Authority approves the  
34 application:

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

37 (b) Neither the State of Nevada, the State Board, the State  
38 Public Charter School Authority nor the Department is an employer  
39 of the members of the governing body of the charter school or any  
40 of the employees of the charter school.

41 7. *If a community college within the Nevada System of*  
42 *Community Colleges approves the application:*

43 (a) *The community college shall be deemed the sponsor of the*  
44 *charter school.*



1 (b) *Neither the State of Nevada, the State Board nor the*  
2 *Department is an employer of the members of the governing body*  
3 *of the charter school or any of the employees of the charter*  
4 *school.*

5 8. If a college or university within the Nevada System of  
6 Higher Education approves the application:

7 (a) That institution shall be deemed the sponsor of the charter  
8 school.

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

12 ~~8.~~ 9. Except as otherwise provided in NRS 388A.285, a  
13 charter contract must be for a term of 6 years. The term of the  
14 charter contract begins on the first day of operation of the charter  
15 school after the charter contract has been executed. The sponsor of  
16 the charter school may require, or the governing body of the charter  
17 school may request that the sponsor authorize, the charter school to  
18 delay commencement of operation for 1 school year.

19 **Sec. 111.** NRS 388A.279 is hereby amended to read as  
20 follows:

21 388A.279 1. The State Public Charter School Authority, the  
22 board of trustees of the school district, *a community college within*  
23 *the Nevada System of Community Colleges* or a college or  
24 university within the Nevada System of Higher Education, as  
25 applicable, which sponsors a charter school may hold a public  
26 hearing concerning any request to amend a charter contract of the  
27 charter school it sponsors, including, without limitation, a request to  
28 amend a charter contract for the purpose of:

29 (a) Expanding the charter school to offer instruction in grade  
30 levels for which the charter school does not already offer  
31 instruction.

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

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

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

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

44 2. A charter contract may not be amended in any manner  
45 described in subsection 1 unless the amendment is approved by the



1 State Public Charter School Authority, the board of trustees of the  
2 school district , *a community college within the Nevada System of*  
3 *Community Colleges* or a college or university within the Nevada  
4 System of Higher Education, as applicable.

5 3. The State Public Charter School Authority, the board of  
6 trustees of the school district , *a community college within the*  
7 *Nevada System of Community Colleges* or a college or university  
8 within the Nevada System of Higher Education, as applicable, must  
9 deny a request to amend a charter contract in the manner described  
10 in paragraph (d) or (e) of subsection 1 if the State Public Charter  
11 School Authority, ~~the~~ board of trustees ~~for a~~ , *community college,*  
12 *college or university ,* ~~[within the Nevada System of Higher~~  
13 ~~Education,]~~ as applicable, determines that:

14 (a) The charter school is not meeting the requirements of the  
15 performance framework concerning academics, finances or  
16 organization established pursuant to NRS 388A.273; or

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

19 **Sec. 112.** NRS 388A.378 is hereby amended to read as  
20 follows:

21 388A.378 1. The governing body of a charter school may  
22 contract with the board of trustees of the school district in which the  
23 charter school is located or in which a pupil enrolled in the charter  
24 school resides or with the *Nevada System of Community Colleges*  
25 *or* Nevada System of Higher Education for the provision of facilities  
26 to operate the charter school or to perform any service relating to the  
27 operation of the charter school, including, without limitation,  
28 transportation, the provision of health services for the pupils who  
29 are enrolled in the charter school and the provision of school police  
30 officers. If the board of trustees of a school district , *a community*  
31 *college within the Nevada System of Community Colleges* or a  
32 college or university within the Nevada System of Higher Education  
33 is the sponsor of the charter school, the governing body and the  
34 sponsor must enter into a service agreement pursuant to NRS  
35 388A.381 before the provision of such services other than for the  
36 provision of school police officers when the provisions of NRS  
37 388A.384 apply. If the board of trustees of a school district provides  
38 services to a charter school pursuant to this section or NRS  
39 388A.474, it shall not charge more than its cost for providing such  
40 services determined on a cost per pupil basis.

41 2. A charter school may use any public facility located within  
42 the school district in which the charter school is located. A charter  
43 school may use school buildings owned by the school district only  
44 upon approval of the board of trustees of the school district.



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

4 4. A charter school may:

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

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

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

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

17 **Sec. 113.** NRS 388G.130 is hereby amended to read as  
18 follows:

19 388G.130 1. Except as otherwise provided in subsection 10,  
20 the empowerment team of a public school, other than a charter  
21 school that is sponsored by the State Public Charter School  
22 Authority, *a community college within the Nevada System of*  
23 *Community Colleges* or ~~[by]~~ a college or university within the  
24 Nevada System of Higher Education, that develops an  
25 empowerment plan pursuant to NRS 388G.120 shall submit the  
26 proposed empowerment plan to the designee of the board of trustees  
27 appointed pursuant to this subsection for review and approval  
28 pursuant to this section. The board of trustees shall designate a  
29 person to review each proposed empowerment plan and recommend  
30 the approval or denial of the plan to the board of trustees.

31 2. The board of trustees shall approve or deny the  
32 empowerment plan. The approval or denial of an empowerment plan  
33 must be based solely upon the contents of the plan and may not  
34 consider the amount of money required to carry out the  
35 empowerment plan if the plan is within the limits of the total  
36 apportionment to the school pursuant to subsection 4 of  
37 NRS 388G.120.

38 3. Except as otherwise provided in subsection 10, if the board  
39 of trustees approves an empowerment plan, the president of the  
40 board of trustees, the principal of the public school and the chair of  
41 the empowerment team, if the principal is not the chair, shall each  
42 sign the plan. The empowerment plan is effective for 3 years unless  
43 the empowerment team determines that the school will no longer  
44 operate under the plan or the board of trustees of the school district  
45 revokes the plan.



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

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

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

9 5. Except as otherwise provided in subsection 10, an  
10 empowerment plan for a public school is not effective and a public  
11 school shall not operate as an empowerment school unless the plan  
12 is signed by the president of the board of trustees of the school  
13 district, the principal of the public school and the chair of the  
14 empowerment team, if the principal is not the chair. If an  
15 empowerment plan includes a request for a waiver from a statute  
16 contained in this title or a regulation of the State Board or the  
17 Department, a public school may operate under the approved plan  
18 but the requested waivers from state law are not effective unless  
19 approved by the State Board pursuant to subsection 7.

20 6. Except as otherwise provided in subsection 10, the  
21 empowerment team may submit a written request to the board of  
22 trustees for an amendment to the empowerment plan approved  
23 pursuant to this section, including an explanation of the reason for  
24 the amendment. An amendment must be approved in the same  
25 manner as the empowerment plan was approved.

26 7. If the empowerment plan includes a request for a waiver  
27 from a statute or regulation, the board of trustees shall forward the  
28 approved empowerment plan to the State Board for review of the  
29 request for a waiver. The State Board shall review the empowerment  
30 plan and may approve or deny the request for a waiver from a  
31 statute or regulation unless the statute or regulation is required by  
32 federal law or is required to carry out federal law.

33 8. If the State Board approves the request for a waiver for a  
34 school, the Department shall provide written notice of the approval  
35 to the board of trustees of the school district that submitted the  
36 empowerment plan on behalf of the school.

37 9. If the State Board denies a request for a waiver, the State  
38 Board shall:

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

41 (b) Except as otherwise provided in subsection 10, provide the  
42 empowerment team with a reasonable opportunity to correct any  
43 deficiencies identified in the written statement and resubmit it for  
44 approval. A request for a waiver may be resubmitted by the school



1 district, after the empowerment team corrects any deficiencies, not  
2 more than once in a school year.

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

7 **Sec. 114.** NRS 388G.140 is hereby amended to read as  
8 follows:

9 388G.140 1. Except as otherwise provided in subsection 7,  
10 the empowerment team of a charter school that is sponsored by the  
11 State Public Charter School Authority, *a community college within*  
12 *the Nevada System of Community Colleges* or ~~by~~ a college or  
13 university within the Nevada System of Higher Education which  
14 develops an empowerment plan pursuant to NRS 388G.120 shall  
15 submit the proposed plan to the Department for transmission to the  
16 State Board for review and approval pursuant to this section.

17 2. The State Board shall review each proposed empowerment  
18 plan and approve or deny the plan, including a request for a waiver  
19 from a statute contained in this title or a regulation of the State  
20 Board or the Department, if applicable. The approval or denial of an  
21 empowerment plan must be based solely upon the contents of the  
22 plan and may not consider the amount of money required to carry  
23 out the empowerment plan if the plan is within the limits of the total  
24 apportionment to the charter school pursuant to subsection 4 of  
25 NRS 388G.120.

26 3. Except as otherwise provided in subsection 7, if the State  
27 Board approves an empowerment plan, the President of the State  
28 Board, the principal of the charter school and the chair of the  
29 empowerment team, if the principal is not the chair, shall each sign  
30 the plan. The empowerment plan is effective for 3 years unless the  
31 empowerment team determines that the school will no longer  
32 operate under the plan or the State Board revokes the plan.

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

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

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

41 5. Except as otherwise provided in subsection 7, an  
42 empowerment plan for a charter school that is sponsored by the  
43 State Public Charter School Authority, *a community college within*  
44 *the Nevada System of Community Colleges* or ~~by~~ a college or  
45 university within the Nevada System of Higher Education is not



1 effective and a charter school shall not operate as an empowerment  
2 school unless the plan is signed by the President of the State Board,  
3 the principal of the charter school and the chair of the empowerment  
4 team, if the principal is not the chair.

5 6. Except as otherwise provided in subsection 7, the  
6 empowerment team may submit a written request to the Department  
7 for an amendment to the empowerment plan approved pursuant to  
8 this section, including an explanation of the reason for the  
9 amendment. An amendment must be approved in the same manner  
10 as the empowerment plan was approved.

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

15 **Sec. 115.** NRS 388G.200 is hereby amended to read as  
16 follows:

17 388G.200 1. Each empowerment school, other than a charter  
18 school that is sponsored by the State Public Charter School  
19 Authority , *a community college within the Nevada System of*  
20 *Community Colleges* or ~~by~~ a college or university within the  
21 Nevada System of Higher Education, shall, on a quarterly basis,  
22 submit to the board of trustees of the school district in which the  
23 school is located a report that includes:

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

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

27 2. Each charter school that is sponsored by the State Public  
28 Charter School Authority , *a community college within the Nevada*  
29 *System of Community Colleges* or ~~by~~ a college or university  
30 within the Nevada System of Higher Education which is approved  
31 to operate as an empowerment school shall, on a quarterly basis,  
32 submit to the Department a report that includes:

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

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

36 3. The board of trustees of a school district shall conduct a  
37 financial audit of each empowerment school within the school  
38 district, other than a charter school that is sponsored by the State  
39 Public Charter School Authority , *a community college within the*  
40 *Nevada System of Community Colleges* or ~~by~~ a college or  
41 university within the Nevada System of Higher Education. Each  
42 financial audit must be conducted on an annual basis and more  
43 frequently if determined necessary by the board of trustees.

44 4. The Department shall conduct a financial audit of each  
45 charter school that is sponsored by the State Public Charter School



1 Authority , *a community college within the Nevada System of*  
2 *Community Colleges* or ~~by~~ a college or university within the  
3 Nevada System of Higher Education which operates as an  
4 empowerment school on an annual basis and more frequently if  
5 determined necessary by the Department.

6 5. On or before July 1 of each year, the board of trustees of  
7 each school district shall compile the reports and audits required  
8 pursuant to subsections 1 and 3, if any, and forward the compilation  
9 to the:

- 10 (a) Governor;
- 11 (b) Department; and
- 12 (c) Legislative Committee on Education.

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

- 16 (a) Governor; and
- 17 (b) Legislative Committee on Education.

18 **Sec. 116.** NRS 388H.050 is hereby amended to read as  
19 follows:

20 388H.050 The Board of Regents of the University of Nevada  
21 *or the State Board for Community Colleges, as applicable*, may,  
22 with the cooperation of the Department of Corrections, offer courses  
23 that lead to a postsecondary degree for incarcerated persons in any  
24 facility or institution operated by the Department of Corrections.

25 **Sec. 117.** NRS 389.310 is hereby amended to read as follows:

26 389.310 1. Each school district and charter school shall enter  
27 into cooperative agreements with one or more community colleges,  
28 state colleges and universities to offer dual credit courses to pupils  
29 enrolled in the school district or charter school.

30 2. Each cooperative agreement entered into pursuant to this  
31 section must include, without limitation:

32 (a) Provisions specifying the amount of credit to be awarded for  
33 the successful completion of the dual credit course;

34 (b) A requirement that any credits earned by a pupil for the  
35 successful completion of a dual credit course must be applied  
36 toward earning a credential, certificate or degree, as applicable, at  
37 the community college, state college or university that provides the  
38 dual credit course;

39 (c) An explanation of the manner in which the tuition for the  
40 dual credit course will be paid, including, without limitation,  
41 whether:

42 (1) The school district or charter school will pay all or a  
43 portion of the tuition for the dual credit course;

44 (2) A pupil is responsible for paying all or a portion of the  
45 tuition for the dual credit course;



1 (3) Grants from the Department are available and will be  
2 applied to pay all or a portion of the tuition for the dual credit  
3 course; and

4 (4) Any other funding source, including federal funding  
5 sources or sources from private entities, will be applied by the  
6 school district or charter school to pay all or a portion of the tuition  
7 for the dual credit course;

8 (d) A requirement that the school district or charter school  
9 establish an academic program for each pupil enrolled in the dual  
10 credit course that includes, as applicable, the academic plan  
11 developed for the pupil pursuant to NRS 388.205;

12 (e) Assignment by the school district or charter school of a  
13 unique identification number to each pupil who is enrolled in the  
14 dual credit course;

15 (f) A requirement that the community college, state college or  
16 university that provides the dual credit course retain the unique  
17 identification number assigned to each pupil pursuant to  
18 paragraph (e);

19 (g) A written consideration and identification of the ways in  
20 which a pupil who is enrolled in a dual credit course can remain  
21 eligible for interscholastic activities; and

22 (h) Any other financial or other provisions that the school  
23 district or charter school and the community college, state college or  
24 university that provides the dual credit course deem appropriate.

25 3. A ~~community college,~~ state college or university that  
26 offers a dual credit course shall provide to the Nevada System of  
27 Higher Education and the Department a copy of each cooperative  
28 agreement entered into by the community college, state college or  
29 university pursuant to subsection 1.

30 4. *A community college that offers a dual credit course shall*  
31 *provide to the Nevada System of Community Colleges and the*  
32 *Department a copy of each cooperative agreement entered into by*  
33 *the community college pursuant to subsection 1.*

34 5. *The Nevada System of Community Colleges and the*  
35 *Nevada System of Higher Education and the Department shall retain*  
36 *a copy of each cooperative agreement entered into pursuant to this*  
37 *section.*

38 **Sec. 118.** NRS 391.011 is hereby amended to read as follows:

39 391.011 1. The Commission on Professional Standards in  
40 Education, consisting of ~~eleven~~ 12 members appointed by the  
41 Governor, is hereby created.

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

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



1 (b) One who holds a license to teach middle school or junior  
2 high school education and teaches in a middle school or junior high  
3 school.

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

6 (d) One who holds a license to teach special education and  
7 teaches special education.

8 (e) One who holds a license to teach pupils in a program of early  
9 childhood education and teaches in a program of early childhood  
10 education.

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

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

15 (b) One administrator of a school who is employed by a school  
16 district or charter school to provide administrative service at an  
17 individual school. Such an administrator must not provide service at  
18 the district level.

19 (c) The dean of the College of Education at one of the  
20 universities in the Nevada System of Higher Education, or a  
21 representative of one of the Colleges of Education nominated by  
22 such a dean for appointment by the Governor.

23 (d) *A president of one of the community colleges within the*  
24 *Nevada System of Community Colleges nominated by State Board*  
25 *for Community Colleges for appointment by the Governor or his*  
26 *or her designee.*

27 (e) One member who is the parent or legal guardian of a pupil  
28 enrolled in a public school.

29 ~~(e)~~ (f) One member who has expertise and experience in the  
30 operation of a business.

31 ~~(f)~~ (g) One member who is the superintendent of schools of a  
32 school district.

33 4. Three of the five appointments made pursuant to subsection  
34 2 must be made from a list of names of at least three persons for  
35 each position that is submitted to the Governor by an employee  
36 organization representing the majority of teachers in the State who  
37 teach in the educational level from which the appointment is being  
38 made.

39 5. The appointment made pursuant to:

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



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

5 (c) Paragraph ~~[(d)]~~ (e) of subsection 3 must be made from a list  
6 of names of persons submitted to the Governor by the Nevada  
7 Parent Teacher Association or its successor organization.

8 (d) Paragraph ~~[(e)]~~ (g) of subsection 3 must be made from a list  
9 of names of persons submitted to the Governor by the Nevada  
10 Association of School Superintendents.

11 **Sec. 119.** NRS 391A.150 is hereby amended to read as  
12 follows:

13 391A.150 1. Each regional training program must have a  
14 governing body consisting of:

15 (a) The superintendent of schools, or the superintendent's  
16 designee, for each school district that is included within the primary  
17 jurisdiction of the regional training program. The superintendent of  
18 schools serves ex officio.

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

28 (c) Representatives of the Nevada System of Higher Education,  
29 appointed by the Board of Regents, *representatives of the Nevada*  
30 *System of Community Colleges, appointed by the State Board for*  
31 *Community Colleges*, and representatives of other institutions of  
32 higher education, as determined by the superintendents of school  
33 districts included within the primary jurisdiction of the regional  
34 training program.

35 (d) A nonvoting member who is an employee of the  
36 Department.

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

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

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



1     **Sec. 120.** NRS 391A.175 is hereby amended to read as  
2 follows:

3     391A.175 1. The governing body of each regional training  
4 program shall:

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

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

15       (c) In making the assessment required by paragraph (b) and as  
16 deemed necessary by the governing body, review the plans to  
17 improve the achievement of pupils prepared pursuant to NRS  
18 385A.650 for individual schools within the primary jurisdiction of  
19 the regional training program.

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

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

26           (2) Specific details of the training that will be offered by the  
27 regional training program for the first 2 years covered by the plan  
28 including, without limitation, the biennial budget of the regional  
29 training program for those 2 years.

30     ➔ The governing body shall incorporate into the 5-year plan any  
31 revisions recommended by the Statewide Council.

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

36     2. The Department, the Nevada System of Higher Education ,  
37 *the Nevada System of Community Colleges* and the board of  
38 trustees of a school district may request the governing body of the  
39 regional training program that serves the school district to provide  
40 training, participate in a program or otherwise perform a service that  
41 is in addition to the duties of the regional training program that are  
42 set forth in the plan adopted pursuant to this section or otherwise  
43 required by statute. An entity may not represent that a regional  
44 training program will perform certain duties or otherwise obligate  
45 the regional training program as part of an application by that entity



1 for a grant unless the entity has first obtained the written  
2 confirmation of the governing body of the regional training program  
3 to perform those duties or obligations. The governing body of a  
4 regional training program may, but is not required to, grant a request  
5 pursuant to this subsection.

6 **Sec. 121.** NRS 391A.505 is hereby amended to read as  
7 follows:

8 391A.505 1. The Superintendent of Public Instruction shall  
9 coordinate the annual distribution of grants of money from the Great  
10 Teaching and Leading Fund to the following entities whose  
11 applications for a grant are approved:

12 (a) The governing body of a regional training program for the  
13 professional development of teachers and administrators.

14 (b) The board of trustees of a school district.

15 (c) The governing body of a charter school.

16 (d) The State Public Charter School Authority.

17 (e) A university ~~{ }~~ or state college ~~{or community college}~~  
18 within the Nevada System of Higher Education.

19 (f) *A community college within the Nevada System of*  
20 *Community Colleges.*

21 (g) Employee associations representing licensed educational  
22 personnel.

23 ~~{(g)}~~ (h) Nonprofit educational organizations.

24 2. The Superintendent of Public Instruction shall:

25 (a) Prescribe the form for an entity described in subsection 1 to  
26 submit an application for a grant of money from the Fund and the  
27 deadline for submission of such an application.

28 (b) Assign a committee to review the applications and make  
29 recommendations to the Superintendent for awarding grants of  
30 money from the Fund.

31 (c) Make recommendations to the State Board regarding  
32 awarding grants of money from the Fund.

33 3. Based upon the recommendations made by the  
34 Superintendent of Public Instruction pursuant to paragraph (c) of  
35 subsection 2 and to the extent money is available in the Fund, the  
36 State Board shall award grants of money to each entity with an  
37 approved application not later than December 31 of each year. To  
38 the extent that money is available, a grant of money from the Fund  
39 may be awarded for the period specified by the applicant in the  
40 application, not to exceed 3 years. The State Board may not award  
41 more than 20 percent of the money placed in the Fund by legislative  
42 appropriation to any single entity in a fiscal year.

43 4. On or before September 30 of each year, the State Board  
44 shall prescribe the priorities of programs set forth in subsection 2 of  
45 NRS 391A.510 for which grants of money will be made from the



1 Fund on or before December 31 of that year. In developing the  
2 priorities, the State Board shall review and consider the assessment  
3 of the training needs of teachers and administrators made by the  
4 governing body of each regional training program for the  
5 professional development of teachers and administrators pursuant to  
6 NRS 391A.175.

7 5. The Superintendent of Public Instruction shall:

8 (a) Post on the Internet website maintained by the Department a  
9 list of each gift or grant, if any, received pursuant to subsection 1 of  
10 NRS 391A.500 for deposit in the Fund and the name of the donor of  
11 the gift or grant.

12 (b) Update the list annually.

13 (c) On or before February 1 of each year, transmit the list  
14 prepared for the immediately preceding year:

15 (1) In odd-numbered years, to the Director of the Legislative  
16 Counsel Bureau for transmittal to the next regular session of the  
17 Legislature; and

18 (2) In even-numbered years, to the Legislative Committee on  
19 Education.

20 **Sec. 122.** NRS 392.128 is hereby amended to read as follows:

21 392.128 1. Each advisory board to review school attendance  
22 created pursuant to NRS 392.126 shall:

23 (a) Review the records of the attendance and truancy of pupils  
24 submitted to the advisory board to review school attendance by the  
25 board of trustees of the school district or the State Public Charter  
26 School Authority , *a community college within the Nevada System*  
27 *of Community Colleges* or a college or university within the Nevada  
28 System of Higher Education that sponsors a charter school pursuant  
29 to subsection 3 of NRS 385A.240;

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

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

36 (d) At least annually, evaluate the effectiveness of those  
37 programs;

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

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

43 2. The chair of an advisory board may divide the advisory  
44 board into subcommittees. The advisory board may delegate one or  
45 more of the duties of the advisory board to a subcommittee of the



1 advisory board, including, without limitation, holding hearings  
2 pursuant to NRS 392.147. If the chair of an advisory board divides  
3 the advisory board into subcommittees, the chair shall notify the  
4 board of trustees of the school district of this action. Upon receipt of  
5 such a notice, the board of trustees shall establish rules and  
6 procedures for each such subcommittee. A subcommittee shall abide  
7 by the applicable rules and procedures when it takes action or makes  
8 decisions.

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

16 4. An advisory board to review school attendance created in a  
17 county pursuant to NRS 392.126 may use money appropriated by  
18 the Legislature and any other money made available to the advisory  
19 board for the use of programs to reduce the truancy of pupils in the  
20 school district. The advisory board to review school attendance  
21 shall, on a quarterly basis, provide to the board of trustees of the  
22 school district an accounting of the money used by the advisory  
23 board to review school attendance to reduce the truancy of pupils in  
24 the school district.

25 **Sec. 123.** NRS 394.625 is hereby amended to read as follows:

26 394.625 1. Except for the Nevada System of Higher  
27 Education ~~]~~ *and the Nevada System of Community Colleges,* no  
28 person may use the term "university" or "college" *or "community*  
29 *college"* or any term or abbreviation which represents that the  
30 person is a university, ~~[or]~~ *college or community college* as part of  
31 the name or other designation of any entity without authorization  
32 from the Commission.

33 2. The Commission shall adopt regulations for authorizing  
34 postsecondary educational institutions to use the term "university,"  
35 ~~[or]~~ *"college" or "community college"* as part of their respective  
36 names or designations. The regulations must provide for  
37 consideration of the institution's qualification to award degrees and  
38 may include minimum standards similar to those prescribed by law  
39 for licensing by the Commission.

40 **Sec. 124.** NRS 396.005 is hereby amended to read as follows:

41 396.005 As used in this chapter, unless the context otherwise  
42 requires:

43 1. "Board of Regents" means the Board of Regents of the  
44 University of Nevada.



1 2. "Community college" means all of the community colleges  
2 within the Nevada System of ~~Higher Education~~ **Community**  
3 **Colleges**.

4 3. "State college" means all of the state colleges within the  
5 Nevada System of Higher Education.

6 4. "System" means the Nevada System of Higher Education.

7 5. "University" means all of the universities within the Nevada  
8 System of Higher Education.

9 **Sec. 125.** NRS 396.020 is hereby amended to read as follows:

10 396.020 The legal and corporate name of the State University  
11 is the University of Nevada. The System of:

12 1. Universities;

13 2. State colleges;

14 3. ~~Community colleges~~;

15 ~~4.~~ Administrative services;

16 ~~5.~~ 4. Research facilities, including, without limitation:

17 (a) The Desert Research Institute;

18 (b) The Ethics Institute; and

19 (c) The Center for the Analysis of Crime Statistics, established  
20 within the Department of Criminal Justice at the University of  
21 Nevada, Las Vegas; and

22 ~~6.~~ 5. Departments within the Public Service Division,

23 ↪ administered under the direction of the Board of Regents is  
24 hereby collectively known as the Nevada System of Higher  
25 Education. The System is comprised of such branches and facilities  
26 as the Board of Regents deems appropriate.

27 **Sec. 126.** NRS 396.405 is hereby amended to read as follows:

28 396.405 1. A university foundation:

29 (a) Shall comply with the provisions of chapter 241 of NRS;

30 (b) Except as otherwise provided in subsection 2, shall make its  
31 records public and open to inspection pursuant to NRS 239.010;

32 (c) Is exempt from the taxes imposed by NRS 375.020, 375.023  
33 and 375.026 pursuant to subsection 13 of NRS 375.090; and

34 (d) May allow a president or an administrator of the university  
35 ~~or~~ state college ~~or community college~~ which it supports to serve  
36 as a member of its governing body.

37 2. A university foundation is not required to disclose the name  
38 of any contributor or potential contributor to the university  
39 foundation, the amount of his or her contribution or any information  
40 which may reveal or lead to the discovery of his or her identity. The  
41 university foundation shall, upon request, allow a contributor to  
42 examine, during regular business hours, any record, document or  
43 other information of the foundation relating to that contributor.



1 3. As used in this section, “university foundation” means a  
2 nonprofit corporation, association or institution or a charitable  
3 organization that is:

4 (a) Organized and operated primarily for the purpose of  
5 fundraising in support of a university ~~[.] or a state college or a~~  
6 ~~community] college;~~

7 (b) Formed pursuant to the laws of this State; and

8 (c) Exempt from taxation pursuant to 26 U.S.C. § 501(c)(3).

9 **Sec. 127.** NRS 396.4365 is hereby amended to read as  
10 follows:

11 396.4365 1. The Board of Regents shall ensure that each  
12 university ~~[.] and state college [and community college]~~ within the  
13 System:

14 (a) Maintains at the university ~~[.] or state college [or community~~  
15 ~~college]~~ a material safety data sheet for each hazardous chemical  
16 used on the buildings or grounds of the university ~~[.] or state college~~  
17 ~~; [or community college];~~

18 (b) Complies with any safety precautions contained in those  
19 sheets; and

20 (c) Makes those sheets available to all the personnel of the  
21 university ~~[.] or state college [or community college]~~ and the parents  
22 of each student attending the university ~~[.] or state college . [or~~  
23 ~~community college.]~~

24 2. For the purposes of this section, “material safety data sheet”  
25 has the meaning ascribed to ~~[.]~~ *“safety data sheet”* in 29 C.F.R. §  
26 1910.1200.

27 **Sec. 128.** NRS 396.504 is hereby amended to read as follows:

28 396.504 1. The Legislature hereby encourages the Board of  
29 Regents to:

30 (a) Examine and audit the function, strengths and most efficient  
31 use of the facilities, resources and staff of each institution to address  
32 the needs of the students of the System.

33 (b) Review periodically their mission for higher education, as  
34 the number of institutions within the System expands and the focus  
35 of each institution is defined and further redefined, to determine  
36 whether there is unnecessary duplication of programs or courses  
37 within the System which might be more appropriate for a different  
38 institution.

39 (c) Examine and audit the educational opportunities, programs  
40 and services offered by the institutions within the System to ensure  
41 that those opportunities, programs and services are tailored  
42 appropriately to:

43 (1) The different categories of students and prospective  
44 students having varied aptitudes, aspirations and educational needs,  
45 including, without limitation, students who are veterans;



1 (2) The jobs and industries likely to be employing the  
2 students; and

3 (3) The state economic development plan.

4 (d) Insofar as is practicable to achieve the goals set forth in  
5 paragraphs (a), (b) and (c), implement measures pursuant to which  
6 the educational needs of students and prospective students will be  
7 met by:

8 (1) Providing:

9 (I) ~~Programs of remedial education, continuing education  
10 and entry level higher education at community colleges.~~

11 ~~(II)~~ Programs of baccalaureate-level higher education at  
12 state colleges.

13 ~~(III)~~ (II) Programs of baccalaureate-level higher  
14 education in other disciplines and graduate-level higher education  
15 and research at universities and the Desert Research Institute.

16 (2) Fostering a culture that recognizes the unique challenges  
17 of students who are veterans and works to accommodate the  
18 transition of those students to higher education by collecting,  
19 tracking and sharing data concerning those students.

20 (e) On or before September 1 of each year, provide a report of  
21 its findings and any adjustments made and actions taken as a result  
22 of those findings to the Director of the Legislative Counsel Bureau  
23 for transmission to the Interim Finance Committee and the next  
24 regular session of the Nevada Legislature.

25 2. The System is encouraged to review the core curriculum at  
26 each institution to determine whether there is parity among the  
27 institutions of the System.

28 **Sec. 129.** NRS 396.509 is hereby amended to read as follows:

29 396.509 1. The Board of Regents or its designee shall, in  
30 consultation with the State approving agency designated pursuant to  
31 38 U.S.C. § 3671 and the American Council on Education, establish  
32 statewide standards for awarding credit for military education,  
33 training or occupational experience. Such standards must include,  
34 without limitation, the:

35 (a) Identification of any military education, training or  
36 occupational experience listed on a Joint Services Transcript or an  
37 Air University or Community College of the Air Force transcript for  
38 which credit must be awarded;

39 (b) Amount of credit that will be awarded for the completion of  
40 such education, training or occupational experience; and

41 (c) Specific academic program in a community college, state  
42 college or university to which such credit is applicable.

43 2. Credit earned by a student for military education, training or  
44 occupational experience must be applicable toward the course work  
45 required of the student for the award of an associate's degree,



1 baccalaureate degree or certificate at any university ~~[ ]~~ or state  
2 college. ~~[ ] or state college.~~

3 **Sec. 130.** NRS 396.533 is hereby amended to read as follows:

4 396.533 A student who is enrolled in a university ~~[ ]~~ or state  
5 college ~~[ ] or state college~~ within the System must be granted  
6 access to all the library facilities that are available to students  
7 enrolled in any of the institutions within the System and must be  
8 adequately informed of the library services that are available.

9 **Sec. 131.** NRS 396.535 is hereby amended to read as follows:

10 396.535 1. The Board of Regents shall prescribe a form that  
11 provides for the informed consent of students concerning the  
12 directory information that a university, university foundation ~~[ ]~~ or  
13 state college, ~~[ ] or state college,~~ as applicable, makes public.  
14 The form must:

15 (a) Allow each student a reasonable opportunity to indicate  
16 whether the student opts not to authorize the release or disclosure of  
17 personally identifiable information concerning the student for:

18 (1) Commercial purposes, without the prior written consent  
19 of the student;

20 (2) Noncommercial purposes, without the prior written  
21 consent of the student; or

22 (3) Both commercial and noncommercial purposes, without  
23 the prior written consent of the student.

24 (b) Inform the student that:

25 (1) If the student does not return the form indicating that his  
26 or her personally identifiable information must not be released or  
27 disclosed, then it is probable that the information will be released or  
28 disclosed.

29 (2) If the student returns the form indicating that his or her  
30 personally identifiable information must not be released or  
31 disclosed, then the university, university foundation ~~[ ]~~ or state  
32 college, ~~[ ] or state college,~~ as applicable, will not release or  
33 disclose the information without the student's prior written consent.

34 (c) Be included with the other forms required for admission to  
35 the university ~~[ ]~~ or state college, ~~[ ] or state college,~~ as  
36 applicable.

37 2. Except as otherwise required by federal law, a university,  
38 university foundation ~~[ ]~~ or state college ~~[ ] or state college~~  
39 shall not release, disclose or otherwise use any personally  
40 identifiable information concerning a student without the prior  
41 written consent of the student for:

42 (a) Commercial or noncommercial purposes if the student has  
43 returned a form indicating that the student does not authorize release  
44 or disclosure for those purposes without his or her consent;



1 (b) Commercial purposes if the student has returned a form  
2 indicating that the student does not authorize release or disclosure  
3 for those purposes without his or her consent; or

4 (c) Noncommercial purposes if the student has returned a form  
5 indicating that the student does not authorize release or disclosure  
6 for those purposes.

7 3. As used in this section:

8 (a) "Commercial purposes" means the use of directory  
9 information by any person, including, without limitation, a  
10 corporation or other business, outside of the System to solicit or  
11 provide facilities, goods or services in exchange for the payment of  
12 any purchase price, fee, contribution, donation or other valuable  
13 consideration.

14 (b) "Directory information" has the meaning ascribed to it in 20  
15 U.S.C. § 1232g(a)(5)(A).

16 (c) "Personally identifiable information" means information that  
17 may be used to identify a person, including, without limitation, the  
18 name, address, telephone number, date of birth, and directory  
19 information of a person.

20 (d) "University foundation" has the meaning ascribed to it in  
21 NRS 396.405.

22 **Sec. 132.** NRS 396.540 is hereby amended to read as follows:  
23 396.540 1. For the purposes of this section:

24 (a) "Bona fide resident" shall be construed in accordance with  
25 the provisions of NRS 10.155 and policies established by the Board  
26 of Regents, to the extent that those policies do not conflict with any  
27 statute. The qualification "bona fide" is intended to ensure that the  
28 residence is genuine and established for purposes other than the  
29 avoidance of tuition.

30 (b) "Matriculation" has the meaning ascribed to it in regulations  
31 adopted by the Board of Regents.

32 (c) "Tuition charge" means a charge assessed against students  
33 who are not residents of Nevada and which is in addition to  
34 registration fees or other fees assessed against students who are  
35 residents of Nevada.

36 2. The Board of Regents may fix a tuition charge for students  
37 at all campuses of the System, but tuition charges must not be  
38 assessed against:

39 (a) All students whose families have been bona fide residents of  
40 the State of Nevada for at least 12 months before the matriculation  
41 of the student at a university ~~or~~ **or** state college ~~for community~~  
42 ~~college~~ within the System;

43 (b) All students whose families reside outside of the State of  
44 Nevada, providing such students have themselves been bona fide  
45 residents of the State of Nevada for at least 12 months before their



1 matriculation at a university ~~[ ]~~ or state college ~~[or community~~  
2 ~~college]~~ within the System;

3 (c) All students whose parent, legal guardian or spouse is a  
4 member of the Armed Forces of the United States who:

5 (1) Is on active duty and stationed at a military installation in  
6 the State of Nevada or a military installation in another state which  
7 has a specific nexus to this State, including, without limitation, the  
8 Marine Corps Mountain Warfare Training Center located at Pickel  
9 Meadow, California; or

10 (2) Was on active duty and stationed at a military installation  
11 in the State of Nevada or a military installation in another state  
12 which has a specific nexus to this State, including, without  
13 limitation, the Marine Corps Mountain Warfare Training Center  
14 located at Pickel Meadow, California, on the date on which the  
15 student enrolled at an institution of the System if such students  
16 maintain continuous enrollment at an institution of the System;

17 (d) All students who are using benefits under the Marine  
18 Gunnery Sergeant John David Fry Scholarship pursuant to 38  
19 U.S.C. § 3311(b)(9);

20 (e) All public school teachers who are employed full-time by  
21 school districts in the State of Nevada;

22 (f) All full-time teachers in private elementary, secondary and  
23 postsecondary educational institutions in the State of Nevada whose  
24 curricula meet the requirements of chapter 394 of NRS;

25 (g) Employees of the System who take classes other than during  
26 their regular working hours;

27 (h) Members of the Armed Forces of the United States who are  
28 on active duty and stationed at a military installation in the State of  
29 Nevada or a military installation in another state which has a  
30 specific nexus to this State, including, without limitation, the Marine  
31 Corps Mountain Warfare Training Center located at Pickel Meadow,  
32 California;

33 (i) Veterans of the Armed Forces of the United States who were  
34 honorably discharged and who were on active duty while stationed  
35 at a military installation in the State of Nevada or a military  
36 installation in another state which has a specific nexus to this State,  
37 including, without limitation, the Marine Corps Mountain Warfare  
38 Training Center located at Pickel Meadow, California, on the date of  
39 discharge;

40 (j) Except as otherwise provided in subsection 3, veterans of the  
41 Armed Forces of the United States who were honorably discharged  
42 within the 5 years immediately preceding the date of matriculation  
43 of the veteran at a university ~~[ ]~~ or state college ~~[or community~~  
44 ~~college]~~ within the System; and



1 (k) Veterans of the Armed Forces of the United States who have  
2 been awarded the Purple Heart.

3 3. The Board of Regents may grant more favorable exemptions  
4 from tuition charges for veterans of the Armed Forces of the United  
5 States who were honorably discharged than the exemption provided  
6 pursuant to paragraph (j) of subsection 2, if required for the receipt  
7 of federal money.

8 4. The Board of Regents may grant exemptions from tuition  
9 charges each semester to other worthwhile and deserving students  
10 from other states and foreign countries, in a number not to exceed a  
11 number equal to 3 percent of the total matriculated enrollment of  
12 students for the last preceding fall semester.

13 **Sec. 133.** NRS 396.543 is hereby amended to read as follows:

14 396.543 1. The Board of Regents may enter into an  
15 agreement with another state for the granting of full or partial  
16 waivers of the nonresident tuition to residents of the other state who  
17 are students at or are eligible for admission to any branch of the  
18 System if the agreement provides that, under substantially the same  
19 circumstances, the other state will grant reciprocal waivers to  
20 residents of Nevada who are students at or are eligible for admission  
21 to universities or colleges in the other state.

22 2. Each agreement must specify:

23 (a) The criteria for granting the waivers; and

24 (b) The specific universities ~~[ ]~~ and state colleges ~~[and~~  
25 ~~community colleges]~~ for which the waivers will be granted.

26 3. The Board of Regents shall provide by regulation for the  
27 administration of any waivers for which an agreement is entered  
28 into pursuant to subsection 1.

29 4. The waivers granted pursuant to this section must not be  
30 included in the number of waivers determined for the purpose of  
31 applying the limitation in subsection 4 of NRS 396.540.

32 **Sec. 134.** NRS 396.545 is hereby amended to read as follows:

33 396.545 1. To the extent of money available for this purpose,  
34 the Board of Regents shall pay all registration fees, laboratory fees  
35 and expenses for required textbooks and course materials assessed  
36 against or incurred by a dependent child of a public safety officer  
37 who was killed in the line of duty or any other public employee who  
38 was killed in the performance of his or her duties, for classes taken  
39 towards satisfying the requirements of an undergraduate degree at a  
40 school within the *Nevada System of Community Colleges and the*  
41 *Nevada System [ ] of Higher Education.* No such payment may be  
42 made for any fee assessed after the child reaches the age of 23 years.

43 2. There is hereby created in the State General Fund a Trust  
44 Account for the Education of Dependent Children. The Board of  
45 Regents shall administer the Account. The Board of Regents may



1 accept gifts and grants for deposit in the Account. All money held  
2 by the State Treasurer or received by the Board of Regents for that  
3 purpose must be deposited in the Account. The money in the  
4 Account must be invested as the money in other state accounts is  
5 invested. After deducting all applicable charges, all interest and  
6 income earned on the money in the Account must be credited to the  
7 Account. Any money remaining in the Account at the end of a fiscal  
8 year does not revert to the State General Fund, and the balance in  
9 the Account must be carried forward to the next fiscal year.

10 3. For each fiscal year, the Board of Regents shall estimate:

11 (a) The amount of money in the Trust Account that is available  
12 to make payments pursuant to subsection 1 for that fiscal year; and

13 (b) The anticipated amount of such payments for that fiscal year.

14 ➔ If the anticipated amount of payments estimated for the fiscal  
15 year exceeds the estimated amount of money available in the  
16 Account in the fiscal year for such payments, the Board of Regents  
17 may request an allocation from the Contingency Account created in  
18 the State General Fund pursuant to NRS 353.266 to cover the  
19 projected shortfall.

20 4. As used in this section:

21 (a) "Firefighter" means a person who is a salaried employee or  
22 volunteer member of a:

23 (1) Fire prevention or suppression unit organized by a local  
24 government and whose principal duty is to control and extinguish  
25 fires; or

26 (2) Fire-fighting agency.

27 (b) "Fire-fighting agency" has the meaning ascribed to it in  
28 NRS 450B.072.

29 (c) "Local government" means a county, city, unincorporated  
30 town or metropolitan police department.

31 (d) "Member of a rescue or emergency medical services crew"  
32 means:

33 (1) A member of a search and rescue organization in this  
34 State under the direct supervision of any county sheriff;

35 (2) A person licensed as an attendant pursuant to chapter  
36 450B of NRS if the person is a salaried employee of a public agency  
37 and is not retained under contract to perform services for the public  
38 agency;

39 (3) A person certified as an emergency medical technician,  
40 advanced emergency medical technician or paramedic pursuant to  
41 chapter 450B of NRS if the person is a salaried employee or  
42 volunteer of a public agency and is not retained under contract to  
43 perform services for the public agency; or

44 (4) A volunteer attendant as that term is defined in  
45 NRS 450B.110.



1 (e) "Peace officer" means a category I peace officer, category II  
2 peace officer or category III peace officer as those terms are defined  
3 in NRS 289.460, 289.470 and 289.480, respectively.

4 (f) "Public agency" means an agency, bureau, commission,  
5 department or division of the State of Nevada or a political  
6 subdivision of the State of Nevada that provides police, firefighting,  
7 rescue or emergency medical services.

8 (g) "Public employee" means any person who performs public  
9 duties for compensation paid by or through the State, a county, city,  
10 local government or other political subdivision of the State or an  
11 agency thereof.

12 (h) "Public employee who was killed in the performance of his  
13 or her duties" includes, without limitation, a public employee who  
14 dies as a result of injuries sustained in the performance of his or her  
15 duties.

16 (i) "Public safety officer" means a person serving a public  
17 agency in an official capacity, with or without compensation, as a  
18 peace officer, a firefighter or a member of a rescue or emergency  
19 medical services crew.

20 (j) "Public safety officer who was killed in the line of duty"  
21 includes, without limitation, a public safety officer who dies as a  
22 result of injuries sustained in the line of duty.

23 **Sec. 135.** NRS 396.546 is hereby amended to read as follows:

24 396.546 1. In the most timely manner practicable after  
25 receiving a written request for an electronic version of instructional  
26 material from a student with a print access disability, an institution  
27 shall provide to the student, at no cost, an electronic version of each  
28 requested instructional material that the institution determines is  
29 essential to the success of the student in a course of study offered by  
30 an institution of the System in which the student is enrolled.

31 2. If an institution receives a request for an electronic version  
32 of nonprinted instructional material from a student pursuant to  
33 subsection 1 to whom the institution would be required to provide  
34 an electronic version of the material pursuant to subsection 1 and an  
35 electronic version of the nonprinted instructional material is not  
36 currently available at the institution or at another institution of the  
37 System, the institution must contact the publisher of the nonprinted  
38 instructional material and request an electronic version of the  
39 nonprinted instructional material. If the publisher:

40 (a) Has an electronic version of the nonprinted instructional  
41 material, the publisher must provide the electronic version to the  
42 institution for distribution to the student; or

43 (b) Does not have an electronic version of the nonprinted  
44 instructional material, the institution must create and provide to the  
45 student an electronic version in the most timely manner practicable



1 after the institution is notified by the publisher that the publisher  
2 does not have an electronic version of the nonprinted instructional  
3 material.

4 3. As used in this section:

5 (a) "Institution" means any university ~~[,]~~ *or* state college ~~[or~~  
6 ~~community college]~~ within the System.

7 (b) "Instructional material" means any published textbook and  
8 other published material that is used by students of the System. The  
9 term does not include nontextual mathematics and science materials  
10 unless, as determined by the Board of Regents, such materials are  
11 commercially available in a format that is compatible for use with  
12 equipment which is used by students of the System with print access  
13 disabilities to convert material into a format that provides them with  
14 the ability to have increased independent access to the material. The  
15 term includes, without limitation, nonprinted instructional material.

16 (c) "Nonprinted instructional material" means instructional  
17 material that is in a format other than print. The term does not  
18 include a website or Internet link that is associated with instructional  
19 material. The term includes, without limitation, instructional  
20 material that requires electronic equipment other than a computer or  
21 computer peripheral for the material to be used as a learning  
22 resource, such as a software program, videodisc, videotape and  
23 audiotape.

24 (d) "Print access disability" means a condition in which a  
25 person's independent reading of, reading comprehension of, or  
26 visual access to printed material is limited or reduced because of a  
27 sensory, neurological, cognitive, physical or psychiatric disability.

28 **Sec. 136.** NRS 396.5475 is hereby amended to read as  
29 follows:

30 396.5475 The Board of Regents shall adopt a written policy for  
31 the Universities ~~[,]~~ *and* state colleges ~~[and community colleges]~~  
32 within the System for student publications which:

33 1. Establishes reasonable provisions governing the time, place  
34 and manner for the distribution of student publications;

35 2. Protects the right of expression in a manner consistent with  
36 the rights guaranteed by the First and Fourteenth Amendments to  
37 the United States Constitution for students working on student  
38 publications as journalists in their determination of the news,  
39 opinions, feature content, advertising content and other content of  
40 the student publications;

41 3. Prohibits, without limitation, the following:

42 (a) Restricting the publication of any content in student  
43 publications unless the content would substantially disrupt the  
44 ability of the institution to perform its educational mission;



1 (b) Dismissing, suspending, disciplining or retaliating against a  
2 faculty member, employee or other person acting as an adviser for a  
3 student publication or as an adviser to students working as  
4 journalists on a student publication for acting within the scope of  
5 that position, including, without limitation, taking responsible and  
6 appropriate action to protect a student engaged in conduct protected  
7 pursuant to the written policy or refusing to perform an action which  
8 violates the written policy; and

9 (c) Expelling, suspending or otherwise disciplining a student for  
10 engaging in conduct in accordance with the policy, unless such  
11 conduct substantially disrupts the ability of the institution to  
12 perform its educational mission and the disruption was intentional;  
13 and

14 4. Includes a disclaimer indicating that any content published  
15 in a student publication is not endorsed by the Board of Regents, the  
16 System or a university ~~{ } or state college { } of community college~~  
17 within the System.

18 **Sec. 137.** NRS 396.548 is hereby amended to read as follows:

19 396.548 The Board of Regents shall require employees of the  
20 System to provide to the board of trustees of each school district of  
21 this State, as appropriate, information regarding the:

22 1. Number of pupils who graduated from a high school in the  
23 district in the immediately preceding year and enrolled in remedial  
24 courses in reading, writing or mathematics at a university ~~{ } or state~~  
25 college ~~{ } of community college~~ within the System.

26 2. Costs incurred by the System in providing remedial  
27 instruction pursuant to subsection 1.

28 **Sec. 138.** NRS 396.568 is hereby amended to read as follows:

29 396.568 1. All credits earned by a student in a course at a  
30 community college within the *Nevada System { } of Community*  
31 *Colleges*, including, without limitation, all credits earned in a course  
32 toward the award of an associate's degree must automatically  
33 transfer toward the course work required of the student in his or her  
34 major or minor, or other course work required of the student, for the  
35 award of a baccalaureate degree upon graduation of the student from  
36 any university or state college within the *Nevada System { } of*  
37 *Higher Education*.

38 2. Pursuant to the policy of the Board of Regents, a student  
39 who is awarded an associate's degree *{ } from a community college*  
40 *within the Nevada System of Community Colleges*:

41 (a) Shall be deemed to have completed the course of study  
42 required of a sophomore.

43 (b) If the student enrolls in ~~{ } another~~ *an* institution within the  
44 *Nevada System { } of Higher Education*, must be enrolled as a  
45 junior.



3. All credits earned toward the completion of a degree of associate of arts, associate of science or associate of business *from a community college within the Nevada System of Community Colleges* must automatically transfer toward the course work required for the award of a baccalaureate degree upon the graduation of the student from any university or college within the Nevada System *[ ] of Higher Education.*

~~[ ]~~ 4. If the transfer of credit pursuant to this section is denied and the student believes that the credit should be applied to his or her degree, the student may appeal the decision. The appeal process must be made available to all students and may be posted on the ~~[website]~~ *Internet websites* of the Nevada System *[ ] of Higher Education and the Nevada System of Community Colleges.*

**Sec. 139.** NRS 396.8395 is hereby amended to read as follows:

396.8395 Subject to any existing pledges or other contractual limitations and to the provisions of NRS 396.810:

1. The Board may include, without limitation, as pledged revenues for the payment of bonds or other securities issued hereunder:

(a) The gross revenues derived from the fees designated as the capital improvement fee, the student union building fee, the student center building fee, and the student union capital improvement fee, or words of similar import, except for the words pertaining to any such fee designating the campus or campuses of the System to which the pledged fee or fees pertain, or any combination thereof; and

(b) The gross revenues derived from the fee designated as the general fund fee, except for the words pertaining thereto designating the campus or campuses of the system to which the pledged fee pertains, but subject to the limitation stated in subsection 5 of NRS 396.840.

2. The Board may also include, without limitation, as pledged revenues for the payment of bonds or other securities issued hereunder, regardless of the location of the campus or campuses on which the project or projects are to be done for which the securities are authorized, the pledged revenues designated in subsection 1 pertaining to ~~]:~~

~~—(a) One, all or any combination of the campuses relating to the community colleges if the project or projects relate thereto and to one or more campuses thereof; or~~

~~—(b) Either~~ *either* or both the University of Nevada, Reno, and the University of Nevada, Las Vegas, if the project or projects relate to either of those campuses, the Desert Research Institute or any combination thereof.



1       **Sec. 140.** NRS 396.890 is hereby amended to read as follows:

2       396.890 1. The Board of Regents , *in cooperation with the*  
3 *State Board for Community Colleges*, may administer, directly or  
4 through a designated officer or employee of the *Nevada System* §  
5 *of Higher Education* a program to provide loans for fees, books and  
6 living expenses to students in the nursing programs of the *Nevada*  
7 *System* § *of Higher Education and the Nevada System of*  
8 *Community Colleges*.

9       2. Each student to whom a loan is made must:

10       (a) Have been a “bona fide resident” of Nevada, as that term is  
11 defined in NRS 396.540 § *or section 61 of this act, as applicable*,  
12 for at least 6 months prior to the “matriculation” of the student in the  
13 *Nevada System* § *of Higher Education or the Nevada System of*  
14 *Community Colleges, as applicable*, as that term is defined pursuant  
15 to NRS 396.540 § *or section 61 of this act, as applicable*;

16       (b) Be enrolled at the time the loan is made in a nursing program  
17 of the *Nevada System of Higher Education or the Nevada System*  
18 *of Community Colleges, as applicable*, for the purpose of becoming  
19 a licensed practical nurse or registered nurse;

20       (c) Fulfill all requirements for classification as a full-time  
21 student showing progression towards completion of the program;  
22 and

23       (d) Maintain at least a 2.00 grade point average in each class and  
24 at least a 2.75 overall grade point average, on a 4.0 grading scale.

25       3. Each loan must be made upon the following terms:

26       (a) All loans must bear interest at 8 percent per annum from the  
27 date when the student receives the loan.

28       (b) Each student receiving a loan must repay the loan with  
29 interest following the termination of the student’s education for  
30 which the loan is made. The loan must be repaid in monthly  
31 installments over the period allowed with the first installment due 1  
32 year after the date of the termination of the student’s education for  
33 which the loan is made. The amounts of the installments must not be  
34 less than \$50 and may be calculated to allow a smaller payment at  
35 the beginning of the period of repayment, with each succeeding  
36 payment gradually increasing so that the total amount due will have  
37 been paid within the period for repayment. The period for  
38 repayment of the loans must be:

39               (1) Five years for loans which total less than \$10,000.

40               (2) Eight years for loans which total \$10,000 or more, but  
41 less than \$20,000.

42               (3) Ten years for loans which total \$20,000 or more.

43       4. A delinquency charge may be assessed on any installment  
44 delinquent 10 days or more in the amount of 8 percent of the  
45 installment or \$4, whichever is greater, but not more than \$15.



1 5. The reasonable costs of collection and an attorney's fee may  
2 be recovered in the event of delinquency.

3 **Sec. 141.** NRS 396.891 is hereby amended to read as follows:

4 396.891 1. The loans made pursuant to NRS 396.890 to  
5 396.898, inclusive, must not exceed the following amounts per  
6 student per semester. If the student is enrolled in a program of:

7 (a) A community college, \$1,700.

8 (b) A university, \$2,005.

9 2. Any money distributed pursuant to NRS 396.890 to 396.898,  
10 inclusive, must be distributed among the campuses of the *Nevada*  
11 *System of Higher Education and the Nevada System of*  
12 *Community Colleges* in amounts that will allow the same  
13 percentage of eligible students enrolled in the licensed practical  
14 nurse and registered practical nurse programs of each campus to  
15 receive loans.

16 **Sec. 142.** NRS 396.892 is hereby amended to read as follows:

17 396.892 1. Each student who receives a loan made pursuant  
18 to NRS 396.890 to 396.898, inclusive, shall repay the loan and  
19 accrued interest pursuant to the terms of the loan unless the student:

20 (a) Practices nursing in a rural area of Nevada or as an employee  
21 of the State for 6 months for each academic year for which he or she  
22 received a loan; or

23 (b) Practices nursing in any other area of Nevada for 1 year for  
24 each academic year for which he or she received a loan.

25 2. The Board of Regents, *in cooperation with the State Board*  
26 *for Community Colleges*, may adopt regulations:

27 (a) Extending the time for completing the required practice  
28 beyond 5 years for persons who are granted extensions because of  
29 hardship; and

30 (b) Granting prorated credit towards repayment of a loan for  
31 time a person practices nursing as required, for cases in which the  
32 period for required practice is only partially completed,

33 and such other regulations as are necessary to carry out the  
34 provisions of NRS 396.890 to 396.898, inclusive.

35 3. As used in this section, "practices nursing in a rural area"  
36 means that the person practices nursing in an area located in a  
37 county whose population is less than 47,500 at least half of the total  
38 time the person spends in the practice of nursing, and not less than  
39 20 hours per week.

40 **Sec. 143.** NRS 396.916 is hereby amended to read as follows:

41 396.916 "Eligible institution" means:

42 1. A university ~~[;]~~ or state college ~~[or community college]~~  
43 within the *Nevada System ~~[; or]~~ of Higher Education;*

44 2. *A community college within the Nevada System of*  
45 *Community Colleges; or*



- 1     **3.** Any other nonsectarian college or university that:  
2     (a) Was originally established in, and is organized under the  
3 laws of, this state;  
4     (b) Is exempt from taxation pursuant to 26 U.S.C. § 501(c)(3);  
5 and  
6     (c) Is accredited by a regional accrediting agency recognized by  
7 the United States Department of Education.

8     **Sec. 144.** NRS 396.930 is hereby amended to read as follows:  
9     396.930 1. Except as otherwise provided in subsections 2 and  
10 4, a student may apply to the Board of Regents for a Millennium  
11 Scholarship if the student:

12     (a) Except as otherwise provided in paragraph (e) of subsection  
13 2, has been a resident of this State for at least 2 years before the  
14 student applies for the Millennium Scholarship;

15     (b) Except as otherwise provided in paragraph (c), graduated  
16 from a public or private high school in this State:

17         (1) After May 1, 2000, but not later than May 1, 2003; or

18         (2) After May 1, 2003, and, except as otherwise provided in  
19 paragraphs (c), (d) and (f) of subsection 2, not more than 6 years  
20 before the student applies for the Millennium Scholarship;

21     (c) Does not satisfy the requirements of paragraph (b) and:

22         (1) Was enrolled as a pupil in a public or private high school  
23 in this State with a class of pupils who were regularly scheduled to  
24 graduate after May 1, 2000;

25         (2) Received his or her high school diploma within 4 years  
26 after he or she was regularly scheduled to graduate; and

27         (3) Applies for the Millennium Scholarship not more than 6  
28 years after he or she was regularly scheduled to graduate from high  
29 school;

30     (d) Except as otherwise provided in paragraph (e), maintained in  
31 high school in the courses designated by the Board of Regents  
32 pursuant to paragraph (b) of subsection 2, at least:

33         (1) A 3.00 grade point average on a 4.0 grading scale, if the  
34 student was a member of the graduating class of 2003 or 2004;

35         (2) A 3.10 grade point average on a 4.0 grading scale, if the  
36 student was a member of the graduating class of 2005 or 2006; or

37         (3) A 3.25 grade point average on a 4.0 grading scale, if the  
38 student was a member of the graduating class of 2007 or a later  
39 graduating class;

40     (e) Does not satisfy the requirements of paragraph (d) and  
41 received at least the minimum score established by the Board of  
42 Regents on a college entrance examination approved by the Board  
43 of Regents that was administered to the student while the student  
44 was enrolled as a pupil in a public or private high school in this  
45 State; and



1 (f) Is enrolled in at least:

2 (1) Nine semester credit hours in a community college within  
3 the *Nevada System*  *of Community Colleges*.

4 (2) Twelve semester credit hours in another eligible  
5 institution; or

6 (3) A total of 12 or more semester credit hours in eligible  
7 institutions if the student is enrolled in more than one eligible  
8 institution.

9 2. The Board of Regents , *in coordination with the State*  
10 *Board for Community Colleges:*

11 (a) Shall define the core curriculum that a student must complete  
12 in high school to be eligible for a Millennium Scholarship.

13 (b) Shall designate the courses in which a student must earn the  
14 minimum grade point averages set forth in paragraph (d) of  
15 subsection 1.

16 (c) May establish criteria with respect to students who have been  
17 on active duty serving in the Armed Forces of the United States to  
18 exempt such students from the 6-year limitation on applications that  
19 is set forth in subparagraph (2) of paragraph (b) of subsection 1.

20 (d) Shall establish criteria with respect to students who have a  
21 documented physical or mental disability or who were previously  
22 subject to an individualized education program under the  
23 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et  
24 seq., or a plan under Title V of the Rehabilitation Act of 1973, 29  
25 U.S.C. §§ 791 et seq. The criteria must provide an exemption for  
26 those students from:

27 (1) The 6-year limitation on applications that is set forth in  
28 subparagraph (2) of paragraph (b) of subsection 1 and subparagraph  
29 (3) of paragraph (c) of subsection 1 and any limitation applicable to  
30 students who are eligible pursuant to subparagraph (1) of paragraph  
31 (b) of subsection 1.

32 (2) The minimum number of credits prescribed in paragraph  
33 (f) of subsection 1.

34 (e) Shall establish criteria with respect to students who have a  
35 parent or legal guardian on active duty in the Armed Forces of the  
36 United States to exempt such students from the residency  
37 requirement set forth in paragraph (a) of subsection 1 or  
38 subsection 4.

39 (f) Shall establish criteria with respect to students who have  
40 been actively serving or participating in a charitable, religious or  
41 public service assignment or mission to exempt such students from  
42 the 6-year limitation on applications that is set forth in subparagraph  
43 (2) of paragraph (b) of subsection 1. Such criteria must provide for  
44 the award of Millennium Scholarships to those students who qualify  
45 for the exemption and who otherwise meet the eligibility criteria to



1 the extent that money is available to award Millennium Scholarships  
2 to the students after all other obligations for the award of  
3 Millennium Scholarships for the current school year have been  
4 satisfied.

5 3. If the Board of Regents requires a student to successfully  
6 complete courses in mathematics or science to be eligible for a  
7 Millennium Scholarship, a student who has successfully completed  
8 one or more courses in computer science described in NRS  
9 389.0186 must be allowed to apply not more than one unit of credit  
10 received for the completion of such courses toward that  
11 requirement.

12 4. Except as otherwise provided in paragraph (c) of subsection  
13 1, for students who did not graduate from a public or private high  
14 school in this State and who, except as otherwise provided in  
15 paragraph (e) of subsection 2, have been residents of this State for at  
16 least 2 years, the Board of Regents, *in cooperation with the State*  
17 *Board for Community Colleges*, shall establish:

18 (a) The minimum score on a standardized test that such students  
19 must receive; or

20 (b) Other criteria that students must meet,  
21 ↪ to be eligible for Millennium Scholarships.

22 5. In awarding Millennium Scholarships, the Board of Regents  
23 shall enhance ~~[its]~~ outreach to students who:

24 (a) Are pursuing a career in education or health care;

25 (b) Come from families who lack sufficient financial resources  
26 to pay for the costs of sending their children to an eligible  
27 institution; or

28 (c) Substantially participated in an antismoking, antidrug or  
29 antialcohol program during high school.

30 6. The Board of Regents shall establish a procedure by which  
31 an applicant for a Millennium Scholarship is required to execute an  
32 affidavit declaring the applicant's eligibility for a Millennium  
33 Scholarship pursuant to the requirements of this section. The  
34 affidavit must include a declaration that the applicant is a citizen of  
35 the United States or has lawful immigration status, or that the  
36 applicant has filed an application to legalize the applicant's  
37 immigration status or will file an application to legalize his or her  
38 immigration status as soon as he or she is eligible to do so.

39 **Sec. 145.** NRS 396.934 is hereby amended to read as follows:

40 396.934 1. Except as otherwise provided in this section,  
41 within the limits of money available in the Trust Fund, a student  
42 who is eligible for a Millennium Scholarship is entitled to receive:

43 (a) If he or she is enrolled in a community college within the  
44 Nevada System ~~[H]~~ of Community Colleges, including, without  
45 limitation, a summer academic term, \$40 per credit for each lower



1 division course and \$60 per credit for each upper division course in  
2 which the student is enrolled, or the amount of money that is  
3 necessary for the student to pay the costs of attending the  
4 community college that are not otherwise satisfied by other grants or  
5 scholarships, whichever is less. The *State Board [of Regents] for*  
6 *Community Colleges* shall provide for the designation of upper and  
7 lower division courses for the purposes of this paragraph.

8 (b) If he or she is enrolled in a state college within the *Nevada*  
9 *System [H] of Higher Education*, including, without limitation, a  
10 summer academic term, \$60 per credit for which the student is  
11 enrolled, or the amount of money that is necessary for the student to  
12 pay the costs of attending the state college that are not otherwise  
13 satisfied by other grants or scholarships, whichever is less.

14 (c) If he or she is enrolled in another eligible institution,  
15 including, without limitation, a summer academic term, \$80 per  
16 credit for which the student is enrolled, or the amount of money that  
17 is necessary for the student to pay the costs of attending the  
18 university that are not otherwise satisfied by other grants or  
19 scholarships, whichever is less.

20 (d) If he or she is enrolled in more than one eligible institution,  
21 including, without limitation, a summer academic term, the amount  
22 authorized pursuant to paragraph (a), (b) or (c), or a combination  
23 thereof, in accordance with procedures and guidelines established by  
24 the Board of Regents [H], *in cooperation with the State Board for*  
25 *Community Colleges*.

26 ↪ In no event may a student who is eligible for a Millennium  
27 Scholarship receive more than the cost of 15 semester credits per  
28 semester pursuant to this subsection.

29 2. No student may be awarded a Millennium Scholarship:

30 (a) To pay for remedial courses.

31 (b) For a total amount in excess of \$10,000.

32 3. A student who receives a Millennium Scholarship shall:

33 (a) Make satisfactory academic progress toward a recognized  
34 degree or certificate, as determined by the Board of Regents *and the*  
35 *State Board for Community Colleges* pursuant to subsection 8; and

36 (b) Maintain at least a 2.75 grade point average on a 4.0 grading  
37 scale for each semester of enrollment in the Governor Guinn  
38 Millennium Scholarship Program.

39 4. A student who receives a Millennium Scholarship is  
40 encouraged to volunteer at least 20 hours of community service for  
41 this State, a political subdivision of this State or a charitable  
42 organization that provides service to a community or the residents of  
43 a community in this State during each year in which the student  
44 receives a Millennium Scholarship.



1 5. If a student does not satisfy the requirements of subsection 3  
2 during one semester of enrollment, excluding a summer academic  
3 term, he or she is not eligible for the Millennium Scholarship for the  
4 succeeding semester of enrollment. If such a student:

5 (a) Subsequently satisfies the requirements of subsection 3 in a  
6 semester in which he or she is not eligible for the Millennium  
7 Scholarship, the student is eligible for the Millennium Scholarship  
8 for the student's next semester of enrollment.

9 (b) Fails a second time to satisfy the requirements of subsection  
10 3 during any subsequent semester, excluding a summer academic  
11 term, the student is no longer eligible for a Millennium Scholarship.

12 6. A Millennium Scholarship must be used only:

13 (a) For the payment of registration fees and laboratory fees and  
14 expenses;

15 (b) To purchase required textbooks and course materials; and

16 (c) For other costs related to the attendance of the student at the  
17 eligible institution.

18 7. The Board of Regents, *in cooperation with the State Board*  
19 *for Community Colleges*, shall certify a list of eligible students to  
20 the State Treasurer. The State Treasurer shall disburse a Millennium  
21 Scholarship for each semester on behalf of an eligible student  
22 directly to the eligible institution in which the student is enrolled,  
23 upon certification from the eligible institution of the number of  
24 credits for which the student is enrolled, which must meet or exceed  
25 the minimum number of credits required for eligibility and  
26 certification that the student is in good standing and making  
27 satisfactory academic progress toward a recognized degree or  
28 certificate, as determined by the Board of Regents *and the State*  
29 *Board for Community Colleges* pursuant to subsection 8. The  
30 Millennium Scholarship must be administered by the eligible  
31 institution as other similar scholarships are administered and may be  
32 used only for the expenditures authorized pursuant to subsection 6.  
33 If a student is enrolled in more than one eligible institution, the  
34 Millennium Scholarship must be administered by the eligible  
35 institution at which the student is enrolled in a program of study  
36 leading to a recognized degree or certificate.

37 8. The Board of Regents, *in cooperation with the State Board*  
38 *for Community Colleges*, shall establish:

39 (a) Criteria for determining whether a student is making  
40 satisfactory academic progress toward a recognized degree or  
41 certificate for purposes of subsection 7.

42 (b) Procedures to ensure that all money from a Millennium  
43 Scholarship awarded to a student that is refunded in whole or in part  
44 for any reason is refunded to the Trust Fund and not the student.



1 (c) Procedures and guidelines for the administration of a  
2 Millennium Scholarship for students who are enrolled in more than  
3 one eligible institution.

4 **Sec. 146.** NRS 396.952 is hereby amended to read as follows:

5 396.952 1. The Silver State Opportunity Grant Program is  
6 hereby created for the purpose of awarding grants to eligible  
7 students to pay for a portion of the cost of education at a community  
8 college *within the Nevada System of Community Colleges* or a  
9 state college within the *Nevada System of Higher Education*.

10 2. The Board of Regents shall administer the Program *in*  
11 *cooperation with the State Board for Community Colleges*.

12 3. In administering the Program, the Board of Regents shall for  
13 each semester, subject to the limits of money available for this  
14 purpose, award a grant to each eligible student to pay for a portion  
15 of the cost of education at a community college *within the Nevada*  
16 *System of Community Colleges* or a state college within the *Nevada*  
17 *System of Higher Education*.

18 4. To be eligible for a grant awarded under the Program, a  
19 student must:

20 (a) Except as otherwise provided in this section, be enrolled, or  
21 accepted to be enrolled, during a semester in at least 12 credit hours  
22 at a community college *within the Nevada System of Community*  
23 *Colleges* or a state college within the *Nevada System of Higher*  
24 *Education*;

25 (b) Be enrolled in a program of study leading to a recognized  
26 degree or certificate;

27 (c) Demonstrate proficiency in English and mathematics  
28 sufficient for placement into college-level English and mathematics  
29 courses pursuant to regulations adopted by the Board of Regents *or*  
30 *State Board for Community Colleges, as applicable*, for such  
31 placement;

32 (d) Be a bona fide resident of the State of Nevada for the  
33 purposes of determining pursuant to NRS 396.540 *or section 61 of*  
34 *this act* whether the student is assessed a tuition charge; and

35 (e) Complete the Free Application for Federal Student Aid  
36 provided for by 20 U.S.C. § 1090.

37 5. A student who is enrolled, or accepted to be enrolled, in the  
38 final semester of his or her program of study in less than 12 credit  
39 hours at a community college *within the Nevada System of*  
40 *Community Colleges* or a state college within the *Nevada System*  
41 *of Higher Education* is eligible for a grant awarded under the  
42 Program.

43 **Sec. 147.** NRS 396.954 is hereby amended to read as follows:

44 396.954 1. For each eligible student, the Board of Regents or  
45 a designee thereof shall:



1 (a) Calculate the maximum amount of the grant which the  
2 student is eligible to receive. The maximum amount of such a grant  
3 must not exceed the amount equal to the cost of education of the  
4 student minus the amounts determined for the student contribution,  
5 family contribution and federal contribution to the cost of education  
6 of the student.

7 (b) Determine the actual amount of the grant which will be  
8 awarded to each student, which amount must not exceed the  
9 maximum amount calculated pursuant to paragraph (a), but which  
10 may be in a lesser amount if the Board of Regents or a designee  
11 thereof, as applicable, determines that the amount of money  
12 available for all grants for any semester is insufficient to award to  
13 all eligible students in a category prescribed in subsection 2 the  
14 maximum amount of the grant which each student is eligible to  
15 receive.

16 2. The Board of Regents or a designee thereof shall award to  
17 eligible students a grant in the amount determined pursuant to  
18 paragraph (b) of subsection 1 in the following order of priority:

19 (a) First, to eligible students who are enrolled in at least 15  
20 credit hours at a community college *within the Nevada System of*  
21 *Community Colleges* or a state college within the *Nevada System*  
22 *of Higher Education;*

23 (b) If money is available after awarding grants to all eligible  
24 students described in paragraph (a), to remaining eligible students  
25 who are enrolled, or accepted to be enrolled, in the final semester of  
26 a program of study at a community college *within the Nevada*  
27 *System of Community Colleges* or a state college within the *Nevada*  
28 *System of Higher Education;* and

29 (c) If money is available after awarding grants to all eligible  
30 students described in paragraphs (a) and (b), to remaining eligible  
31 students.

32 3. Money received from a grant awarded under the Program  
33 must be used by a student only to pay for the cost of education of  
34 the student at a community college *within the Nevada System of*  
35 *Community Colleges* or a state college within the *Nevada System*  
36 *of Higher Education* and not for any other purpose.

37 **Sec. 148.** NRS 396.956 is hereby amended to read as follows:

38 396.956 1. The Board of Regents *of the State Board of Regents*, *in cooperation with*  
39 *the State Board for Community Colleges:*

40 (a) Shall adopt regulations prescribing the procedures and  
41 standards for determining the eligibility of a student for a grant from  
42 the Program.

43 (b) Shall adopt regulations prescribing the methodology by  
44 which the Board of Regents or a designee thereof will calculate:



1 (1) The cost of education of a student at each community  
2 college *within the Nevada System of Community Colleges* and  
3 *each* state college within the *Nevada System*  *of Higher*  
4 *Education*, which must be consistent with the provisions of 20  
5 U.S.C. § 108711.

6 (2) For each student, the amounts of the student contribution,  
7 family contribution and federal contribution to the cost of education  
8 of the student.

9 (3) The maximum amount of the grant for which a student is  
10 eligible.

11 (c) Shall adopt regulations prescribing the process by which  
12 each student may meet the credit-hour requirement described in  
13 NRS 396.952 for eligibility for a grant awarded under the Program.

14 (d) May adopt any other regulations necessary to carry out the  
15 Program.

16 2. The regulations prescribed pursuant to this section must  
17 provide that:

18 (a) In determining the student contribution to the cost of  
19 education, the student contribution must not exceed the amount that  
20 the Board of Regents determines the student reasonably could be  
21 expected to earn from employment during the time the student is  
22 enrolled at a community college *within the Nevada System of*  
23 *Community Colleges* or *a* state college within the *Nevada System*  
24  *of Higher Education*, including, without limitation, during  
25 breaks between semesters. This paragraph and any regulations  
26 adopted pursuant to this section must not be construed to require a  
27 student to seek or obtain employment as a condition of eligibility for  
28 a grant under the Program.

29 (b) Determination of the family contribution to the cost of  
30 education must be based on the family resources reported in the Free  
31 Application for Federal Student Aid submitted by the student.

32 (c) Determination of the federal contribution to the cost of  
33 education must be equal to the total amount that the student and his  
34 or her family are expected to receive from the Federal Government  
35 as grants.

36 **Sec. 149.** NRS 396.960 is hereby amended to read as follows:

37 396.960 On or before February 1 of each odd-numbered year,  
38 the Board of Regents shall submit to the Director of the Legislative  
39 Counsel Bureau for transmittal to the next regular session of the  
40 Legislature a written report on the Program which must include,  
41 without limitation, information regarding:

42 1. The number of students during the immediately preceding  
43 school year who were awarded grants under the Program.

44 2. The average amount of each grant awarded under the  
45 Program for the immediately preceding school year.



1 3. The success of the Program, including, without limitation,  
2 information regarding the percentage of students awarded grants  
3 since the creation of the Program who have remained enrolled at a  
4 community college *within the Nevada System of Community*  
5 *Colleges* or a state college within the *Nevada System of Higher*  
6 *Education* and the percentage of students awarded grants since the  
7 creation of the Program who have been awarded a degree or  
8 certificate.

9 **Sec. 150.** Chapter 400 of NRS is hereby amended by adding  
10 thereto the provisions set forth as sections 151, 152 and 153 of this  
11 act.

12 **Sec. 151.** *1. The Articulation and Transfer Board,*  
13 *consisting of 15 voting members appointed by the Governor, is*  
14 *hereby created to facilitate the transfer of community college*  
15 *students to colleges and universities within the Nevada System of*  
16 *Higher Education and to consider other similar issues.*

17 *2. The Governor shall appoint 15 members to the Board as*  
18 *follows:*

19 *(a) Five members from a list of candidates submitted by the*  
20 *State Board of Education;*

21 *(b) Five members from a list of candidates submitted by the*  
22 *State Board for Community Colleges; and*

23 *(c) Five members from a list of candidates submitted by the*  
24 *Board of Regents of the University of Nevada.*

25 *3. The Governor shall appoint the Chair of the Board from*  
26 *among its members.*

27 *4. After the initial terms, each member appointed to the*  
28 *Board pursuant to subsection 2 serves a term of 4 years, except*  
29 *that each member continues to serve until a successor is*  
30 *appointed. A member of the Board may be reappointed.*

31 *5. If a vacancy occurs during the term of a member of the*  
32 *Board appointed pursuant to subsection 2, the Governor shall*  
33 *appoint a person to fill the vacancy for the remainder of the*  
34 *unexpired term.*

35 **Sec. 152.** *1. The Articulation and Transfer Board created*  
36 *by section 151 of this act shall meet at the call of the Chair.*

37 *2. The Board shall comply with the provisions of chapter 241*  
38 *of NRS.*

39 *3. Each member of the Board is entitled to receive a salary of*  
40 *\$80 for each meeting of the Board that he or she attends.*

41 *4. Each member of the Board is entitled to receive in*  
42 *attending meetings of the Board, or while on the business of the*  
43 *Board within the State:*

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

45 *(1) The rate of \$60; or*



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

3           (b) *The travel allowance provided for state officers and*  
4 *employees generally.*

5           5. *The Office of the Governor shall provide such:*

6           (a) *Administrative support;*

7           (b) *Equipment; and*

8           (c) *Office space,*

9           ↳ *as is necessary for the Board to carry out its duties.*

10          **Sec. 153.** *1. The Articulation and Transfer Board created*  
11 *by section 151 of this act shall coordinate and facilitate the ability*  
12 *of pupils enrolled in public high schools in this State to*  
13 *successfully make the transition from high school to community*  
14 *college and from community college to a college or university*  
15 *within the Nevada System of Higher Education.*

16          2. *The Board shall provide reports to the Director of the*  
17 *Legislative Counsel Bureau regarding successes, challenges and*  
18 *such other matters as the Board deems important for the*  
19 *consideration of the Legislature. The Director shall transmit the*  
20 *reports on a regular basis to the Legislative Committee on*  
21 *Education and the appropriate Standing Committees of the*  
22 *Legislature.*

23          **Sec. 154.** NRS 400.014 is hereby amended to read as follows:

24          400.014 *As used in this chapter,* "Committee" means the P-  
25 20W Research Data System Advisory Committee created by  
26 NRS 400.027.

27          **Sec. 155.** NRS 400.027 is hereby amended to read as follows:

28          400.027 1. The P-20W Research Data System Advisory  
29 Committee is hereby created to assist in the coordination and  
30 management of the statewide longitudinal data system administered  
31 by the Office of Workforce Innovation pursuant to NRS 223.820.  
32 The Chancellor of the *Nevada System*  *of Higher Education, the*  
33 *Executive Director of the State Board for Community Colleges,* the  
34 Superintendent of Public Instruction and the Director of the  
35 Department of Employment, Training and Rehabilitation or their  
36 designees serve as ex officio members of the Committee.

37          2. The Committee may, by a vote of the majority of the  
38 Committee, nominate additional members for consideration by the  
39 Governor to be appointed to the Committee. The Governor may  
40 appoint a nominee to the Committee if the Governor determines that  
41 the addition of the nominee to the Committee is necessary or  
42 desirable.

43          3. Each appointed member of the Committee serves a term of 3  
44 years and may be reappointed.



1 4. The Governor shall call the first meeting of the Committee.  
2 At its first meeting and annually thereafter, the members of the  
3 Committee shall elect a Chair and a Vice Chair from among the  
4 members of the Committee.

5 5. The Committee shall meet at least once each calendar year  
6 and, after its first meeting, at the call of the Chair.

7 6. The Office of Workforce Innovation shall provide any  
8 administrative support necessary for the Committee to carry out its  
9 duties.

10 **Sec. 156.** NRS 400.037 is hereby amended to read as follows:

11 400.037 1. The Committee shall:

12 (a) Support and advise the Executive Director of the Office of  
13 Workforce Innovation regarding the maintenance and oversight of  
14 the statewide longitudinal data system;

15 (b) Develop a plan for collaborative research using data from the  
16 statewide longitudinal data system; and

17 (c) Advise and assist the *Nevada System of Higher*  
18 *Education, the Nevada System of Community Colleges*, the  
19 Department of Education, the Office of Workforce Innovation and  
20 the Department of Employment, Training and Rehabilitation in:

21 (1) Applying for and obtaining grants of money for the  
22 operation of the statewide longitudinal data system or to carry out  
23 the work of the Committee;

24 (2) Budgeting for the operation of the statewide longitudinal  
25 data system or to carry out the work of the Committee;

26 (3) Proposing legislation relating to the statewide  
27 longitudinal data system or to carry out the work of the Committee;  
28 and

29 (4) Matters relating to any contract for any services  
30 necessary for the operation or utilization of the statewide  
31 longitudinal data system or to carry out the work of the Committee.

32 2. As used in this section, "statewide longitudinal data system"  
33 means the system administered by the Office of Workforce  
34 Innovation pursuant to NRS 223.820.

35 **Sec. 157.** NRS 1.530 is hereby amended to read as follows:

36 1.530 1. The Chief Justice shall appoint, from a list of  
37 recommendations submitted to the Chief Justice by the Court  
38 Administrator, a committee to advise the Court Administrator  
39 regarding adoption of regulations pursuant to NRS 1.510 and 1.520.  
40 The committee must consist of:

41 (a) A district judge;

42 (b) A justice of the peace or municipal judge in a county whose  
43 population is less than 100,000;

44 (c) An administrator of a district court;



1 (d) An administrator of a justice court or municipal court in a  
2 county whose population is less than 100,000;

3 (e) A representative of the Nevada System of Higher Education;

4 (f) *A representative of the Nevada System of Community*  
5 *Colleges;*

6 (g) A representative of a nonprofit organization for persons who  
7 speak a language other than English; and

8 ~~(g)~~ (h) A person certified to act as an interpreter for a federal  
9 court.

10 2. The Court Administrator is ex officio chair of the  
11 committee.

12 3. Members of the committee shall serve in that capacity  
13 without any additional compensation.

14 **Sec. 158.** NRS 2.345 is hereby amended to read as follows:

15 2.345 The following persons and agencies are entitled to the  
16 supreme court decisions in pamphlet form without charge:

17 1. Each of the judges of the District Court of the United States,  
18 one copy.

19 2. The Supreme Court Law Library, two copies.

20 3. Each state officer, district judge, district attorney, county  
21 clerk, justice of the peace and municipal judge in this State, one  
22 copy.

23 4. Each public library in this State, one copy.

24 5. Each library in the Nevada System of Higher Education, one  
25 copy.

26 6. *Each library in the Nevada System of Community*  
27 *Colleges, one copy.*

28 7. Each newspaper published in this State, and each  
29 commercial television and radio station transmitting in this State,  
30 one copy upon its annual request therefor.

31 **Sec. 159.** NRS 37.010 is hereby amended to read as follows:

32 37.010 1. Subject to the provisions of this chapter and the  
33 limitations in subsections 2 and 3, the right of eminent domain may  
34 be exercised in behalf of the following public uses:

35 (a) Federal activities. All public purposes authorized by the  
36 Government of the United States.

37 (b) State activities. Public buildings and grounds for the use of  
38 the State, the Nevada System of Higher Education, *the Nevada*  
39 *System of Community Colleges* and all other public purposes  
40 authorized by the Legislature.

41 (c) County, city, town and school district activities. Public  
42 buildings and grounds for the use of any county, incorporated city or  
43 town, or school district, reservoirs, water rights, canals, aqueducts,  
44 flumes, ditches or pipes for conducting water for the use of the  
45 inhabitants of any county, incorporated city or town, for draining



1 any county, incorporated city or town, for raising the banks of  
2 streams, removing obstructions therefrom, and widening, deepening  
3 or straightening their channels, for roads, streets and alleys, and all  
4 other public purposes for the benefit of any county, incorporated  
5 city or town, or the inhabitants thereof.

6 (d) Bridges, toll roads, railroads, street railways and similar  
7 uses. Wharves, docks, piers, chutes, booms, ferries, bridges, toll  
8 roads, byroads, plank and turnpike roads, roads for transportation by  
9 traction engines or locomotives, roads for logging or lumbering  
10 purposes, and railroads and street railways for public transportation.

11 (e) Ditches, canals, aqueducts for smelting, domestic uses,  
12 irrigation and reclamation. Reservoirs, dams, water gates, canals,  
13 ditches, flumes, tunnels, aqueducts and pipes for supplying persons,  
14 mines, mills, smelters or other works for the reduction of ores, with  
15 water for domestic and other uses, for irrigating purposes, for  
16 draining and reclaiming lands, or for floating logs and lumber on  
17 streams not navigable.

18 (f) Byroads. Byroads leading from highways to residences and  
19 farms.

20 (g) Public utilities. Lines for telephone, electric light and electric  
21 power and sites for plants for electric light and power.

22 (h) Sewerage. Sewerage of any city, town, settlement of not less  
23 than 10 families or any public building belonging to the State or  
24 college or university.

25 (i) Water for generation and transmission of electricity. Canals,  
26 reservoirs, dams, ditches, flumes, aqueducts and pipes for supplying  
27 and storing water for the operation of machinery to generate and  
28 transmit electricity for power, light or heat.

29 (j) Cemeteries, public parks. Cemeteries or public parks.

30 (k) Pipelines for petroleum products, natural gas. Pipelines for  
31 the transportation of crude petroleum, petroleum products or natural  
32 gas, whether interstate or intrastate.

33 (l) Aviation. Airports, facilities for air navigation and aerial  
34 rights-of-way.

35 (m) Monorails. Monorails and any other overhead or  
36 underground system used for public transportation.

37 (n) Video service providers. Video service providers that are  
38 authorized pursuant to chapter 711 of NRS to operate a video  
39 service network. The exercise of the power of eminent domain may  
40 include the right to use the wires, conduits, cables or poles of any  
41 public utility if:

42 (1) It creates no substantial detriment to the service provided  
43 by the utility;

44 (2) It causes no irreparable injury to the utility; and



1 (3) The Public Utilities Commission of Nevada, after giving  
2 notice and affording a hearing to all persons affected by the  
3 proposed use of the wires, conduits, cables or poles, has found that it  
4 is in the public interest.

5 (o) Redevelopment. The acquisition of property pursuant to  
6 chapter 279 of NRS.

7 2. Notwithstanding any other provision of law and except as  
8 otherwise provided in this subsection, the public uses for which  
9 private property may be taken by the exercise of eminent domain do  
10 not include the direct or indirect transfer of any interest in the  
11 property to another private person or entity. Property taken by the  
12 exercise of eminent domain may be transferred to another private  
13 person or entity in the following circumstances:

14 (a) The entity that took the property transfers the property to a  
15 private person or entity and the private person or entity uses the  
16 property primarily to benefit a public service, including, without  
17 limitation, a utility, railroad, public transportation project, pipeline,  
18 road, bridge, airport or facility that is owned by a governmental  
19 entity.

20 (b) The entity that took the property leases the property to a  
21 private person or entity that occupies an incidental part of an airport  
22 or a facility that is owned by a governmental entity and, before  
23 leasing the property:

24 (1) Uses its best efforts to notify the person from whom the  
25 property was taken that the property will be leased to a private  
26 person or entity that will occupy an incidental part of an airport or  
27 facility that is owned by a governmental entity; and

28 (2) Provides the person from whom the property was taken  
29 with an opportunity to bid or propose on any such lease.

30 (c) The entity that took the property:

31 (1) Took the property in order to acquire property that was  
32 abandoned by the owner, abate an immediate threat to the safety of  
33 the public or remediate hazardous waste; and

34 (2) Grants a right of first refusal to the person from whom  
35 the property was taken that allows that person to reacquire the  
36 property on the same terms and conditions that are offered to the  
37 other private person or entity.

38 (d) The entity that took the property exchanges it for other  
39 property acquired or being acquired by eminent domain or under the  
40 threat of eminent domain for roadway or highway purposes, to  
41 relocate public or private structures or to avoid payment of  
42 excessive compensation or damages.

43 (e) The person from whom the property is taken consents to the  
44 taking.



3. The entity that is taking property by the exercise of eminent domain has the burden of proving that the taking is for a public use.

4. For the purposes of this section, an airport authority or any public airport is not a private person or entity.

**Sec. 160.** NRS 43.080 is hereby amended to read as follows:

43.080 “Municipality” means the State of Nevada, or any corporation, instrumentality or other agency thereof, or any incorporated city, any unincorporated town, or any county, school district, conservancy district, drainage district, irrigation district, general improvement district, other corporate district constituting a political subdivision of this State, housing authority, urban renewal authority, other type of authority, the Nevada System of Higher Education, the Board of Regents of the University of Nevada, *the Nevada System of Community Colleges, the State Board for Community Colleges* or any other body corporate and politic of the State of Nevada, but excluding the Federal Government.

**Sec. 161.** NRS 49.117 is hereby amended to read as follows:

49.117 As used in NRS 49.117 to 49.123, inclusive, unless the context otherwise requires, “review committee” means:

1. An organized committee of:

(a) A hospital;

(b) An ambulatory surgical center;

(c) A health maintenance organization;

(d) An organization that provides emergency medical services pursuant to the provisions of chapter 450B of NRS;

(e) A medical facility as defined in NRS 449.0151; ~~for~~

(f) An institution of the Nevada System of Higher Education or any of its affiliated organizations that provides a clinical program or practice related to the medical treatment or care of *patients; or*

*(g) A community college within the Nevada System of Community Colleges or any of its affiliated organizations that provides a clinical program or practice related to the medical treatment or care of patients,*

↳ which has the responsibility of evaluating and improving the quality of care rendered by the parent organization;

2. A peer review committee of a medical or dental society; or

3. A medical review committee of a county or district board of health that certifies, licenses or regulates providers of emergency medical services pursuant to the provisions of chapter 450B of NRS, but only when functioning as a peer review committee.

**Sec. 162.** NRS 49.2545 is hereby amended to read as follows:

49.2545 “Victim’s advocate” means a person who works for a nonprofit program, a program of a *community college within the Nevada System of Community Colleges or a* university ~~or~~ or state college ~~or community college~~ within the Nevada System of Higher



1 Education or a program of a tribal organization which provides  
2 assistance to victims with or without compensation and who has  
3 received at least 20 hours of relevant training.

4 **Sec. 163.** NRS 49.2546 is hereby amended to read as follows:

5 49.2546 1. A communication shall be deemed to be  
6 confidential if the communication is between a victim and a victim's  
7 advocate and is not intended to be disclosed to third persons other  
8 than:

9 (a) A person who is present to further the interest of the victim;

10 (b) A person reasonably necessary for the transmission of the  
11 communication; or

12 (c) A person who is participating in the advice, counseling or  
13 assistance of the victim, including, without limitation, a member of  
14 the victim's family.

15 2. As used in this section, "communication" includes, without  
16 limitation, all records concerning the victim and the services  
17 provided to the victim which are within the possession of:

18 (a) The victim's advocate; or

19 (b) The nonprofit program, the program of a *community college*  
20 *within the Nevada System of Community Colleges or a* university  
21 ~~[ ]~~ *or state college* ~~[or community college]~~ within the Nevada  
22 System of Higher Education or the program of a tribal organization  
23 for whom the victim's advocate works.

24 **Sec. 164.** NRS 62C.060 is hereby amended to read as follows:

25 62C.060 1. If a child is taken into custody for an unlawful act  
26 that involves the possession, use or threatened use of a firearm, the  
27 child must not be released before a detention hearing is held  
28 pursuant to NRS 62C.040.

29 2. At the detention hearing, the juvenile court shall, if the child  
30 was taken into custody for:

31 (a) Carrying or possessing a firearm while on the property of the  
32 Nevada System of Higher Education, *the Nevada System of*  
33 *Community Colleges*, a private or public school or child care  
34 facility, or while in a vehicle of a private or public school or child  
35 care facility, order the child to:

36 (1) Be evaluated by a qualified professional; and

37 (2) Submit to a test to determine whether the child is using  
38 any controlled substance.

39 (b) Committing an unlawful act involving a firearm other than  
40 the act described in paragraph (a), determine whether to order the  
41 child to be evaluated by a qualified professional.

42 3. If the juvenile court orders the child to be evaluated by a  
43 qualified professional or to submit to a test to determine whether the  
44 child is using any controlled substance, the evaluation or the results  
45 from the test must be completed not later than 14 days after the



1 detention hearing. Until the evaluation or the test is completed, the  
2 child must be:

3 (a) Detained at a facility for the detention of children; or

4 (b) Placed under a program of supervision in the home of the  
5 child that may include electronic surveillance of the child.

6 4. If a child is evaluated by a qualified professional pursuant to  
7 this section, the statements made by the child to the qualified  
8 professional during the evaluation and any evidence directly or  
9 indirectly derived from those statements may not be used for any  
10 purpose in a proceeding which is conducted to prove that the child  
11 committed a delinquent act or criminal offense. The provisions of  
12 this subsection do not prohibit the district attorney from proving that  
13 the child committed a delinquent act or criminal offense based upon  
14 evidence obtained from sources or by means that are independent of  
15 the statements made by the child to the qualified professional during  
16 the evaluation.

17 5. As used in this section, "child care facility" has the meaning  
18 ascribed to it in paragraph (a) of subsection 5 of NRS 202.265.

19 **Sec. 165.** NRS 171.1223 is hereby amended to read as  
20 follows:

21 171.1223 1. Except as otherwise provided in subsection 3, in  
22 a county whose population is 100,000 or more, a peace officer with  
23 limited jurisdiction who witnesses a category A felony being  
24 committed or attempted in the officer's presence, or has reasonable  
25 cause for believing a person has committed or attempted to commit  
26 a category A felony in an area that is within the officer's  
27 jurisdiction, shall immediately notify the primary law enforcement  
28 agency in the city or county, as appropriate, where the offense or  
29 attempted offense was committed.

30 2. Upon arrival of an officer from the primary law enforcement  
31 agency notified pursuant to subsection 1, a peace officer with  
32 limited jurisdiction shall immediately transfer the investigation of  
33 the offense or attempted offense to the primary law enforcement  
34 agency.

35 3. The provisions of subsection 1 do not:

36 (a) Apply to an offense or attempted offense that is a  
37 misdemeanor, gross misdemeanor or felony other than a category A  
38 felony;

39 (b) Apply to an officer of the Nevada Highway Patrol, a member  
40 of the police department of the Nevada System of Higher Education  
41 **or the Nevada System of Community Colleges**, an agent of the  
42 Investigation Division of the Department of Public Safety or a  
43 ranger of the Division of State Parks of the State Department of  
44 Conservation and Natural Resources;



1 (c) Apply to a peace officer with limited jurisdiction if an  
2 interlocal agreement between the officer's employer and the primary  
3 law enforcement agency in the city or county in which a category A  
4 felony was committed or attempted authorizes the peace officer with  
5 limited jurisdiction to respond to and investigate the felony without  
6 immediately notifying the primary law enforcement agency; or

7 (d) Prohibit a peace officer with limited jurisdiction from:

8 (1) Contacting a primary law enforcement agency for  
9 assistance with an offense that is a misdemeanor, gross  
10 misdemeanor or felony that is not a category A felony; or

11 (2) Responding to a category A felony until the appropriate  
12 primary law enforcement agency arrives at the location where the  
13 felony was allegedly committed or attempted, including, without  
14 limitation, taking any appropriate action to provide assistance to a  
15 victim of the felony, to apprehend the person suspected of  
16 committing or attempting to commit the felony, to secure the  
17 location where the felony was allegedly committed or attempted and  
18 to protect the life and safety of the peace officer and any other  
19 person present at that location.

20 4. As used in this section:

21 (a) "Peace officer with limited jurisdiction" means:

22 (1) A school police officer who is appointed or employed  
23 pursuant to subsection 5 of NRS 391.281;

24 (2) An airport guard or police officer who is appointed  
25 pursuant to NRS 496.130;

26 (3) A person employed to provide police services for an  
27 airport authority created by a special act of the Legislature; and

28 (4) A marshal or park ranger who is part of a unit of  
29 specialized law enforcement established pursuant to NRS 280.125.

30 (b) "Primary law enforcement agency" means:

31 (1) A police department of an incorporated city;

32 (2) The sheriff's office of a county; or

33 (3) If the county is within the jurisdiction of a metropolitan  
34 police department, the metropolitan police department.

35 **Sec. 166.** NRS 178A.310 is hereby amended to read as  
36 follows:

37 178A.310 1. There is hereby created the Advisory  
38 Committee on Rights of Survivors of Sexual Assault.

39 2. The Advisory Committee consists of:

40 (a) The Attorney General;

41 (b) The Director of the Department of Corrections;

42 (c) One member who is a law enforcement official working for a  
43 local law enforcement agency, appointed by the Nevada Sheriffs'  
44 and Chiefs' Association;



1 (d) One member who is an attorney, appointed by the governing  
2 body of the State Bar of Nevada; and

3 (e) The following members appointed by the Attorney General:

4 (1) One member who is a survivor and a citizen or lawful  
5 resident of this State;

6 (2) One member who is a representative of an organization  
7 supporting the rights of survivors;

8 (3) One member who is a representative of a center of  
9 support for victims of sexual assault;

10 (4) One member who is a representative of a forensic  
11 laboratory;

12 (5) One member who is a representative of a *community*  
13 *college within the Nevada System of Community Colleges or a*  
14 *university* ~~[ ]~~ *or state college* ~~[or community college]~~ within the  
15 Nevada System of Higher Education whose duties of his or her  
16 occupation include direct services to victims of sexual assault and  
17 whose employer is not under investigation by the United States  
18 Department of Education for an alleged violation of 20 U.S.C. §  
19 1092 or Title IX of the Education Amendments Act of 1972, 20  
20 U.S.C. §§ 1681 et seq.;

21 (6) One member who is a representative of an organization  
22 that provides services, education or outreach to minority  
23 communities;

24 (7) One member who is a representative of an organization  
25 that provides services, education or outreach to lesbian, gay,  
26 bisexual, transgender and questioning persons; and

27 (8) One member who is a nurse examiner who specializes in  
28 forensic medical examinations for sexual assault.

29 3. The Attorney General may appoint not more than three other  
30 persons to the Advisory Committee. The total membership of the  
31 Advisory Committee must not exceed 15 members.

32 4. If any organization listed in subsection 2 ceases to exist, the  
33 appointment required pursuant to that subsection must be made by  
34 the association's successor in interest or, if there is no successor in  
35 interest, by the Attorney General.

36 5. Each appointed member serves a term of 2 years. Members  
37 may be reappointed for additional terms of 2 years in the same  
38 manner as the original appointments. Any vacancy occurring in the  
39 membership of the Advisory Committee must be filled in the same  
40 manner as the original appointment not later than 30 days after the  
41 vacancy occurs.

42 6. At the first regular meeting of each odd-numbered year, the  
43 members of the Advisory Committee shall elect a Chair by majority  
44 vote who shall serve until the next Chair is elected.



1 7. The Advisory Committee shall meet at least once annually at  
2 a time and place specified by the Chair and may meet at such further  
3 times as deemed necessary by the Chair.

4 8. A majority of the members of the Advisory Committee  
5 constitutes a quorum for the transaction of business, and a majority  
6 of those members present at any meeting is sufficient for any  
7 official action taken by the Advisory Committee.

8 9. While engaged in the business of the Advisory Committee,  
9 to the extent of legislative appropriation, each member of the  
10 Advisory Committee is entitled to receive the per diem allowance  
11 and travel expenses provided for state officers and employees  
12 generally.

13 10. The Attorney General shall provide the staff necessary to  
14 carry out the duties of the Advisory Committee.

15 **Sec. 167.** NRS 179D.045 is hereby amended to read as  
16 follows:

17 179D.045 “Institution of higher education” means:

18 1. A university ~~[ ]~~ or college ~~[or community college]~~ which is  
19 privately owned or which is part of the Nevada System of Higher  
20 Education;

21 *2. A community college which is privately owned or which is*  
22 *part of the Nevada System of Community Colleges;* and

23 ~~[2.]~~ 3. A postsecondary educational institution, as defined in  
24 NRS 394.099, or any other institution of higher education.

25 **Sec. 168.** NRS 201.480 is hereby amended to read as follows:

26 201.480 “College” means a college ~~[or community college]~~  
27 which is privately owned or which is part of the Nevada System of  
28 Higher Education ~~[ ]~~ or a community college which is privately  
29 owned or which is part of the Nevada System of Community  
30 Colleges.

31 **Sec. 169.** NRS 202.2483 is hereby amended to read as  
32 follows:

33 202.2483 1. Except as otherwise provided in subsection 3,  
34 smoking in any form is prohibited within indoor places of  
35 employment including, but not limited to, the following:

- 36 (a) Child care facilities;
- 37 (b) Movie theatres;
- 38 (c) Video arcades;
- 39 (d) Government buildings and public places;
- 40 (e) Malls and retail establishments;
- 41 (f) All areas of grocery stores; and
- 42 (g) All indoor areas within restaurants.

43 2. Without exception, smoking in any form is prohibited within  
44 school buildings and on school property.

45 3. Smoking is not prohibited in:



1 (a) Areas within casinos where loitering by minors is already  
2 prohibited by state law pursuant to NRS 463.350;

3 (b) Completely enclosed areas with stand-alone bars, taverns  
4 and saloons in which patrons under 21 years of age are prohibited  
5 from entering;

6 (c) Age-restricted stand-alone bars, taverns and saloons;

7 (d) Strip clubs or brothels;

8 (e) Retail tobacco stores;

9 (f) The area of a convention facility in which a meeting or trade  
10 show is being held, during the time the meeting or trade show is  
11 occurring, if the meeting or trade show:

12 (1) Is not open to the public;

13 (2) Is being produced or organized by a business relating to  
14 tobacco or a professional association for convenience stores; and

15 (3) Involves the display of tobacco products; and

16 (g) Private residences, including private residences which may  
17 serve as an office workplace, except if used as a child care, an adult  
18 day care or a health care facility.

19 4. A supervisor on duty or employee of an age-restricted stand-  
20 alone bar, tavern or saloon or a stand-alone bar, tavern or saloon  
21 shall not allow a person who is under 21 years of age to loiter in an  
22 age-restricted stand-alone bar, tavern or saloon or an area of a stand-  
23 alone bar, tavern or saloon where smoking is allowed pursuant to  
24 this section. A person who violates the provisions of this subsection  
25 is guilty of a misdemeanor.

26 5. If a supervisor on duty or employee of an age-restricted  
27 stand-alone bar, tavern or saloon or a stand-alone bar, tavern or  
28 saloon violates the provisions of subsection 4, the age-restricted  
29 stand-alone bar, tavern or saloon or stand-alone bar, tavern or saloon  
30 is liable for a civil penalty of:

31 (a) For the first offense, \$1,000.

32 (b) For a second or subsequent offense, \$2,000.

33 6. In any prosecution or other proceeding for a violation of the  
34 provisions of subsection 4 or 5, it is no excuse for a supervisor,  
35 employee, age-restricted bar, tavern or saloon, or stand-alone bar,  
36 tavern or saloon alleged to have committed the violation to plead  
37 that a supervisor or employee believed that the person who was  
38 permitted to loiter was 21 years of age or older.

39 7. In areas or establishments where smoking is not prohibited  
40 by this section, nothing in state law shall be construed to prohibit  
41 the owners of said establishments from voluntarily creating  
42 nonsmoking sections or designating the entire establishment as  
43 smoke free.

44 8. Nothing in state law shall be construed to restrict local  
45 control or otherwise prohibit a county, city or town from adopting



1 and enforcing local smoking control measures that meet or exceed  
2 the minimum applicable standards set forth in this section.

3 9. "No Smoking" signs or the international "No Smoking"  
4 symbol shall be clearly and conspicuously posted in every public  
5 place and place of employment where smoking is prohibited by this  
6 section. Each public place and place of employment where smoking  
7 is prohibited shall post, at every entrance, a conspicuous sign clearly  
8 stating that smoking is prohibited. All ashtrays and other smoking  
9 paraphernalia shall be removed from any area where smoking is  
10 prohibited.

11 10. Health authorities, police officers of cities or towns,  
12 sheriffs and their deputies shall, within their respective jurisdictions,  
13 enforce the provisions of this section and shall issue citations for  
14 violations of this section pursuant to NRS 202.2492 and 202.24925.

15 11. No person or employer shall retaliate against an employee,  
16 applicant or customer for exercising any rights afforded by, or  
17 attempts to prosecute a violation of, this section.

18 12. For the purposes of this section, the following terms have  
19 the following definitions:

20 (a) "Age-restricted stand-alone bar, tavern or saloon" means an  
21 establishment:

22 (1) Devoted primarily to the sale of alcoholic beverages to be  
23 consumed on the premises;

24 (2) In which food service or sales may or may not be  
25 incidental food service or sales, in the discretion of the operator of  
26 the establishment;

27 (3) In which patrons under 21 years of age are prohibited at  
28 all times from entering the premises; and

29 (4) That must be located within:

30 (I) A physically independent building that does not share  
31 a common entryway or indoor area with a restaurant, public place or  
32 any other indoor workplace where smoking is prohibited by this  
33 section; or

34 (II) A completely enclosed area of a larger structure,  
35 which may include, without limitation, a strip mall or an airport,  
36 provided that indoor windows must remain closed at all times and  
37 doors must remain closed when not actively in use.

38 (b) "Casino" means an entity that contains a building or large  
39 room devoted to gambling games or wagering on a variety of  
40 events. A casino must possess a nonrestricted gaming license as  
41 described in NRS 463.0177 and typically uses the word 'casino' as  
42 part of its proper name.

43 (c) "Child care facility" has the meaning ascribed to it in  
44 NRS 441A.030.



1 (d) "Completely enclosed area" means an area that is enclosed  
2 on all sides by any combination of solid walls, windows or doors  
3 that extend from the floor to the ceiling.

4 (e) "Government building" means any building or office space  
5 owned or occupied by:

6 (1) Any component of the Nevada System of Higher  
7 Education and used for any purpose related to the System;

8 (2) *Any component of the Nevada System of Community*  
9 *Colleges and used for any purpose relating to the System;*

10 (3) The State of Nevada and used for any public purpose; or

11 ~~(3)~~ (4) Any county, city, school district or other political  
12 subdivision of the State and used for any public purpose.

13 (f) "Health authority" has the meaning ascribed to it in  
14 NRS 202.2485.

15 (g) "Incidental food service or sales" means the service of  
16 prepackaged food items including, but not limited to, peanuts,  
17 popcorn, chips, pretzels or any other incidental food items that are  
18 exempt from food licensing requirements pursuant to subsection 2  
19 of NRS 446.870.

20 (h) "Place of employment" means any enclosed area under the  
21 control of a public or private employer which employees frequent  
22 during the course of employment including, but not limited to, work  
23 areas, restrooms, hallways, employee lounges, cafeterias, conference  
24 and meeting rooms, lobbies and reception areas.

25 (i) "Public places" means any enclosed areas to which the public  
26 is invited or in which the public is permitted.

27 (j) "Restaurant" means a business which gives or offers for sale  
28 food, with or without alcoholic beverages, to the public, guests or  
29 employees, as well as kitchens and catering facilities in which food  
30 is prepared on the premises for serving elsewhere.

31 (k) "Retail tobacco store" means a retail store utilized primarily  
32 for the sale of tobacco products and accessories and in which the  
33 sale of other products is merely incidental.

34 (l) "School building" means all buildings on the grounds of any  
35 public school described in NRS 388.020 and any private school as  
36 defined in NRS 394.103.

37 (m) "School property" means the grounds of any public school  
38 described in NRS 388.020 and any private school as defined in  
39 NRS 394.103.

40 (n) "Smoking" means inhaling, exhaling, burning or carrying  
41 any liquid or heated cigar, cigarette or pipe or any other lighted or  
42 heated tobacco or plant product intended for inhalation, in any  
43 manner or in any form. The term includes the use of an electronic  
44 smoking device that creates an aerosol or vapor, in any manner or in



1 any form, and the use of any oral smoking device. As used in this  
2 paragraph, "electronic smoking device":

3 (1) Means any product containing or delivering nicotine, a  
4 product made or derived from tobacco or any other substance  
5 intended for human consumption that can be used by a person to  
6 simulate smoking in the delivery of nicotine or any other substance  
7 through inhalation of vapor or aerosol from the product.

8 (2) Includes any component part of a product described in  
9 subparagraph (1), regardless of whether the component part is sold  
10 separately.

11 (3) Does not include any product regulated by the United  
12 States Food and Drug Administration pursuant to Subchapter V of  
13 the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 352 et seq.

14 (o) "Stand-alone bar, tavern or saloon" means an establishment:

15 (1) Devoted primarily to the sale of alcoholic beverages to be  
16 consumed on the premises;

17 (2) In which food service or sales may or may not be  
18 incidental food service or sales, in the discretion of the operator of  
19 the establishment;

20 (3) In which smoke from such establishments does not  
21 infiltrate into areas where smoking is prohibited under the  
22 provisions of this section; and

23 (4) That must be housed in either:

24 (I) A physically independent building that does not share  
25 a common entryway or indoor area with a restaurant, public place or  
26 any other indoor workplaces where smoking is prohibited by this  
27 section; or

28 (II) A completely enclosed area of a larger structure, such  
29 as a strip mall or an airport, provided that indoor windows must  
30 remain shut at all times and doors must remain closed when not  
31 actively in use.

32 (p) "Video arcade" has the meaning ascribed to it in paragraph  
33 (d) of subsection 3 of NRS 453.3345.

34 13. Any statute or regulation inconsistent with this section is  
35 null and void.

36 14. The provisions of this section are severable. If any  
37 provision of this section or the application thereof is declared by a  
38 court of competent jurisdiction to be invalid or unconstitutional,  
39 such declaration shall not affect the validity of the section as a  
40 whole or any provision thereof other than the part declared to be  
41 invalid or unconstitutional.



1     **Sec. 170.** NRS 202.2491 is hereby amended to read as  
2 follows:

3     202.2491 1. Except as otherwise provided in subsections 5  
4 and 6 and NRS 202.24915, the smoking of tobacco in any form is  
5 prohibited if done in any:

6     (a) Public elevator.

7     (b) Public building.

8     (c) Public waiting room, lobby or hallway of any:

9         (1) Medical facility or facility for the dependent as defined in  
10 chapter 449 of NRS; or

11         (2) Office of any chiropractor, dentist, physical therapist,  
12 physician, podiatric physician, psychologist, optician, optometrist or  
13 doctor of Oriental medicine.

14     (d) Hotel or motel when so designated by the operator thereof.

15     (e) Public area of a store principally devoted to the sale of food  
16 for human consumption off the premises.

17     (f) Child care facility.

18     (g) Bus used by the general public, other than a chartered bus, or  
19 in any maintenance facility or office associated with a bus system  
20 operated by any regional transportation commission.

21     (h) School bus.

22     (i) Video arcade.

23     2. The person in control of an area listed in paragraph (c), (d),  
24 (e) or (g) of subsection 1:

25         (a) Shall post in the area signs prohibiting smoking in any place  
26 not designated for that purpose as provided in paragraph (b).

27         (b) May designate separate rooms or portions of the area which  
28 may be used for smoking, except for a room or portion of the area of  
29 a store described in paragraph (e) of subsection 1 if the room or  
30 portion of the area:

31             (1) Is leased to or operated by a person licensed pursuant to  
32 NRS 463.160; and

33             (2) Does not otherwise qualify for an exemption set forth in  
34 NRS 202.24915.

35     3. The person in control of a public building:

36         (a) Shall post in the area signs prohibiting smoking in any place  
37 not designated for that purpose as provided in paragraph (b).

38         (b) Shall, except as otherwise provided in this subsection,  
39 designate a separate area which may be used for smoking.

40     ➤ A school district which prohibits the use of tobacco by pupils  
41 need not designate an area which may be used by the pupils to  
42 smoke.

43     4. The operator of a restaurant with a seating capacity of 50 or  
44 more shall maintain a flexible nonsmoking area within the restaurant



1 and offer each patron the opportunity to be seated in a smoking or  
2 nonsmoking area.

3 5. A business which derives more than 50 percent of its gross  
4 receipts from the sale of alcoholic beverages or 50 percent of its  
5 gross receipts from gaming operations may be designated as a  
6 smoking area in its entirety by the operator of the business.

7 6. The smoking of tobacco is not prohibited in:

8 (a) Any room or area designated for smoking pursuant to  
9 paragraph (b) of subsection 2 or paragraph (b) of subsection 3.

10 (b) A licensed gaming establishment. A licensed gaming  
11 establishment may designate separate rooms or areas within the  
12 establishment which may or may not be used for smoking.

13 7. As used in this section:

14 (a) "Child care facility" means an establishment operated and  
15 maintained to furnish care on a temporary or permanent basis,  
16 during the day or overnight, to five or more children under 18 years  
17 of age, if compensation is received for the care of any of those  
18 children. The term does not include the home of a natural person  
19 who provides child care.

20 (b) "Licensed gaming establishment" has the meaning ascribed  
21 to it in NRS 463.0169.

22 (c) "Public building" means any building or office space owned  
23 or occupied by:

24 (1) Any component of the Nevada System of Higher  
25 Education and used for any purpose related to the System.

26 (2) *Any component of the Nevada System of Community  
27 Colleges and used for any purpose relating to the System.*

28 (3) The State of Nevada and used for any public purpose,  
29 other than that used by the Department of Corrections to house or  
30 provide other services to offenders.

31 ~~(3)~~ (4) Any county, city, school district or other political  
32 subdivision of the State and used for any public purpose.

33 ↪ If only part of a building is owned or occupied by an entity  
34 described in this paragraph, the term means only that portion of the  
35 building which is so owned or occupied.

36 (d) "School bus" has the meaning ascribed to it in NRS 483.160.

37 (e) "Video arcade" means a facility legally accessible to persons  
38 under 18 years of age which is intended primarily for the use of  
39 pinball and video machines for amusement and which contains a  
40 minimum of 10 such machines.

41 **Sec. 171.** NRS 202.265 is hereby amended to read as follows:

42 202.265 1. Except as otherwise provided in this section, a  
43 person shall not carry or possess while on the property of the  
44 Nevada System of Higher Education, *the Nevada System of  
45 Community Colleges*, a private or public school or child care



1 facility, or while in a vehicle of a private or public school or child  
2 care facility:

- 3 (a) An explosive or incendiary device;
- 4 (b) A dirk, dagger or switchblade knife;
- 5 (c) A nunchaku or trefoil;
- 6 (d) A blackjack or billy club or metal knuckles;
- 7 (e) A pneumatic gun;
- 8 (f) A pistol, revolver or other firearm; or
- 9 (g) Any device used to mark any part of a person with paint or  
10 any other substance.

11 2. Any person who violates subsection 1 is guilty of a gross  
12 misdemeanor.

13 3. This section does not prohibit the possession of a weapon  
14 listed in subsection 1 on the property of:

- 15 (a) A private or public school or child care facility by a:
  - 16 (1) Peace officer;
  - 17 (2) School security guard; or
  - 18 (3) Person having written permission from the president of a  
19 branch or facility of the Nevada System of Higher Education , *the*  
20 *president of a community college within the Nevada System of*  
21 *Community Colleges* or the principal of the school or the person  
22 designated by a child care facility to give permission to carry or  
23 possess the weapon.

- 24 (b) A child care facility which is located at or in the home of a  
25 natural person by the person who owns or operates the facility so  
26 long as the person resides in the home and the person complies with  
27 any laws governing the possession of such a weapon.

28 4. The provisions of this section apply to a child care facility  
29 located at or in the home of a natural person only during the normal  
30 hours of business of the facility.

31 5. For the purposes of this section:

32 (a) "Child care facility" means any child care facility that is  
33 licensed pursuant to chapter 432A of NRS or licensed by a city or  
34 county.

35 (b) "Nunchaku" has the meaning ascribed to it in NRS 202.350.

36 (c) "Pneumatic gun" means any implement designed as a gun  
37 that may expel a ball bearing or a pellet by action of pneumatic  
38 pressure. The term includes, without limitation, a paintball gun that  
39 expels plastic balls filled with paint for the purpose of marking the  
40 point of impact.

41 (d) "Switchblade knife" means a spring-blade knife, snap-blade  
42 knife or any other knife having the appearance of a pocketknife, any  
43 blade of which is 2 or more inches long and which can be released  
44 automatically by a flick of a button, pressure on the handle or other  
45 mechanical device, or is released by any type of mechanism. The



1 term does not include a knife which has a blade that is held in place  
2 by a spring if the blade does not have any type of automatic release.

3 (e) "Trefoil" has the meaning ascribed to it in NRS 202.350.

4 (f) "Vehicle" has the meaning ascribed to "school bus" in  
5 NRS 484A.230.

6 **Sec. 172.** NRS 202.3673 is hereby amended to read as  
7 follows:

8 202.3673 1. Except as otherwise provided in subsections 2  
9 and 3, a permittee may carry a concealed firearm while the  
10 permittee is on the premises of any public building.

11 2. A permittee shall not carry a concealed firearm while the  
12 permittee is on the premises of a public building that is located on  
13 the property of a public airport.

14 3. A permittee shall not carry a concealed firearm while the  
15 permittee is on the premises of:

16 (a) A public building that is located on the property of a public  
17 school or a child care facility or the property of the Nevada System  
18 of Higher Education ~~or~~ *or the Nevada System of Community*  
19 *Colleges*, unless the permittee has obtained written permission to  
20 carry a concealed firearm while he or she is on the premises of the  
21 public building pursuant to subparagraph (3) of paragraph (a) of  
22 subsection 3 of NRS 202.265.

23 (b) A public building that has a metal detector at each public  
24 entrance or a sign posted at each public entrance indicating that no  
25 firearms are allowed in the building, unless the permittee is not  
26 prohibited from carrying a concealed firearm while he or she is on  
27 the premises of the public building pursuant to subsection 4.

28 4. The provisions of paragraph (b) of subsection 3 do not  
29 prohibit:

30 (a) A permittee who is a judge from carrying a concealed  
31 firearm in the courthouse or courtroom in which the judge presides  
32 or from authorizing a permittee to carry a concealed firearm while in  
33 the courtroom of the judge and while traveling to and from the  
34 courtroom of the judge.

35 (b) A permittee who is a prosecuting attorney of an agency or  
36 political subdivision of the United States or of this State from  
37 carrying a concealed firearm while he or she is on the premises of a  
38 public building.

39 (c) A permittee who is employed in the public building from  
40 carrying a concealed firearm while he or she is on the premises of  
41 the public building.

42 (d) A permittee from carrying a concealed firearm while he or  
43 she is on the premises of the public building if the permittee has  
44 received written permission from the person in control of the public



1 building to carry a concealed firearm while the permittee is on the  
2 premises of the public building.

3 5. A person who violates subsection 2 or 3 is guilty of a  
4 misdemeanor.

5 6. As used in this section:

6 (a) "Child care facility" has the meaning ascribed to it in  
7 paragraph (a) of subsection 5 of NRS 202.265.

8 (b) "Public building" means any building or office space  
9 occupied by:

10 (1) Any component of the Nevada System of Higher  
11 Education and used for any purpose related to the System; ~~for~~

12 (2) *Any component of the Nevada System of Community  
13 Colleges and used for any purpose related to the System; or*

14 (3) The Federal Government, the State of Nevada or any  
15 county, city, school district or other political subdivision of the State  
16 of Nevada and used for any public purpose.

17 ↪ If only part of the building is occupied by an entity described in  
18 this subsection, the term means only that portion of the building  
19 which is so occupied.

20 **Sec. 173.** NRS 203.119 is hereby amended to read as follows:

21 203.119 1. A person shall not commit any act in a public  
22 building or on the public grounds surrounding the building which  
23 interferes with the peaceful conduct of activities normally carried on  
24 in the building or on the grounds.

25 2. Any person whose conduct is prohibited by subsection 1  
26 who refuses to leave the building or grounds upon request by the  
27 proper official is guilty of a misdemeanor.

28 3. Any person who aids, counsels or abets another to commit  
29 an act prohibited by subsection 2 is guilty of a misdemeanor.

30 4. For the purpose of this section:

31 (a) "Proper official" means the person or persons designated by  
32 the administrative officer or board in charge of the building.

33 (b) "Public building" means any building owned by:

34 (1) Any component of the Nevada System of Higher  
35 Education and used for any purpose related to the System.

36 (2) *Any component of the Nevada System of Community  
37 Colleges and used for any purpose related to the System.*

38 (3) The State of Nevada or any county, city, school district or  
39 other political subdivision of the State and used for any public  
40 purpose.

41 **Sec. 174.** NRS 205.462 is hereby amended to read as follows:

42 205.462 "Public body" means:

43 1. The State of Nevada, or any agency, instrumentality or  
44 corporation thereof;

45 2. The Nevada System of Higher Education;



3. *The Nevada System of Community Colleges;*

4. Any municipality, county, school district or other type of district, or a city or town, incorporated or unincorporated; or

~~4.]~~ 5. Any other body corporate and politic comprising a political subdivision of this State or acting on behalf thereof.

**Sec. 175.** NRS 209.391 is hereby amended to read as follows:

209.391 The Director shall:

1. Establish programs to provide medical, psychological, psychiatric and other appropriate forms of counseling to offenders under the jurisdiction of the Department in accordance with classification requirements.

2. Administer programs of general education, vocational training and other rehabilitation for offenders established by the Board.

3. Within the limits of legislative appropriations, purchase textbooks for use by offenders who are enrolled in courses of general education and vocational training offered by any branch or facility of the Nevada System of Higher Education ~~]~~ *or the Nevada System of Community Colleges.* Any textbooks purchased pursuant to this section must remain the property of the State and must be reissued to offenders as appropriate.

4. Within the limits of legislative appropriations, establish programs of research, statistics and planning to:

(a) Determine and review periodically the effectiveness of the Department's programs of education, vocational training and other rehabilitation for offenders;

(b) Provide annually, and at other times when so requested, to the Board, the Governor and the Legislature information pertaining to:

(1) The number of offenders who are participating in and who complete those programs;

(2) The effectiveness of those programs in accomplishing their purposes; and

(3) The number of offenders who are returned to prison after their release; and

(c) Effect appropriate changes in the programs established by the Board.

**Sec. 176.** NRS 218A.970 is hereby amended to read as follows:

218A.970 1. Except as otherwise provided in subsection 2, a Legislator shall not:

(a) Become a named contractor or named subcontractor under any contract or order for supplies or any other kind of contract paid for in whole or in part by money appropriated by the Legislature of which that Legislator is a member for the State or any of its



1 departments, or the Legislature or either House, or to be interested,  
2 directly or indirectly, as principal, in any kind of contract so paid.

3 (b) Be interested in any contract made by the Legislature of  
4 which that Legislator is a member, or be a purchaser or interested in  
5 any purchase or sale made by the Legislature of which that  
6 Legislator is a member.

7 2. A Legislator may:

8 (a) Sell or enter into a contract to sell, to the State or any of its  
9 departments, any item, commodity, service or capital improvement  
10 if:

11 (1) The sources of supply for the item, commodity, service or  
12 capital improvement are limited;

13 (2) The contracting process is controlled by rules of open  
14 competitive bidding;

15 (3) The Legislator has not taken part in developing the plans  
16 or specifications for the sale or contract; and

17 (4) The Legislator will not be personally involved in  
18 opening, considering or accepting any bids for the sale or contract.

19 (b) If the Legislator is not named in a contract, receive, as direct  
20 salary or wages, compensation for which the original source was a  
21 legislative appropriation to any governmental entity or a private  
22 entity not owned or controlled by the Legislator.

23 (c) Receive, for services as an instructor or teacher from any  
24 county school district, *the Nevada System of Community Colleges*  
25 or the Nevada System of Higher Education, compensation for which  
26 the original source was a legislative appropriation to any  
27 governmental entity or a private entity not owned or controlled by  
28 the Legislator.

29 3. Any contract made in violation of subsection 1 may be  
30 declared void at the instance of the State or of any other person  
31 interested in the contract except the Legislator prohibited by  
32 subsection 1 from making or being interested in the contract.

33 4. A person who violates any provision of this section is guilty  
34 of a gross misdemeanor and forfeits the person's office.

35 **Sec. 177.** NRS 218D.915 is hereby amended to read as  
36 follows:

37 218D.915 1. The following persons, offices or organizations,  
38 upon request, are entitled to receive free of charge in any 1 calendar  
39 year one copy of any bill, resolution, daily history, daily journal or  
40 index:

41 (a) Elected state officers.

42 (b) Offices of all state departments and agencies.

43 (c) County clerks, sheriffs, treasurers, assessors, recorders and  
44 auditors.

45 (d) Offices of other county officials.



- 1 (e) Municipal officers.
- 2 (f) Districts and other governmental agencies.
- 3 (g) Justices of the peace.
- 4 (h) The Division of State Library, Archives and Public Records
- 5 of the Department of Administration.
- 6 (i) County and city libraries and libraries of the Nevada System
- 7 of Higher Education  *and the Nevada System of Community*
- 8 *Colleges.*

9 (j) Accredited members of the press.

10 2. Upon approval of the committee of the Senate or the

11 Assembly which has jurisdiction of issues relating to legislative

12 functions, additional copies must be provided to these persons,

13 offices or organizations without charge, except for the cost of any

14 handling and postage as determined by the Director.

15 3. Township, school and municipal officials may have

16 distributed, free of charge, the number of copies of any legislative

17 measure or publication that is approved by the committee of the

18 Senate or the Assembly which has jurisdiction of issues relating to

19 legislative functions.

20 **Sec. 178.** NRS 218E.625 is hereby amended to read as

21 follows:

22 218E.625 1. The Legislative Bureau of Educational

23 Accountability and Program Evaluation is hereby created within the

24 Fiscal Analysis Division. The Fiscal Analysts shall appoint to the

25 Legislative Bureau of Educational Accountability and Program

26 Evaluation a Chief and such other personnel as the Fiscal Analysts

27 determine are necessary for the Bureau to carry out its duties

28 pursuant to this section.

29 2. The Bureau shall, as the Fiscal Analysts determine is

30 necessary or at the request of the Committee:

31 (a) Collect and analyze data and issue written reports

32 concerning:

33 (1) The effectiveness of the provisions of chapter 385A of

34 NRS in improving the accountability of the schools of this State;

35 (2) The statewide program to reduce the ratio of pupils per

36 class per licensed teacher prescribed in NRS 388.700, 388.710 and

37 388.720;

38 (3) The statewide program to educate persons with

39 disabilities that is set forth in NRS 388.5223 to 388.5243, inclusive;

40 (4) The results of the examinations of the National

41 Assessment of Educational Progress that are administered pursuant

42 to NRS 390.830; and

43 (5) Any program or legislative measure, the purpose of

44 which is to reform the system of education within this State.



1 (b) Conduct studies and analyses to evaluate the performance  
2 and progress of the system of public education within this State.  
3 Such studies and analyses may be conducted:

4 (1) As the Fiscal Analysts determine are necessary; or

5 (2) At the request of the Legislature.

6 ↪ This paragraph does not prohibit the Bureau from contracting  
7 with a person or entity to conduct studies and analyses on behalf of  
8 the Bureau.

9 (c) On or before October 1 of each even-numbered year, submit  
10 a written report of its findings pursuant to paragraphs (a) and (b) to  
11 the Director for transmission to the next regular session. The Bureau  
12 shall, on or before October 1 of each odd-numbered year, submit a  
13 written report of its findings pursuant to paragraphs (a) and (b) to  
14 the Director for transmission to the Legislative Commission and to  
15 the Legislative Committee on Education.

16 3. The Bureau may, pursuant to NRS 218F.620, require a  
17 school, a school district, the Nevada System of Higher Education ,  
18 *the Nevada System of Community Colleges* or the Department of  
19 Education to submit to the Bureau books, papers, records and other  
20 information that the Chief of the Bureau determines are necessary to  
21 carry out the duties of the Bureau pursuant to this section. An entity  
22 whom the Bureau requests to produce records or other information  
23 shall provide the records or other information in any readily  
24 available format specified by the Bureau.

25 4. Except as otherwise provided in this subsection and NRS  
26 239.0115, any information obtained by the Bureau pursuant to this  
27 section shall be deemed a work product that is confidential pursuant  
28 to NRS 218F.150. The Bureau may, at the discretion of the Chief  
29 and after submission to the Legislature or Legislative Commission,  
30 as appropriate, publish reports of its findings pursuant to paragraphs  
31 (a) and (b) of subsection 2.

32 5. This section does not prohibit the Department of Education  
33 or the State Board of Education from conducting analyses,  
34 submitting reports or otherwise reviewing educational programs in  
35 this State.

36 **Sec. 179.** NRS 223.600 is hereby amended to read as follows:

37 223.600 1. The Office of Science, Innovation and  
38 Technology is hereby established in the Office of the Governor.

39 2. The Governor shall appoint the Director of the Office of  
40 Science, Innovation and Technology. In making the appointment,  
41 the Governor:

42 (a) Shall give consideration to any recommendation which is  
43 submitted by the Chancellor of the Nevada System of Higher  
44 Education **[H]** *and the Executive Director of the State Board for*  
45 *Community Colleges.*



1 (b) May assemble a panel of persons with appropriate  
2 experience in science and technology to make recommendations of  
3 qualified candidates for the position of Director.

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

7 4. The Director is not in the classified or unclassified service of  
8 the State and serves at the pleasure of the Governor.

9 **Sec. 180.** NRS 223.640 is hereby amended to read as follows:

10 223.640 1. The Advisory Council on Science, Technology,  
11 Engineering and Mathematics is hereby created within the Office of  
12 Science, Innovation and Technology. The Council consists of:

13 (a) The following ex officio members:

14 (1) The Superintendent of Public Instruction or his or her  
15 designee;

16 (2) The Chancellor of the Nevada System of Higher  
17 Education or his or her designee;

18 (3) *The Executive Director of the State Board for*  
19 *Community Colleges;*

20 (4) The Executive Director of the Office of Economic  
21 Development or his or her designee; and

22 ~~(4)~~ (5) The Director of the Department of Employment,  
23 Training and Rehabilitation or his or her designee;

24 (b) Three members appointed by the Governor pursuant to  
25 subsection 2;

26 (c) Two members appointed by the Majority Leader of the  
27 Senate pursuant to subsection 2;

28 (d) Two members appointed by the Speaker of the Assembly  
29 pursuant to subsection 2;

30 (e) Two members appointed by the Minority Leader of the  
31 Senate pursuant to subsection 2; and

32 (f) Two members appointed by the Minority Leader of the  
33 Assembly pursuant to subsection 2.

34 2. The Governor, the Majority Leader and the Minority Leader  
35 of the Senate and the Speaker and the Minority Leader of the  
36 Assembly shall coordinate their respective appointments of  
37 members to the Council:

38 (a) On a geographic basis to ensure statewide representation;  
39 and

40 (b) To ensure representation from:

41 (1) Classroom teachers or administrators in the field of  
42 science, technology, engineering or mathematics;

43 (2) Higher education in the field of science, technology,  
44 engineering or mathematics; and



1 (3) Businesses operating in the sectors relating to science,  
2 technology, engineering or mathematics.

3 3. Any vacancy occurring in the membership of the Council  
4 must be filled in the same manner as the original appointment not  
5 later than 30 days after the vacancy occurs.

6 4. The Council shall meet at least six times each year at the call  
7 of the Chair. Two meetings of the Council must be held in person  
8 and any other meeting may be held by videoconference.

9 5. A majority of the members of the Council constitutes a  
10 quorum for the transaction of business, and a majority of those  
11 members present at any meeting is sufficient for any official action  
12 taken by the Council.

13 6. The Chair may appoint such subcommittees of the Council  
14 as the Chair determines necessary to carry out the duties of the  
15 Council.

16 7. The members of the Council serve without compensation,  
17 except that each member is entitled to receive the per diem  
18 allowance and travel expenses provided for state officers and  
19 employees generally while engaged in the official business of the  
20 Council.

21 **Sec. 181.** NRS 223.650 is hereby amended to read as follows:

22 223.650 1. The Advisory Council on Science, Technology,  
23 Engineering and Mathematics created by NRS 223.640 shall:

24 (a) Develop a strategic plan for the development of educational  
25 resources in the fields of science, technology, engineering and  
26 mathematics to serve as a foundation for workforce development,  
27 college preparedness and economic development in this State;

28 (b) Develop a plan for identifying and awarding recognition to  
29 pupils in this State who demonstrate exemplary achievement in the  
30 fields of science, technology, engineering and mathematics;

31 (c) Develop a plan for identifying and awarding recognition to  
32 schools in this State that demonstrate exemplary performance in the  
33 fields of science, technology, engineering and mathematics;

34 (d) Conduct a survey of education programs and proposed  
35 programs relating to the fields of science, technology, engineering  
36 and mathematics in this State and in other states to identify  
37 recommendations for the implementation of such programs by  
38 public schools and institutions of higher education in this State and  
39 report the information gathered by the survey to the State Board of  
40 Education, *the State Board for Community Colleges* and the Board  
41 of Regents of the University of Nevada;

42 (e) Apply for grants on behalf of the State of Nevada relating to  
43 the development and expansion of education programs in the fields  
44 of science, technology, engineering and mathematics;



1 (f) Identify a nonprofit corporation to assist in the  
2 implementation of the plans developed pursuant to paragraphs (a),  
3 (b) and (c);

4 (g) Prepare a written report which includes, without limitation,  
5 recommendations based on the survey conducted pursuant to  
6 paragraph (d) and any other recommendations concerning the  
7 instruction and curriculum in courses of study in science,  
8 technology, engineering and mathematics in public schools in this  
9 State and, on or before January 31 of each odd-numbered year,  
10 submit a copy of the report to the State Board of Education, *the*  
11 *State Board for Community Colleges*, the Board of Regents of the  
12 University of Nevada, the Governor and the Director of the  
13 Legislative Counsel Bureau for transmittal to the Legislature;

14 (h) Conduct surveys for and make recommendations as deemed  
15 necessary to the Office of Economic Development and the  
16 Governor's Workforce Investment Board; and

17 (i) Appoint a subcommittee on computer science consisting of at  
18 least three members to provide advice and recommendations to:

19 (1) The State Board of Education, the Council to Establish  
20 Academic Standards for Public Schools, the boards of trustees of  
21 school districts and the governing bodies of charter schools and  
22 university schools for profoundly gifted pupils concerning the  
23 curriculum and materials for courses in computer science and  
24 computer education and technology and professional development  
25 for teachers who teach such courses; and

26 (2) The Commission on Professional Standards in Education  
27 concerning the qualifications for licensing teachers and other  
28 educational personnel who teach courses in computer science or  
29 computer education and technology.

30 2. Each year the Council:

31 (a) Shall establish an event in southern Nevada and an event in  
32 northern Nevada to recognize pupils in this State who demonstrate  
33 exemplary achievement in the fields of science, technology,  
34 engineering and mathematics.

35 (b) Shall establish a statewide event to recognize schools in this  
36 State that have demonstrated exemplary performance in the fields of  
37 science, technology, engineering and mathematics.

38 (c) May accept any gifts, grants or donations from any source  
39 for use in carrying out the provisions of this subsection.

40 3. The Council or a subcommittee of the Council may seek the  
41 input, advice and assistance of persons and organizations that have  
42 knowledge, interest or expertise relevant to the duties of the  
43 Council.

44 4. The State Board of Education , *the State Board for*  
45 *Community Colleges* and the Board of Regents of the University of



1 Nevada shall consider the plans developed by the Advisory Council  
2 on Science, Technology, Engineering and Mathematics pursuant to  
3 paragraphs (a), (b) and (c) of subsection 1 and the written report  
4 submitted pursuant to paragraph (g) of subsection 1. The State  
5 Board of Education shall adopt such regulations as the State Board  
6 deems necessary to carry out the recommendations in the written  
7 report.

8 **Sec. 182.** NRS 227.205 is hereby amended to read as follows:

9 227.205 1. The State Controller shall establish an electronic  
10 payment system to pay the salaries and wages of state officers and  
11 employees through the use of direct deposit.

12 2. Except as otherwise provided in subsection 3, the State  
13 Controller shall pay the salaries and wages of state officers and  
14 employees using the electronic payment system.

15 3. Upon application by a state officer or employee, the State  
16 Controller may waive the participation of the state officer or  
17 employee in the electronic payment system established pursuant to  
18 subsection 1 if:

19 (a) The State Controller determines that participation in the  
20 system by the state officer or employee would cause the state officer  
21 or employee to suffer undue hardship or extreme inconvenience; or

22 (b) The state officer or employee does not have an account at a  
23 financial institution that accepts direct deposit.

24 4. The State Controller may adopt such regulations as he or she  
25 determines to be necessary or advisable to carry out the provisions  
26 of this section.

27 5. As used in this section:

28 (a) "Direct deposit" means payment of the salary and wages of a  
29 person by causing the net amount of such person's salary and wages  
30 to be deposited in an account maintained in a financial institution in  
31 the name of the person.

32 (b) "State employee" means any person who performs public  
33 duties under the direction and control of a state officer for  
34 compensation paid by or through the State except any employee of:

35 (1) The Nevada System of Higher Education; ~~or~~

36 (2) *The Nevada System of Community Colleges; or*

37 (3) The Legislative Department of the State Government.

38 (c) "State officer" means a person elected or appointed to a  
39 position with the State Government, except the Nevada System of  
40 Higher Education, *the Nevada System of Community Colleges* or  
41 the Legislative Department of State Government, which involves the  
42 exercise of a state power, trust or duty, including:

43 (1) Actions taken in an official capacity which involve a  
44 substantial and material exercise of administrative discretion in the  
45 formulation of state policy;



- 1 (2) The expenditure of state money; and
- 2 (3) The enforcement of laws and regulations of the State.

3 **Sec. 183.** NRS 231.033 is hereby amended to read as follows:

4 231.033 1. There is hereby created the Board of Economic  
5 Development, consisting of:

6 (a) The following voting members:

- 7 (1) The Governor;
- 8 (2) The Lieutenant Governor;
- 9 (3) The Secretary of State; and
- 10 (4) Six members who must be selected from the private

11 sector and appointed as follows:

12 (I) Three members appointed by the Governor;

13 (II) One member appointed by the Speaker of the  
14 Assembly;

15 (III) One member appointed by the Majority Leader of  
16 the Senate; and

17 (IV) One member appointed by the Minority Leader of  
18 the Assembly or the Minority Leader of the Senate. The Minority  
19 Leader of the Senate shall appoint the member for the initial term,  
20 the Minority Leader of the Assembly shall appoint the member for  
21 the next succeeding term, and thereafter, the authority to appoint the  
22 member for each subsequent term alternates between the Minority  
23 Leader of the Assembly and the Minority Leader of the Senate.

24 (b) The following nonvoting members:

25 (1) The Chancellor of the Nevada System of Higher  
26 Education or his or her designee; ~~and~~

27 (2) *The Executive Director of the State Board for*  
28 *Community Colleges or his or her designee; and*

29 (3) The Director of the Department of Employment, Training  
30 and Rehabilitation.

31 2. In appointing the members of the Board described in  
32 subsection 1, the appointing authorities shall coordinate the  
33 appointments when practicable so that the members of the Board  
34 represent the diversity of this State, including, without limitation,  
35 different strategically important industries, different geographic  
36 regions of this State and different professions.

37 3. The Governor shall serve as the Chair of the Board.

38 4. Except as otherwise provided in this subsection, the  
39 members of the Board appointed pursuant to subparagraph (4) of  
40 paragraph (a) of subsection 1 are appointed for terms of 4 years. The  
41 initial members of the Board shall by lot select three of the initial  
42 members of the Board appointed pursuant to subparagraph (4) of  
43 paragraph (a) of subsection 1 to serve an initial term of 2 years.

44 5. The Governor, the Lieutenant Governor or the Secretary of  
45 State may designate a person to serve as a member of the Board for



1 the Governor, Lieutenant Governor or Secretary of State,  
2 respectively. Any person designated to serve pursuant to this  
3 subsection shall serve for the term of the officer appointing him or  
4 her and serves at the pleasure of that officer. If the Governor  
5 designates a person to serve on his or her behalf, that person shall  
6 serve as the Chair of the Board. Vacancies in the appointed  
7 positions on the Board must be filled by the appointing authority for  
8 the unexpired term.

9 6. The Executive Director shall serve as the nonvoting  
10 Secretary of the Board.

11 7. A majority of the Board constitutes a quorum, and a  
12 majority of the Board is required to exercise any power conferred on  
13 the Board.

14 8. The Board shall meet at least once each quarter but may  
15 meet more often at the call of the Chair or a majority of the  
16 members of the Board.

17 9. The members of the Board serve without compensation but  
18 are entitled to receive the per diem allowance and travel expenses  
19 provided for state officers and employees generally while engaged  
20 in the official business of the Board.

21 **Sec. 184.** NRS 231.055 is hereby amended to read as follows:

22 231.055 Under the direction of the Executive Director, the  
23 Office:

24 1. Shall provide administrative and technical support to the  
25 Board.

26 2. Shall support the efforts of the Board, the regional  
27 development authorities designated by the Executive Director  
28 pursuant to subsection 4 of NRS 231.053 and the private sector to  
29 encourage the creation and expansion of businesses in Nevada and  
30 the relocation of businesses to Nevada.

31 3. Shall coordinate and oversee all economic development  
32 programs in this State to ensure that such programs are consistent  
33 with the State Plan for Economic Development developed by the  
34 Executive Director pursuant to subsection 2 of NRS 231.053,  
35 including, without limitation:

36 (a) Coordinating the economic development activities of  
37 agencies of this State, local governments in this State and local and  
38 regional organizations for economic development to avoid  
39 duplication of effort or conflicting efforts;

40 (b) Working with local, state and federal authorities to  
41 streamline the process for obtaining abatements, financial  
42 incentives, grants, loans and all necessary permits, licenses and  
43 registrations for the creation or expansion of businesses in Nevada  
44 or the relocation of businesses to Nevada;



1 (c) Reviewing, analyzing and making recommendations for the  
2 approval or disapproval of applications for abatements, financial  
3 incentives, development resources, and grants and loans of money  
4 provided by the Office.

5 4. Shall, upon request, assist an electric utility with the  
6 marketing of vacant or decommissioned assets for sale and  
7 redevelopment pursuant to NRS 704.734.

8 5. Shall, in consultation with the Nevada System of Higher  
9 Education, *the Nevada System of Community Colleges*, the  
10 Department of Employment, Training and Rehabilitation, the  
11 Department of Education and any other person or entity which  
12 the Executive Director determines is appropriate, develop and  
13 implement one or more programs to provide customized workforce  
14 development services to persons that create and expand businesses  
15 in Nevada and relocate businesses to Nevada.

16 6. Shall prepare a list of authorized providers that are eligible  
17 to provide programs of workforce recruitment, assessment and  
18 training pursuant to NRS 231.1467.

19 7. May:

20 (a) Participate in any federal programs for economic  
21 development that are consistent with the State Plan for Economic  
22 Development developed by the Executive Director pursuant to  
23 subsection 2 of NRS 231.053; and

24 (b) When practicable and authorized by federal law, act as the  
25 agency of this State to administer such federal programs.

26 **Sec. 185.** NRS 231.1415 is hereby amended to read as  
27 follows:

28 231.1415 "Authorized provider" means any institution within  
29 the Nevada System of Higher Education, *any community college*  
30 *within the Nevada System of Community Colleges*, a state or local  
31 agency, a school district, a charter school, a nonprofit organization,  
32 a labor organization or a private postsecondary educational  
33 institution that provides a program of workforce development  
34 approved by the Office.

35 **Sec. 186.** NRS 231.1475 is hereby amended to read as  
36 follows:

37 231.1475 An institution within the *Nevada System of*  
38 *Community Colleges or the Nevada System of Higher Education* or  
39 a private postsecondary educational institution in this State that is an  
40 authorized provider shall allow a student, including, without  
41 limitation, a student who is enrolled in a dual credit course at a  
42 public high school, who successfully completes a program of  
43 workforce development that is provided by the institution to apply  
44 the credit received for the completion of the program toward the



1 total number of credits required for a related credential, certificate or  
2 degree from that institution.

3 **Sec. 187.** NRS 232.920 is hereby amended to read as follows:

4 232.920 The Director:

5 1. Shall:

6 (a) Organize the Department into divisions and other operating  
7 units as needed to achieve the purposes of the Department;

8 (b) Upon request, provide the Director of the Department of  
9 Administration with a list of organizations and agencies in this State  
10 whose primary purpose is the training and employment of persons  
11 with disabilities;

12 (c) Except as otherwise provided by a specific statute, direct the  
13 divisions to share information in their records with agencies of local  
14 governments which are responsible for the collection of debts or  
15 obligations if the confidentiality of the information is otherwise  
16 maintained under the terms and conditions required by law;

17 (d) Provide the employment and wage information to the Board  
18 of Regents of the University of Nevada for purposes of the reporting  
19 required of the Board of Regents by subsection 4 of NRS 396.531;

20 ~~and~~

21 (e) *Provide the employment and wage information to the State*  
22 *Board for Community Colleges for the purposes of the reporting*  
23 *required of the State Board by subsection 4 of section 57 of this*  
24 *act; and*

25 (f) Provide to the Director of the Legislative Counsel Bureau a  
26 written report each quarter containing the rate of unemployment of  
27 residents of this State regarding whom the Department has  
28 information, organized by county and, for each county, the rate of  
29 unemployment disaggregated by demographic information,  
30 including, without limitation, age, race and gender. The Director of  
31 the Department shall:

32 (1) Post on the Internet website of the Department the report  
33 required by this paragraph;

34 (2) Provide the report to the Governor's Workforce  
35 Investment Board and all applicable agencies for the purposes of  
36 subsection 5 of NRS 232.935; and

37 (3) Post on the Internet website of the Department the written  
38 report provided by the Governor's Workforce Investment Board  
39 pursuant to subsection 5 of NRS 232.935.

40 2. Is responsible for the administration, through the divisions  
41 of the Department, of the provisions of NRS 394.383 to 394.560,  
42 inclusive, 426.010 to 426.720, inclusive, 426.740, 426.790 and  
43 426.800, and chapters 612 and 615 of NRS, and all other provisions  
44 of law relating to the functions of the Department and its divisions,  
45 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. 188.** NRS 233B.039 is hereby amended to read as  
7 follows:

8 233B.039 1. The following agencies are entirely exempted  
9 from the requirements of this chapter:

10 (a) The Governor.

11 (b) Except as otherwise provided in NRS 209.221, the  
12 Department of Corrections.

13 (c) The Nevada System of Higher Education.

14 (d) *The Nevada System of Community Colleges.*

15 (e) The Office of the Military.

16 ~~(e)~~ (f) The Nevada Gaming Control Board.

17 ~~(f)~~ (g) Except as otherwise provided in NRS 368A.140 and  
18 463.765, the Nevada Gaming Commission.

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

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

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

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

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

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

36 ~~(m)~~ (n) The Silver State Health Insurance Exchange.

37 ~~(n)~~ (o) The Cannabis Compliance Board.

38 2. Except as otherwise provided in subsection 5 and NRS  
39 391.323, the Department of Education, the Board of the Public  
40 Employees' Benefits Program and the Commission on Professional  
41 Standards in Education are subject to the provisions of this chapter  
42 for the purpose of adopting regulations but not with respect to any  
43 contested case.

44 3. The special provisions of:



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

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

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

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

12 ➤ prevail over the general provisions of this chapter.

13 4. The provisions of NRS 233B.122, 233B.124, 233B.125 and  
14 233B.126 do not apply to the Department of Health and Human  
15 Services in the adjudication of contested cases involving the  
16 issuance of letters of approval for health facilities and agencies.

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

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

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

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

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

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

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

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

40 (h) The adoption, amendment or repeal of regulations by the  
41 Director of the Department of Health and Human Services pursuant  
42 to NRS 447.335 to 447.350, inclusive.

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



1       **Sec. 189.** NRS 236.015 is hereby amended to read as follows:  
2       236.015 1. The following days are declared to be legal  
3       holidays for state, county and city governmental offices:  
4

5             January 1 (New Year's Day)

6             Martin Luther King, Jr.'s birthday is on January 15 but is to  
7             be observed on the third Monday in January

8             Washington's birthday is on February 22 but is to be  
9             observed on the third Monday in February

10            Last Monday in May (Memorial Day)

11            July 4 (Independence Day)

12            First Monday in September (Labor Day)

13            Nevada Day is October 31 but is to be observed on the last  
14            Friday in October

15            November 11 (Veterans Day)

16            Fourth Thursday in November (Thanksgiving Day)

17            Friday following the fourth Thursday in November (Family  
18            Day)

19            December 25 (Christmas Day)

20            Any day that may be appointed by the President of the United  
21            States for public fast, thanksgiving or as a legal holiday  
22            except for any Presidential appointment of the fourth  
23            Monday in October as Veterans Day.

24  
25       2. Except as otherwise provided by NRS 293.560 and  
26       293C.527, all state, county and city offices, courts, public schools ,  
27       *the Nevada System of Community Colleges* and the Nevada System  
28       of Higher Education must close on the legal holidays enumerated in  
29       subsection 1 unless in the case of appointed holidays all or a part  
30       thereof are specifically exempted.

31       3. If January 1, July 4, November 11 or December 25 falls  
32       upon a:

33            (a) Sunday, the Monday following must be observed as a legal  
34            holiday.

35            (b) Saturday, the Friday preceding must be observed as a legal  
36            holiday.

37       **Sec. 190.** NRS 237.300 is hereby amended to read as follows:

38       237.300 1. Notwithstanding any other provision of law, not  
39       later than September 1 of each year, each county which possesses or  
40       maintains a digital parcel base map for the county shall provide the  
41       digital parcel base map for the county, as of June 30 of that year, to  
42       the State Demographer at no charge. The State Demographer may  
43       not require a county to provide a digital parcel base map in a  
44       particular electronic format or to use any specific software to  
45       provide the digital parcel base map. The State Demographer shall



1 keep confidential the information provided to him or her pursuant to  
2 this subsection, except that the State Demographer shall provide  
3 such information at no charge to a state agency which satisfies the  
4 requirements of this section.

5 2. A state agency engaged in activities related to economic  
6 development or population estimate research may request the digital  
7 parcel base maps for each county that possesses or maintains a  
8 digital parcel base map by submitting a written request to the State  
9 Demographer. The written request must include, without limitation:

10 (a) The name and address of the state agency;

11 (b) A statement of the purpose for which the state agency is  
12 seeking the digital parcel base maps; and

13 (c) A summary of the research or statistical reports which will  
14 be produced from the digital parcel base maps.

15 3. Except as otherwise provided in subsection 4, if the State  
16 Demographer finds that a written request complies with subsection  
17 2, the State Demographer shall provide to the state agency at no  
18 charge the digital parcel base maps provided to the State  
19 Demographer pursuant to subsection 1.

20 4. The State Demographer may refuse a request submitted by a  
21 state agency pursuant to subsection 2 if the State Demographer has  
22 provided the requested information to the state agency during the  
23 calendar year in which the request is made.

24 5. A state agency receiving a digital parcel base map pursuant  
25 to this section shall provide to the county that provided the digital  
26 parcel base map and the Office of Economic Development, at no  
27 charge, a summary of the research produced from that information.

28 6. A state agency receiving a digital parcel base map pursuant  
29 to this section shall keep the digital parcel base map confidential,  
30 and, except as otherwise provided in subsection 5, the State  
31 Demographer, or any employee or other agent of a state agency  
32 receiving a digital parcel base map for a county pursuant to this  
33 section, shall not provide the digital parcel base map to any person  
34 or governmental agency.

35 7. As used in this section:

36 (a) "Digital parcel base map" means a map in an electronic  
37 format that contains the boundaries of the parcels in the county.

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 Nevada System of Higher Education or  
42 any branch or facility thereof ~~;~~ **and**

43 **(3) Faculty of the Nevada System of Community Colleges**  
44 **or any branch or facility thereof.**



1 (c) "State Demographer" means the demographer employed  
2 pursuant to NRS 360.283.

3 **Sec. 191.** NRS 239.005 is hereby amended to read as follows:

4 239.005 As used in this chapter, unless the context otherwise  
5 requires:

6 1. "Actual cost" means the direct cost incurred by a  
7 governmental entity in the provision of a public record, including,  
8 without limitation, the cost of ink, toner, paper, media and postage.  
9 The term does not include a cost that a governmental entity incurs  
10 regardless of whether or not a person requests a copy of a particular  
11 public record.

12 2. "Agency of the Executive Department" means an agency,  
13 board, commission, bureau, council, department, division, authority  
14 or other unit of the Executive Department of the State Government.  
15 The term does not include the Nevada System of Higher Education  
16 **and the Nevada System of Community Colleges.**

17 3. "Committee" means the Committee to Approve Schedules  
18 for the Retention and Disposition of Official State Records.

19 4. "Division" means the Division of State Library, Archives  
20 and Public Records of the Department of Administration.

21 5. "Governmental entity" means:

22 (a) An elected or appointed officer of this State or of a political  
23 subdivision of this State;

24 (b) An institution, board, commission, bureau, council,  
25 department, division, authority or other unit of government of this  
26 State, including, without limitation, an agency of the Executive  
27 Department, or of a political subdivision of this State;

28 (c) A university foundation, as defined in NRS 396.405;

29 (d) An educational foundation, as defined in NRS 388.750, to  
30 the extent that the foundation is dedicated to the assistance of public  
31 schools; or

32 (e) **A community college foundation, as defined in section 39**  
33 **of this act.**

34 (f) A library foundation, as defined in NRS 379.0056, to the  
35 extent that the foundation is dedicated to the assistance of a public  
36 library.

37 6. "Official state record" includes, without limitation:

38 (a) Papers, unpublished books, maps and photographs;

39 (b) Information stored on magnetic tape or computer, laser or  
40 optical disc;

41 (c) Materials that are capable of being read by a machine,  
42 including, without limitation, microforms and audio and visual  
43 materials; and

44 (d) Materials that are made or received by a state agency and  
45 preserved by that agency or its successor as evidence of the



1 organization, operation, policy or any other activity of that agency  
2 or because of the information contained in the material.

3 7. "Privatization contract" means a contract executed by or on  
4 behalf of a governmental entity which authorizes a private entity to  
5 provide public services that are:

6 (a) Substantially similar to the services provided by the public  
7 employees of the governmental entity; and

8 (b) In lieu of the services otherwise authorized or required to be  
9 provided by the governmental entity.

10 **Sec. 192.** NRS 239.010 is hereby amended to read as follows:

11 239.010 1. Except as otherwise provided in this section and  
12 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293,  
13 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170,  
14 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113,  
15 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200,  
16 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345,  
17 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880,  
18 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280,  
19 119A.653, 119A.677, 119B.370, 119B.382, 120A.690, 125.130,  
20 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057,  
21 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050,  
22 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015,  
23 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,  
24 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,  
25 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,  
26 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,  
27 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,  
28 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,  
29 218G.350, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069,  
30 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239.014,  
31 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230,  
32 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030,  
33 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560,  
34 250.087, 250.130, 250.140, 250.150, 268.095, 268.0978, 268.490,  
35 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350,  
36 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068,  
37 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830,  
38 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870,  
39 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061,  
40 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725,  
41 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049,  
42 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255,  
43 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180,  
44 370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008,  
45 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455,



1 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249,  
2 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147,  
3 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335,  
4 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460,  
5 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685,  
6 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153,  
7 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350,  
8 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175,  
9 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902,  
10 432C.140, 432C.150, 433.534, 433A.360, 437.145, 437.207,  
11 439.4941, 439.840, 439.914, 439B.420, 439B.754, 439B.760,  
12 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395,  
13 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345,  
14 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188,  
15 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,  
16 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,  
17 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545,  
18 480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536,  
19 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484E.070,  
20 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160,  
21 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090,  
22 603.070, 603A.210, 604A.303, 604A.710, 612.265, 616B.012,  
23 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238,  
24 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425,  
25 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069,  
26 630.133, 630.2673, 630.30665, 630.336, 630A.555, 631.368,  
27 632.121, 632.125, 632.3415, 632.405, 633.283, 633.301, 633.4715,  
28 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,  
29 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,  
30 640A.220, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745,  
31 640C.760, 640D.190, 640E.340, 641.090, 641.221, 641.325,  
32 641A.191, 641A.262, 641A.289, 641B.170, 641B.282, 641B.460,  
33 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180,  
34 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,  
35 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,  
36 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228,  
37 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133,  
38 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380,  
39 676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800,  
40 679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285,  
41 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540,  
42 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110,  
43 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696,  
44 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538,  
45 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120,



1 703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and*  
2 *sections 32, 39 and 60 of this act*, sections 35, 38 and 41 of chapter  
3 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes  
4 of Nevada 2013 and unless otherwise declared by law to be  
5 confidential, all public books and public records of a governmental  
6 entity must be open at all times during office hours to inspection by  
7 any person, and may be fully copied or an abstract or memorandum  
8 may be prepared from those public books and public records. Any  
9 such copies, abstracts or memoranda may be used to supply the  
10 general public with copies, abstracts or memoranda of the records or  
11 may be used in any other way to the advantage of the governmental  
12 entity or of the general public. This section does not supersede or in  
13 any manner affect the federal laws governing copyrights or enlarge,  
14 diminish or affect in any other manner the rights of a person in any  
15 written book or record which is copyrighted pursuant to federal law.

16 2. A governmental entity may not reject a book or record  
17 which is copyrighted solely because it is copyrighted.

18 3. A governmental entity that has legal custody or control of a  
19 public book or record shall not deny a request made pursuant to  
20 subsection 1 to inspect or copy or receive a copy of a public book or  
21 record on the basis that the requested public book or record contains  
22 information that is confidential if the governmental entity can  
23 redact, delete, conceal or separate, including, without limitation,  
24 electronically, the confidential information from the information  
25 included in the public book or record that is not otherwise  
26 confidential.

27 4. If requested, a governmental entity shall provide a copy of a  
28 public record in an electronic format by means of an electronic  
29 medium. Nothing in this subsection requires a governmental entity  
30 to provide a copy of a public record in an electronic format or by  
31 means of an electronic medium if:

32 (a) The public record:

- 33 (1) Was not created or prepared in an electronic format; and  
34 (2) Is not available in an electronic format; or

35 (b) Providing the public record in an electronic format or by  
36 means of an electronic medium would:

- 37 (1) Give access to proprietary software; or  
38 (2) Require the production of information that is confidential  
39 and that cannot be redacted, deleted, concealed or separated from  
40 information that is not otherwise confidential.

41 5. An officer, employee or agent of a governmental entity who  
42 has legal custody or control of a public record:

43 (a) Shall not refuse to provide a copy of that public record in the  
44 medium that is requested because the officer, employee or agent has



1 already prepared or would prefer to provide the copy in a different  
2 medium.

3 (b) Except as otherwise provided in NRS 239.030, shall, upon  
4 request, prepare the copy of the public record and shall not require  
5 the person who has requested the copy to prepare the copy himself  
6 or herself.

7 **Sec. 193.** NRS 241.015 is hereby amended to read as follows:

8 241.015 As used in this chapter, unless the context otherwise  
9 requires:

10 1. "Action" means:

11 (a) A decision made by a majority of the members present,  
12 whether in person or by means of electronic communication, during  
13 a meeting of a public body;

14 (b) A commitment or promise made by a majority of the  
15 members present, whether in person or by means of electronic  
16 communication, during a meeting of a public body;

17 (c) If a public body may have a member who is not an elected  
18 official, an affirmative vote taken by a majority of the members  
19 present, whether in person or by means of electronic  
20 communication, during a meeting of the public body; or

21 (d) If all the members of a public body must be elected officials,  
22 an affirmative vote taken by a majority of all the members of the  
23 public body.

24 2. "Deliberate" means collectively to examine, weigh and  
25 reflect upon the reasons for or against the action. The term includes,  
26 without limitation, the collective discussion or exchange of facts  
27 preliminary to the ultimate decision.

28 3. "Meeting":

29 (a) Except as otherwise provided in paragraph (b), means:

30 (1) The gathering of members of a public body at which a  
31 quorum is present, whether in person or by means of electronic  
32 communication, to deliberate toward a decision or to take action on  
33 any matter over which the public body has supervision, control,  
34 jurisdiction or advisory power.

35 (2) Any series of gatherings of members of a public body at  
36 which:

37 (I) Less than a quorum is present, whether in person or by  
38 means of electronic communication, at any individual gathering;

39 (II) The members of the public body attending one or  
40 more of the gatherings collectively constitute a quorum; and

41 (III) The series of gatherings was held with the specific  
42 intent to avoid the provisions of this chapter.

43 (b) Does not include a gathering or series of gatherings of  
44 members of a public body, as described in paragraph (a), at which a



1 quorum is actually or collectively present, whether in person or by  
2 means of electronic communication:

3 (1) Which occurs at a social function if the members do not  
4 deliberate toward a decision or take action on any matter over which  
5 the public body has supervision, control, jurisdiction or advisory  
6 power.

7 (2) To receive information from the attorney employed or  
8 retained by the public body regarding potential or existing litigation  
9 involving a matter over which the public body has supervision,  
10 control, jurisdiction or advisory power and to deliberate toward a  
11 decision on the matter, or both.

12 (3) To receive training regarding the legal obligations of the  
13 public body, including, without limitation, training conducted by an  
14 attorney employed or retained by the public body, the Office of the  
15 Attorney General or the Commission on Ethics, if at the gathering  
16 the members do not deliberate toward a decision or action on any  
17 matter over which the public body has supervision, control,  
18 jurisdiction or advisory power.

19 4. Except as otherwise provided in NRS 241.016, "public  
20 body" means:

21 (a) Any administrative, advisory, executive or legislative body  
22 of the State or a local government consisting of at least two persons  
23 which expends or disburses or is supported in whole or in part by  
24 tax revenue or which advises or makes recommendations to any  
25 entity which expends or disburses or is supported in whole or in part  
26 by tax revenue, including, but not limited to, any board,  
27 commission, committee, subcommittee or other subsidiary thereof  
28 and includes a library foundation as defined in NRS 379.0056, an  
29 educational foundation as defined in subsection 3 of NRS 388.750 ,  
30 ~~and~~ a university foundation as defined in subsection 3 of NRS  
31 396.405 ~~and~~ *and a community college foundation as defined in*  
32 *subsection 3 of section 39 of this act*, if the administrative,  
33 advisory, executive or legislative body is created by:

34 (1) The Constitution of this State;

35 (2) Any statute of this State;

36 (3) A city charter and any city ordinance which has been  
37 filed or recorded as required by the applicable law;

38 (4) The Nevada Administrative Code;

39 (5) A resolution or other formal designation by such a body  
40 created by a statute of this State or an ordinance of a local  
41 government;

42 (6) An executive order issued by the Governor; or

43 (7) A resolution or an action by the governing body of a  
44 political subdivision of this State;



1 (b) Any board, commission or committee consisting of at least  
2 two persons appointed by:

3 (1) The Governor or a public officer who is under the  
4 direction of the Governor, if the board, commission or committee  
5 has at least two members who are not employees of the Executive  
6 Department of the State Government;

7 (2) An entity in the Executive Department of the State  
8 Government, if the board, commission or committee otherwise  
9 meets the definition of a public body pursuant to this subsection; or

10 (3) A public officer who is under the direction of an agency  
11 or other entity in the Executive Department of the State  
12 Government, if the board, commission or committee has at least two  
13 members who are not employed by the public officer or entity;

14 (c) A limited-purpose association that is created for a rural  
15 agricultural residential common-interest community as defined in  
16 subsection 6 of NRS 116.1201; and

17 (d) A subcommittee or working group consisting of at least two  
18 persons who are appointed by a public body described in paragraph  
19 (a), (b) or (c) if:

20 (1) A majority of the membership of the subcommittee or  
21 working group are members or staff members of the public body  
22 that appointed the subcommittee; or

23 (2) The subcommittee or working group is authorized by the  
24 public body to make a recommendation to the public body for the  
25 public body to take any action.

26 5. "Quorum" means a simple majority of the membership of a  
27 public body or another proportion established by law.

28 6. "Supporting material" means material that is provided to at  
29 least a quorum of the members of a public body by a member of or  
30 staff to the public body and that the members of the public body  
31 would reasonably rely on to deliberate or take action on a matter  
32 contained in a published agenda. The term includes, without  
33 limitation, written records, audio recordings, video recordings,  
34 photographs and digital data.

35 7. "Working day" means every day of the week except  
36 Saturday, Sunday and any day declared to be a legal holiday  
37 pursuant to NRS 236.015.

38 **Sec. 194.** NRS 241.016 is hereby amended to read as follows:

39 241.016 1. The meetings of a public body that are quasi-  
40 judicial in nature are subject to the provisions of this chapter.

41 2. The following are exempt from the requirements of this  
42 chapter:

43 (a) The Legislature of the State of Nevada.

44 (b) Judicial proceedings, including, without limitation,  
45 proceedings before the Commission on Judicial Selection and,



1 except as otherwise provided in NRS 1.4687, the Commission on  
2 Judicial Discipline.

3 (c) Meetings of the State Board of Parole Commissioners when  
4 acting to grant, deny, continue or revoke the parole of a prisoner or  
5 to establish or modify the terms of the parole of a prisoner.

6 3. Any provision of law, including, without limitation, NRS  
7 91.270, 219A.210, 228.495, 239C.140, 239C.420, 281A.350,  
8 281A.690, 281A.735, 281A.760, 284.3629, 286.150, 287.0415,  
9 287.04345, 287.338, 288.220, 288.590, 289.387, 295.121, 360.247,  
10 388.261, 388A.495, 388C.150, 388D.355, 388G.710, 388G.730,  
11 392.147, 392.467, 394.1699, 396.3295, 414.270, 422.405, 433.534,  
12 435.610, 442.774, 463.110, 480.545, 622.320, 622.340, 630.311,  
13 630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170,  
14 696B.550, 703.196 and 706.1725, *and section 32 of this act*, which:

15 (a) Provides that any meeting, hearing or other proceeding is not  
16 subject to the provisions of this chapter; or

17 (b) Otherwise authorizes or requires a closed meeting, hearing  
18 or proceeding,

19 ↪ prevails over the general provisions of this chapter.

20 4. The exceptions provided to this chapter, and electronic  
21 communication, must not be used to circumvent the spirit or letter of  
22 this chapter to deliberate or act, outside of an open and public  
23 meeting, upon a matter over which the public body has supervision,  
24 control, jurisdiction or advisory powers.

25 **Sec. 195.** NRS 241.017 is hereby amended to read as follows:

26 241.017 **1.** The Board of Regents of the University of  
27 Nevada shall establish for the student governments within the  
28 Nevada System of Higher Education requirements equivalent to  
29 those of this chapter and shall provide for their enforcement.

30 **2.** *The State Board for Community Colleges shall establish*  
31 *for the student governments within the Nevada System of*  
32 *Community Colleges requirements equivalent to those of this*  
33 *chapter and shall provide for their enforcement.*

34 **Sec. 196.** NRS 241.031 is hereby amended to read as follows:

35 241.031 **1.** Except as otherwise provided in subsection 2, a  
36 public body shall not hold a closed meeting to consider the  
37 character, alleged misconduct or professional competence of:

38 (a) An elected member of a public body; or

39 (b) A person who is an appointed public officer or who serves at  
40 the pleasure of a public body as a chief executive or administrative  
41 officer or in a comparable position, including, without limitation, a  
42 president of a university [;] *or state college [for community college]*  
43 *within the Nevada System of Higher Education, a president of a*  
44 *community college within the Nevada System of Community*



1 *Colleges*, a superintendent of a county school district, a county  
2 manager and a city manager.

3 2. The prohibition set forth in subsection 1 does not apply if  
4 the consideration of the character, alleged misconduct or  
5 professional competence of the person does not pertain to his or her  
6 role as an elected member of a public body or an appointed public  
7 officer or other officer described in paragraph (b) of subsection 1, as  
8 applicable.

9 **Sec. 197.** NRS 242.111 is hereby amended to read as follows:

10 242.111 The Administrator shall adopt regulations necessary  
11 for the administration of this chapter, including:

12 1. The policy for the information systems of the Executive  
13 Branch of Government, excluding the Nevada System of Higher  
14 Education, *the Nevada System of Community Colleges* and the  
15 Nevada Criminal Justice Information System, as that policy relates,  
16 but is not limited, to such items as standards for systems and  
17 programming and criteria for selection, location and use of  
18 information systems to meet the requirements of state agencies and  
19 officers at the least cost to the State;

20 2. The procedures of the Division in providing information  
21 services, which may include provision for the performance, by an  
22 agency which uses the services or equipment of the Division, of  
23 preliminary procedures, such as data recording and verification,  
24 within the agency;

25 3. The effective administration of the Division, including,  
26 without limitation, security to prevent unauthorized access to  
27 information systems and plans for the recovery of systems and  
28 applications after they have been disrupted;

29 4. The development of standards to ensure the security of the  
30 information systems of the Executive Branch of Government; and

31 5. Specifications and standards for the employment of all  
32 personnel of the Division.

33 **Sec. 198.** NRS 242.115 is hereby amended to read as follows:

34 242.115 1. Except as otherwise provided in subsection 2, the  
35 Administrator shall:

36 (a) Develop policies and standards for the information systems  
37 of the Executive Branch of Government;

38 (b) Coordinate the development of a biennial state plan for the  
39 information systems of the Executive Branch of Government;

40 (c) Develop guidelines to assist state agencies in the  
41 development of short- and long-term plans for their information  
42 systems; and

43 (d) Develop guidelines and procedures for the procurement and  
44 maintenance of the information systems of the Executive Branch of  
45 Government.



1 2. This section does not apply to the Nevada System of Higher  
2 Education , *the Nevada System of Community Colleges* or the  
3 Nevada Criminal Justice Information System used to provide  
4 support for the operations of law enforcement agencies in this State.

5 **Sec. 199.** NRS 242.131 is hereby amended to read as follows:

6 242.131 1. The Division shall provide state agencies and  
7 elected state officers with all their required design of information  
8 systems. All agencies and officers must use those services and  
9 equipment, except as otherwise provided in subsection 2.

10 2. The following agencies may negotiate with the Division for  
11 its services or the use of its equipment, subject to the provisions of  
12 this chapter, and the Division shall provide those services and the  
13 use of that equipment as may be mutually agreed:

- 14 (a) The Court Administrator;
- 15 (b) The Department of Motor Vehicles;
- 16 (c) The Department of Public Safety;
- 17 (d) The Department of Transportation;
- 18 (e) The Employment Security Division of the Department of  
19 Employment, Training and Rehabilitation;
- 20 (f) The Department of Wildlife;
- 21 (g) The Housing Division of the Department of Business and  
22 Industry;
- 23 (h) The Legislative Counsel Bureau;
- 24 (i) The State Controller;
- 25 (j) The Nevada Gaming Control Board and Nevada Gaming  
26 Commission; ~~and~~

27 (k) The Nevada System of Higher Education ~~and~~; *and*  
28 *(l) The Nevada System of Community Colleges.*

29 3. Any state agency or elected state officer who uses the  
30 services of the Division and desires to withdraw substantially from  
31 that use must apply to the Administrator for approval. The  
32 application must set forth justification for the withdrawal. If the  
33 Administrator denies the application, the agency or officer must:

34 (a) If the Legislature is in regular or special session, obtain the  
35 approval of the Legislature by concurrent resolution.

36 (b) If the Legislature is not in regular or special session, obtain  
37 the approval of the Interim Finance Committee. The Administrator  
38 shall, within 45 days after receipt of the application, forward the  
39 application together with his or her recommendation for approval or  
40 denial to the Interim Finance Committee. The Interim Finance  
41 Committee has 45 days after the application and recommendation  
42 are submitted to its Secretary within which to consider the  
43 application. Any application which is not considered by the  
44 Committee within the 45-day period shall be deemed approved.



1 4. If the demand for services or use of equipment exceeds the  
2 capability of the Division to provide them, the Division may  
3 contract with other agencies or independent contractors to furnish  
4 the required services or use of equipment and is responsible for the  
5 administration of the contracts.

6 **Sec. 200.** NRS 244.3675 is hereby amended to read as  
7 follows:

8 244.3675 Subject to the limitations set forth in NRS 244.368,  
9 278.02315, 278.580, 278.582, 278.584, 278.586, 444.340 to  
10 444.430, inclusive, and 477.030, the boards of county  
11 commissioners within their respective counties may:

12 1. Regulate all matters relating to the construction,  
13 maintenance and safety of buildings, structures and property within  
14 the county.

15 2. Adopt any building, electrical, housing, plumbing or safety  
16 code necessary to carry out the provisions of this section and  
17 establish such fees as may be necessary. Except as otherwise  
18 provided in NRS 278.580, these fees do not apply to the State of  
19 Nevada, *the Nevada System of Community Colleges* or the Nevada  
20 System of Higher Education.

21 **Sec. 201.** NRS 250.087 is hereby amended to read as follows:

22 250.087 1. Notwithstanding any other provision of law, not  
23 later than September 1 of each year, a county assessor shall provide  
24 to the State Demographer at no charge the parcel dataset of the  
25 county assessor as of June 30 of that year. The State Demographer  
26 may not require a county assessor to provide information pursuant  
27 to this subsection in a particular digital or electronic format or to use  
28 any specific software to provide the information. The State  
29 Demographer shall keep confidential the information provided to  
30 him or her pursuant to this subsection, except that the State  
31 Demographer shall provide such information at no charge to a state  
32 agency which satisfies the requirements of this section.

33 2. A state agency engaged in activities related to economic  
34 development or population estimate research may request the parcel  
35 datasets provided to the State Demographer pursuant to subsection 1  
36 by submitting a written request to the State Demographer. The  
37 written request must include, without limitation:

38 (a) The name and address of the state agency;

39 (b) A statement of the purpose for which the state agency is  
40 seeking the parcel datasets; and

41 (c) A summary of the research or statistical reports which will  
42 be produced from the parcel datasets.

43 3. Except as otherwise provided in subsection 4, if the State  
44 Demographer finds that a written request complies with subsection  
45 2, the State Demographer shall provide to the state agency at no



1 charge the parcel datasets provided to the State Demographer  
2 pursuant to subsection 1.

3 4. The State Demographer may refuse a request submitted by a  
4 state agency pursuant to subsection 2 if the State Demographer has  
5 provided the requested information to the state agency during the  
6 calendar year in which the request is made.

7 5. A state agency receiving parcel datasets pursuant to this  
8 section shall provide to the county that provided the parcel datasets  
9 and the Office of Economic Development, at no charge, a summary  
10 of the research produced from that information.

11 6. The State Demographer or any employee or other agent of a  
12 state agency receiving parcel datasets pursuant to this section shall  
13 not knowingly:

14 (a) Publish or otherwise disclose any information made  
15 confidential pursuant to NRS 250.100 to 250.230, inclusive; or

16 (b) Use any information made confidential pursuant to NRS  
17 250.100 to 250.230, inclusive, to contact any person.

18 7. A person who violates subsection 6 is guilty of a  
19 misdemeanor and, in addition, the court may order a person who  
20 violates subsection 6 to pay a civil penalty in an amount not to  
21 exceed \$2,500 for each act.

22 8. A state agency receiving a parcel dataset pursuant to this  
23 section shall keep the parcel dataset confidential, and, except as  
24 otherwise provided in subsection 5, the State Demographer, or any  
25 employee or other agent of a state agency receiving a parcel dataset  
26 pursuant to this section, shall not provide the parcel dataset to any  
27 person or governmental agency.

28 9. As used in this section:

29 (a) "Parcel dataset" means data or files maintained in digital or  
30 electronic format by a county assessor in the course of his or her  
31 duties that contain information on each parcel in the county,  
32 including, without limitation, information concerning ownership,  
33 parcel number, address, land designations and zoning,  
34 improvements and, if applicable, the date and price of sale.

35 (b) "State agency" means:

36 (1) The State of Nevada, or any agency, instrumentality or  
37 corporation thereof; ~~and~~

38 (2) Faculty of the Nevada System of Higher Education or  
39 any branch or facility thereof ~~and~~; *and*

40 (3) *Faculty of the Nevada System of Community Colleges*  
41 *or any branch or facility thereof.*

42 (c) "State Demographer" means the demographer employed  
43 pursuant to NRS 360.283.



1       **Sec. 202.** 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, 278.586, 444.340 to  
4       444.430, inclusive, and 477.030, the city council or other governing  
5       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       *Nevada System of Community Colleges* or the Nevada System of  
14       Higher Education.

15       **Sec. 203.** NRS 277.067 is hereby amended to read as follows:

16       277.067 1. Except as otherwise provided in subsection 2, any  
17       two or more political subdivisions of this State, agencies of the State  
18       , *the Nevada System of Community Colleges* or the Nevada System  
19       of Higher Education may enter into a cooperative agreement for the  
20       purchase of insurance or the establishment of a self-insurance  
21       reserve or fund for coverage under a plan of:

22       (a) Casualty insurance, as that term is defined in  
23       NRS 681A.020;

24       (b) Marine and transportation insurance, as that term is defined  
25       in NRS 681A.050;

26       (c) Property insurance, as that term is defined in NRS 681A.060;

27       (d) Surety insurance, as that term is defined in NRS 681A.070;

28       (e) Health insurance, as that term is defined in NRS 681A.030;

29       or

30       (f) Insurance for any combination of these kinds of protection.

31       2. Any political subdivision of the State, any agency of the  
32       State , *the Nevada System of Community Colleges* or the Nevada  
33       System of Higher Education which participates in the Public  
34       Employees' Benefits Program shall obtain the approval of the Board  
35       of the Public Employees' Benefits Program before it enters into a  
36       cooperative agreement for the purchase of health insurance pursuant  
37       to paragraph (e) of subsection 1.

38       3. Any such agreement may obligate the respective parties to  
39       pledge revenues or contribute money to secure the obligations or  
40       pay the expenses of the cooperative undertaking and may provide  
41       for the establishment of a separate entity to administer the  
42       undertaking.



1       **Sec. 204.** NRS 277.069 is hereby amended to read as follows:

2       277.069 1. Except as otherwise provided in subsections 2 and  
3 3, any party to an agreement entered into pursuant to NRS 277.067,  
4 or any entity established by such an agreement, may:

5       (a) Obligate itself to contribute money for the purchase of  
6 insurance, the establishment of a reserve or fund for coverage, the  
7 payment of any debt, or for any other purpose related to the  
8 undertaking;

9       (b) Borrow money for any such purpose;

10       (c) Issue notes and bonds evidencing the borrowing; and

11       (d) Secure payment of the notes and bonds by a pledge of  
12 revenues.

13       2. Except as otherwise provided in subsection 3, any obligation  
14 to contribute money which is undertaken pursuant to a cooperative  
15 agreement:

16       (a) Is binding notwithstanding that it is intended to remain in  
17 force beyond the current budget year or the terms of office of the  
18 present members of the governing body of the obligor.

19       (b) If undertaken to pay any debt, does not remain in force more  
20 than 30 years after the date of the borrowing.

21       (c) If undertaken to pay claims and administrative expenses,  
22 does not remain in force more than 10 years, except with respect to  
23 claims arising from occurrences during the period it is in force.

24       3. Except for a pledge of revenues or obligation to contribute  
25 money which pledges revenues or commits money derived from a  
26 source other than taxation, any pledge or obligation which is made  
27 or undertaken pursuant to a cooperative agreement by an agency of  
28 the State , *the Nevada System of Community Colleges* or the  
29 Nevada System of Higher Education does not remain in force after  
30 the end of the biennium in which it is made or undertaken.

31       **Sec. 205.** NRS 278.580 is hereby amended to read as follows:

32       278.580 1. Subject to the limitation set forth in NRS 244.368  
33 and 278.586, the governing body of any city or county may adopt a  
34 building code, specifying the design, soundness and materials of  
35 structures, and may adopt rules, ordinances and regulations for the  
36 enforcement of the building code.

37       2. The governing body may also fix a reasonable schedule of  
38 fees for the issuance of building permits. A schedule of fees so fixed  
39 does not apply to the State of Nevada , *the Nevada System of*  
40 *Community Colleges* or the Nevada System of Higher Education,  
41 except that such entities may enter into a contract with the  
42 governing body to pay such fees for the issuance of building  
43 permits, the review of plans and the inspection of construction.  
44 Except as it may agree to in such a contract, a governing body is not  
45 required to provide for the review of plans or the inspection of



1 construction with respect to a structure of the State of Nevada, *the*  
2 *Nevada System of Community Colleges* or the Nevada System of  
3 Higher Education.

4 3. Notwithstanding any other provision of law, the State and its  
5 political subdivisions shall comply with all zoning regulations  
6 adopted pursuant to this chapter, except for the expansion of any  
7 activity existing on April 23, 1971.

8 4. A governing body shall amend its building codes and, if  
9 necessary, its zoning ordinances and regulations to permit the use  
10 of:

11 (a) Straw or other materials and technologies which conserve  
12 scarce natural resources or resources that are renewable in the  
13 construction of a structure; and

14 (b) Systems which use solar or wind energy to reduce the costs  
15 of energy for a structure if such systems and structures are otherwise  
16 in compliance with applicable building codes and zoning  
17 ordinances, including those relating to the design, location and  
18 soundness of such systems and structures,

19 ↪ to the extent the local climate allows for the use of such  
20 materials, technologies, resources and systems.

21 5. The amendments required by subsection 4 may address,  
22 without limitation:

23 (a) The inclusion of characteristics of land and structures that  
24 are most appropriate for the construction and use of systems using  
25 solar and wind energy.

26 (b) The recognition of any impediments to the development of  
27 systems using solar and wind energy.

28 (c) The preparation of design standards for the construction,  
29 conversion or rehabilitation of new and existing systems using solar  
30 and wind energy.

31 6. A governing body shall amend its building codes to include:

32 (a) The seismic provisions of the International Building Code  
33 published by the International Code Council; and

34 (b) Standards for the investigation of hazards relating to seismic  
35 activity, including, without limitation, potential surface ruptures and  
36 liquefaction.

37 **Sec. 206.** NRS 281.060 is hereby amended to read as follows:

38 281.060 1. Only citizens or wards of the United States or  
39 persons who have been honorably discharged from the military  
40 service of the United States may be employed by any officer of the  
41 State of Nevada, by any political subdivision of the State, or by any  
42 person acting under or for such an officer in any office or  
43 department of the State of Nevada or political subdivision of the  
44 State.



1 2. In all cases where persons are so employed, preference must  
2 be given, if the qualifications of the applicants are equal:

3 (a) First: To honorably discharged military personnel of the  
4 United States who are citizens of the State of Nevada.

5 (b) Second: To other citizens of the State of Nevada.

6 3. Nothing in this section prevents:

7 (a) The working of prisoners by the State of Nevada or by any  
8 political subdivision of the State, on street or road work or other  
9 public work.

10 (b) The employment of aliens, who have not forfeited their right  
11 to citizenship by claiming exemption from military service, as  
12 common laborers in the construction of public roads, when it can be  
13 shown that citizens or wards of the United States or persons who  
14 have been honorably discharged from the military service of the  
15 United States are not available for such employment. Any alien so  
16 employed must be replaced by a citizen, ward or ex-service person  
17 of the United States applying for employment.

18 (c) The employment of any teacher, instructor or professor  
19 authorized to teach in the United States under the teacher-exchange  
20 programs as authorized by federal laws enacted by the Congress of  
21 the United States.

22 (d) Except as otherwise provided in this paragraph, the  
23 employment of aliens by the Nevada System of Higher Education  
24 *and the Nevada System of Community Colleges* in the technical,  
25 graduate assistant and student categories **H**, *as applicable*. Except  
26 in the foreign language departments, not more than 5 percent of the  
27 total number of persons employed in the technical, graduate  
28 assistant and student categories may be aliens.

29 (e) Employment of aliens in any state or political subdivision  
30 hospital.

31 4. Subject to the exceptions contained in this section, money  
32 must not be paid out of the State Treasury or out of the treasury of  
33 any political subdivision of the State to any person employed on any  
34 of the work mentioned in this section unless the person is a citizen  
35 or ward or naturalized citizen of the United States.

36 5. Any officer of the State of Nevada, or of any political  
37 subdivision of the State, or any person acting under or for such an  
38 officer, or any other person who violates any of the provisions of  
39 this section is guilty of a misdemeanor. The penalties provided for  
40 in this section do not apply where the violations result from  
41 misrepresentations made by the employee by the production of  
42 fraudulent papers evidencing citizenship in the United States.

43 **Sec. 207.** NRS 281.123 is hereby amended to read as follows:

44 281.123 1. Except as otherwise provided in subsection 3 or  
45 NRS 281.1233, or as authorized by statute referring specifically to



1 that position, the salary of a person employed by the State or any  
2 agency of the State must not exceed 95 percent of the salary for the  
3 office of Governor during the same period.

4 2. As used in subsection 1, the term "salary":

5 (a) Includes any:

6 (1) Payment received by an employee for being available to  
7 work although the employee was not actually required to perform  
8 the work;

9 (2) Increase in salary provided to compensate for a rise in the  
10 cost of living; and

11 (3) Payment received as compensation for purportedly  
12 performing additional duties.

13 (b) Excludes any:

14 (1) Payment received as compensation for overtime even if  
15 that payment is otherwise authorized by law; and

16 (2) Rent or utilities supplied to an employee if the employee  
17 is required by statute or regulation to live in a particular dwelling.

18 3. The provisions of subsection 1 do not apply to the salaries  
19 of:

20 (a) Dentists and physicians employed full-time by the State; ~~or~~

21 (b) Officers and employees of the Nevada System of Higher  
22 Education ~~or~~; *or*

23 *(c) Officers and employees of the Nevada System of*  
24 *Community Colleges.*

25 **Sec. 208.** NRS 281.210 is hereby amended to read as follows:

26 281.210 1. Except as otherwise provided in this section, it is  
27 unlawful for any person acting as a school trustee, state, township,  
28 municipal or county officer, or as an employing authority of the  
29 Nevada System of Higher Education, *the Nevada System of*  
30 *Community Colleges*, any school district or of the State, any town,  
31 city or county, or for any state or local board, agency or  
32 commission, elected or appointed, to employ in any capacity on  
33 behalf of the State of Nevada, or any county, township, municipality  
34 or school district thereof, ~~or~~ the Nevada System of Higher  
35 Education ~~or~~ *or the Nevada System of Community Colleges*, any  
36 relative of such a person or of any member of such a board, agency  
37 or commission who is within the third degree of consanguinity or  
38 affinity.

39 2. This section does not apply:

40 (a) To school districts, when the teacher or other school  
41 employee is not related to more than one of the trustees or person  
42 who is an employing authority by consanguinity or affinity and  
43 receives a unanimous vote of all members of the board of trustees  
44 and approval by the Department of Education.



1 (b) To school districts, when the teacher or other school  
2 employee has been employed by an abolished school district or  
3 educational district, which constitutes a part of the employing  
4 county school district, and the county school district for 4 years or  
5 more before April 1, 1957.

6 (c) To the spouse of the warden of an institution or manager of a  
7 facility of the Department of Corrections.

8 (d) To relatives of officers and employees who are blind of the  
9 Bureau of Services to Persons Who Are Blind or Visually Impaired  
10 of the Rehabilitation Division of the Department of Employment,  
11 Training and Rehabilitation when those relatives are employed as  
12 automobile drivers for those officers and employees.

13 3. Nothing in this section:

14 (a) Prevents any officer in this State, employed under a flat  
15 salary, from employing any suitable person to assist in any such  
16 employment, when the payment for the service is met out of the  
17 personal money of the officer.

18 (b) Disqualifies any widow with a dependent as an employee of  
19 any officer or board in this State, or any of its counties, townships,  
20 municipalities or school districts.

21 4. A person employed contrary to the provisions of this section  
22 must not be compensated for the employment.

23 5. Any person violating any provisions of this section is guilty  
24 of a gross misdemeanor.

25 **Sec. 209.** NRS 281.221 is hereby amended to read as follows:

26 281.221 1. Except as otherwise provided in this section and  
27 NRS 281A.430, it is unlawful for a state officer, who is not a  
28 member of the Legislature subject to the restrictions set forth in  
29 NRS 218A.970, to:

30 (a) Become a contractor under any contract or order for supplies  
31 or other kind of contract authorized by or for the State or any of its  
32 departments, or the Legislature or either of its houses, or to be  
33 interested, directly or indirectly, as principal, in any kind of contract  
34 so authorized.

35 (b) Be interested in any contract made by the officer or to be a  
36 purchaser or interested in any purchase under a sale made by the  
37 officer in the discharge of the officer's official duties.

38 2. A member of any board, commission or similar body who is  
39 engaged in the profession, occupation or business regulated by the  
40 board, commission or body may supply or contract to supply, in the  
41 ordinary course of his or her business, goods, materials or services  
42 to any state or local agency, except the board, commission or body  
43 of which he or she is a member, if the member has not taken part in  
44 developing the contract plans or specifications and the member will



1 not be personally involved in opening, considering or accepting  
2 offers.

3 3. A full- or part-time faculty member in the Nevada System of  
4 Higher Education may bid on or enter into a contract with a  
5 governmental agency, or may benefit financially or otherwise from  
6 a contract between a governmental agency and a private entity, if  
7 the contract complies with the policies established by the Board of  
8 Regents of the University of Nevada pursuant to NRS 396.255.

9 4. *A full- or part-time faculty member in the Nevada System  
10 of Community Colleges may bid on or enter into a contract with a  
11 governmental agency, or may benefit financially or otherwise  
12 from a contract between a governmental agency and a private  
13 entity, if the contract complies with the policies established by the  
14 State Board for Community Colleges pursuant to section 14 of this  
15 act.*

16 5. A state officer, other than an officer described in subsection  
17 2 , 3 or ~~3~~ 4, may bid on or enter into a contract with a  
18 governmental agency if the contracting process is controlled by  
19 rules of open competitive bidding, the sources of supply are limited,  
20 the officer has not taken part in developing the contract plans or  
21 specifications and the officer will not be personally involved in  
22 opening, considering or accepting offers.

23 ~~5~~ 6. Any contract made in violation of this section may be  
24 declared void at the instance of the State or of any other person  
25 interested in the contract except an officer prohibited from making  
26 or being interested in the contract.

27 ~~6~~ 7. A person who violates this section is guilty of a gross  
28 misdemeanor and shall forfeit his or her office.

29 **Sec. 210.** NRS 281.230 is hereby amended to read as follows:

30 281.230 1. Except as otherwise provided in this section and  
31 NRS 218A.970, 281A.430 and 332.800, the following persons shall  
32 not, in any manner, directly or indirectly, receive any commission,  
33 personal profit or compensation of any kind resulting from any  
34 contract or other significant transaction in which the employing  
35 state, county, municipality, township, district or quasi-municipal  
36 corporation is in any way directly interested or affected:

37 (a) State, county, municipal, district and township officers of the  
38 State of Nevada;

39 (b) Deputies and employees of state, county, municipal, district  
40 and township officers; and

41 (c) Officers and employees of quasi-municipal corporations.

42 2. A member of any board, commission or similar body who is  
43 engaged in the profession, occupation or business regulated by the  
44 board, commission or body may, in the ordinary course of his or her  
45 business, bid on or enter into a contract with any governmental



1 agency, except the board, commission or body of which he or she is  
2 a member, if the member has not taken part in developing the  
3 contract plans or specifications and the member will not be  
4 personally involved in opening, considering or accepting offers.

5 3. A full- or part-time faculty member or employee of the  
6 Nevada System of Higher Education may bid on or enter into a  
7 contract with a governmental agency, or may benefit financially or  
8 otherwise from a contract between a governmental agency and a  
9 private entity, if the contract complies with the policies established  
10 by the Board of Regents of the University of Nevada pursuant to  
11 NRS 396.255.

12 4. *A full- or part-time faculty member or employee of the*  
13 *Nevada System of Community Colleges may bid on or enter into a*  
14 *contract with a governmental agency, or may benefit financially or*  
15 *otherwise from a contract between a governmental agency and a*  
16 *private entity, if the contract complies with the policies established*  
17 *by the State Board for Community Colleges pursuant to section 14*  
18 *of this act.*

19 5. A public officer or employee, other than an officer or  
20 employee described in subsection 2, ~~for 3.~~ 3 or 4, may bid on or  
21 enter into a contract with a governmental agency if the contracting  
22 process is controlled by rules of open competitive bidding, the  
23 sources of supply are limited, the public officer or employee has not  
24 taken part in developing the contract plans or specifications and the  
25 public officer or employee will not be personally involved in  
26 opening, considering or accepting offers. If a public officer who is  
27 authorized to bid on or enter into a contract with a governmental  
28 agency pursuant to this subsection is a member of the governing  
29 body of the agency, the public officer, pursuant to the requirements  
30 of NRS 281A.420, shall disclose his or her interest in the contract  
31 and shall not vote on or advocate the approval of the contract.

32 ~~5.~~ 6. A person who violates any of the provisions of this  
33 section shall be punished as provided in NRS 197.230 and:

34 (a) Where the commission, personal profit or compensation is  
35 \$650 or more, for a category D felony as provided in NRS 193.130.

36 (b) Where the commission, personal profit or compensation is  
37 less than \$650, for a misdemeanor.

38 ~~6.~~ 7. A person who violates the provisions of this section  
39 shall pay any commission, personal profit or compensation resulting  
40 from the contract or transaction to the employing state, county,  
41 municipality, township, district or quasi-municipal corporation as  
42 restitution.



1       **Sec. 211.** NRS 281.755 is hereby amended to read as follows:

2       281.755 1. Except as otherwise provided in subsections 2 and  
3 5, a public body shall provide an employee who is the mother of a  
4 child under 1 year of age with:

5       (a) Reasonable break time, with or without compensation, for  
6 the employee to express breast milk as needed; and

7       (b) A place, other than a bathroom, that is reasonably free from  
8 dirt or pollution, protected from the view of others and free from  
9 intrusion by others where the employee may express breast milk.

10       2. If the public body determines that complying with the  
11 provisions of subsection 1 will cause an undue hardship considering  
12 the size, financial resources, nature and structure of the public body,  
13 the public body may meet with the employee to agree upon a  
14 reasonable alternative. If the parties are not able to reach an  
15 agreement, the public body may require the employee to accept a  
16 reasonable alternative selected by the public body and the employee  
17 may appeal the decision by filing a complaint in the manner set  
18 forth in subsection 4.

19       3. An officer or agent of a public body shall not retaliate, or  
20 direct or encourage another person to retaliate, against an employee  
21 of the public body because the employee has:

22       (a) Taken break time or used the space provided pursuant to  
23 subsection 1 or 2 to express breast milk; or

24       (b) Taken any action to require the public body to comply with  
25 the requirements of this section, including, without limitation, filing  
26 a complaint, testifying, assisting or participating in any manner in an  
27 investigation, proceeding or hearing to enforce the provisions of this  
28 section.

29       4. An employee who is aggrieved by the failure of a public  
30 body to comply with the provisions of this section may:

31       (a) If the employee is employed by the Executive Department of  
32 State Government, is not an employee of an entity described in NRS  
33 284.013 and is not an employee in a bargaining unit pursuant to  
34 NRS 288.400 to 288.630, inclusive, file a complaint with the  
35 Employee-Management Committee in accordance with the  
36 procedures provided pursuant to NRS 284.384;

37       (b) If the employee is employed by the Legislative Department  
38 of State Government, file a complaint with the Director of the  
39 Legislative Counsel Bureau;

40       (c) If the employee is employed by the Judicial Department of  
41 State Government, file a complaint with the Court Administrator;  
42 and

43       (d) If the employee is employed by a political subdivision of this  
44 State or any public or quasi-public corporation organized under the  
45 laws of this State or if the employee is employed by the Executive



1 Department of State Government and is an employee in a bargaining  
2 unit pursuant to NRS 288.400 to 288.630, inclusive, file a complaint  
3 with the Government Employee-Management Relations Board in  
4 the manner set forth in NRS 288.115.

5 5. The requirements of this section do not apply to the  
6 Department of Corrections. The Department is encouraged to  
7 comply with the provisions of this section to the extent practicable.

8 6. As used in this section, "public body" means:

9 (a) The State of Nevada, or any agency, instrumentality or  
10 corporation thereof;

11 (b) The Nevada System of Higher Education; ~~for~~

12 (c) *The Nevada System of Community Colleges; or*

13 (d) Any political subdivision of this State or any public or quasi-  
14 public corporation organized under the laws of this State, including,  
15 without limitation, counties, cities, unincorporated towns, school  
16 districts, charter schools, hospital districts, irrigation districts and  
17 other special districts.

18 **Sec. 212.** NRS 281A.182 is hereby amended to read as  
19 follows:

20 281A.182 1. Any person who serves in one of the following  
21 positions is designated as a public officer solely and exclusively for  
22 the purposes of this chapter:

23 (a) A president of a university ~~or~~ *or* state college ~~for community~~  
24 ~~college~~ within the Nevada System of Higher Education.

25 (b) *A president of a community college within the Nevada*  
26 *System of Community Colleges.*

27 (c) A superintendent of a county school district.

28 ~~(e)~~ (d) A county manager or a city manager.

29 2. The provisions of subsection 1 apply to such a person  
30 regardless of whether the person serves in the position:

31 (a) By appointment, contract or employment;

32 (b) With or without compensation; or

33 (c) On a temporary, interim or acting basis.

34 3. A person who is not otherwise a public officer is designated  
35 as a public officer solely and exclusively for the purposes of this  
36 chapter if the person:

37 (a) Enters into a contract with any state or local agency;

38 (b) Is paid compensation with public money; and

39 (c) Serves in a position which involves the exercise of a public  
40 power, trust or duty and which ordinarily would be held or filled by  
41 a public officer.

42 4. A person who is not otherwise a public employee is  
43 designated as a public employee solely and exclusively for the  
44 purposes of this chapter if:



1 (a) The person enters into a contract with any state or local  
2 agency;

3 (b) The person is paid compensation with public money;

4 (c) The person serves in a position which involves the  
5 performance of public duties under the substantial and continuing  
6 direction and control of a public officer or supervisory public  
7 employee;

8 (d) The position ordinarily would be held or filled by a public  
9 employee and would require the public employee to hold a valid  
10 professional or occupational license or similar type of authorization  
11 issued by a state or local agency to perform the public duties of the  
12 position, other than a general business license or similar type of  
13 authorization;

14 (e) The position is entrusted with public duties of a substantial  
15 and continuing nature which ordinarily would require a public  
16 employee to avoid conflicts between the private interests of the  
17 public employee and those of the general public whom the public  
18 employee serves; and

19 (f) The person occupies the position on a full-time basis or its  
20 equivalent for a substantial and continuing period of time.

21 5. The provisions of subsections 3 and 4 must be interpreted  
22 and applied to ensure that a person does not evade the provisions of  
23 this chapter because a state or local agency elects to use a  
24 contractual relationship instead of an employment relationship for a  
25 position which ordinarily would be held or filled by a public officer  
26 or employee.

27 6. If, pursuant to this section, any person is designated as a  
28 public officer or employee for the purposes of this chapter, that  
29 designation:

30 (a) Does not make the person a public officer or employee for  
31 the purposes of any other law or for any other purposes; and

32 (b) Must not be used, interpreted or applied in any manner to  
33 establish, suggest or prove that the person is a public officer or  
34 employee for the purposes of any other law or for any other  
35 purposes.

36 **Sec. 213.** NRS 281A.430 is hereby amended to read as  
37 follows:

38 281A.430 1. Except as otherwise provided in this section and  
39 NRS 218A.970 and 332.800, a public officer or employee shall not  
40 bid on or enter into a contract between an agency and any business  
41 entity in which the public officer or employee has a significant  
42 pecuniary interest.

43 2. A member of any board, commission or similar body who is  
44 engaged in the profession, occupation or business regulated by such  
45 board, commission or body may, in the ordinary course of his or her



1 business, bid on or enter into a contract with an agency, except the  
2 board, commission or body on which he or she is a member, if the  
3 member has not taken part in developing the contract plans or  
4 specifications and the member will not be personally involved in  
5 opening, considering or accepting offers.

6 3. A full- or part-time faculty member or employee of the  
7 Nevada System of Higher Education may bid on or enter into a  
8 contract with an agency, or may benefit financially or otherwise  
9 from a contract between an agency and a private entity, if the  
10 contract complies with the policies established by the Board of  
11 Regents of the University of Nevada pursuant to NRS 396.255.

12 4. *A full- or part-time faculty member or employee of the*  
13 *Nevada System of Community Colleges may bid on or enter into a*  
14 *contract with an agency, or may benefit financially or otherwise*  
15 *from a contract between an agency and a private entity, if the*  
16 *contract complies with the policies established by the State Board*  
17 *for Community Colleges pursuant to section 14 of this act.*

18 5. Except as otherwise provided in subsection 2, 3, 4 or ~~5~~, 6,  
19 a public officer or employee may bid on or enter into a contract with  
20 an agency if:

21 (a) The contracting process is controlled by the rules of open  
22 competitive bidding or the rules of open competitive bidding or for a  
23 solicitation are not employed as a result of the applicability of NRS  
24 332.112 or 332.148;

25 (b) The sources of supply are limited;

26 (c) The public officer or employee has not taken part in  
27 developing the contract plans or specifications; and

28 (d) The public officer or employee will not be personally  
29 involved in opening, considering or accepting offers.

30 ↪ If a public officer who is authorized to bid on or enter into a  
31 contract with an agency pursuant to this subsection is a member of  
32 the governing body of the agency, the public officer, pursuant to the  
33 requirements of NRS 281A.420, shall disclose the public officer's  
34 interest in the contract and shall not vote on or advocate the  
35 approval of the contract.

36 ~~5~~ 6. A member of a local legislative body shall not, either  
37 individually or through any business entity in which the member has  
38 a significant pecuniary interest, sell goods or services to the local  
39 agency governed by his or her local legislative body unless:

40 (a) The member, or the business entity in which the member has  
41 a significant pecuniary interest, offers the sole source of supply of  
42 the goods or services within the territorial jurisdiction of the local  
43 agency governed by his or her local legislative body;

44 (b) The local legislative body includes in the public notice and  
45 agenda for the meeting at which it will consider the purchase of



1 such goods or services a clear and conspicuous statement that it is  
2 considering purchasing such goods or services from one of its  
3 members, or from a business entity in which the member has a  
4 significant pecuniary interest;

5 (c) At the meeting, the member discloses his or her significant  
6 pecuniary interest in the purchase of such goods or services and  
7 does not vote upon or advocate the approval of the matter pursuant  
8 to the requirements of NRS 281A.420; and

9 (d) The local legislative body approves the purchase of such  
10 goods or services in accordance with all other applicable provisions  
11 of law.

12 ~~[6.]~~ 7. The Commission may relieve a public officer or  
13 employee from the strict application of the provisions of this section  
14 if:

15 (a) The public officer or employee files a request for an advisory  
16 opinion from the Commission pursuant to NRS 281A.675; and

17 (b) The Commission determines that such relief is not contrary  
18 to:

19 (1) The best interests of the public;

20 (2) The continued ethical integrity of each agency affected  
21 by the matter; and

22 (3) The provisions of this chapter.

23 ~~[7.]~~ 8. For the purposes of subsection ~~[6.]~~ 7, the request for an  
24 advisory opinion, the advisory opinion and all meetings, hearings  
25 and proceedings of the Commission in such a matter are governed  
26 by the provisions of NRS 281A.670 to 281A.690, inclusive.

27 **Sec. 214.** NRS 284.140 is hereby amended to read as follows:

28 284.140 The unclassified service of the State consists of the  
29 following state officers or employees in the Executive Department  
30 of the State Government who receive annual salaries for their  
31 services:

32 1. Members of boards and commissions, and heads of  
33 departments, agencies and institutions required by law to be  
34 appointed.

35 2. Except as otherwise provided in NRS 223.085, 223.600 and  
36 232.461 all persons required by law to be appointed by the  
37 Governor or heads of departments or agencies appointed by the  
38 Governor or by boards.

39 3. All employees other than clerical in the Office of the  
40 Attorney General and the State Public Defender required by law to  
41 be appointed by the Attorney General or the State Public Defender.

42 4. Except as otherwise provided by the Board of Regents of the  
43 University of Nevada pursuant to NRS 396.251 ~~[.]~~ and the State  
44 *Board for Community Colleges pursuant to section 13 of this act,*  
45 *as applicable,* officers and members of the teaching staff and the



1 staffs of the Agricultural Extension Department and Experiment  
2 Station of the Nevada System of Higher Education, or any other  
3 state institution of learning, and student employees of these  
4 institutions. Custodial, clerical or maintenance employees of these  
5 institutions are in the classified service. The Board of Regents of the  
6 University of Nevada *and the State Board for Community Colleges*  
7 shall assist the Administrator in carrying out the provisions of this  
8 chapter applicable to the Nevada System of Higher Education ~~§~~  
9 *and the Nevada System of Community Colleges, as applicable.*

10 5. All other officers and employees authorized by law to be  
11 employed in the unclassified service.

12 **Sec. 215.** NRS 284.325 is hereby amended to read as follows:

13 284.325 1. The Commission shall adopt regulations not  
14 inconsistent with this section for the certification of qualified  
15 persons for temporary service.

16 2. Except as otherwise provided in subsection 3, temporary  
17 positions which occur, terminate or recur periodically must be filled  
18 by certification in accordance with the regulations adopted by the  
19 Commission.

20 3. An agency may appoint persons temporarily for less than  
21 160 cumulative hours during any calendar year without regard to the  
22 regulations adopted by the Commission pursuant to subsection 1.

23 4. The limitation on hours set forth in subsection 3 does not  
24 apply to temporary or part-time service by:

25 (a) A pupil attending the pupil's last 2 years of high school;

26 (b) A student employed by the college or university the student  
27 attends;

28 (c) A person certified for temporary service in accordance with  
29 NRS 284.327;

30 (d) An employee of an events center, museum or research center  
31 of the Nevada System of Higher Education ~~§~~ *or the Nevada*  
32 *System of Community Colleges;*

33 (e) A person employed by the Nevada System of Higher  
34 Education *or the Nevada System of Community Colleges* in a  
35 temporary position which recurs periodically for the registration of  
36 students; or

37 (f) A person employed by the Nevada System of Higher  
38 Education *or the Nevada System of Community Colleges* to provide  
39 such assistance to a student with a disability or to a student with an  
40 identified academic disadvantage as it determines is necessary for  
41 the academic success of the student, including, without limitation, a  
42 person employed as a tutor, note taker, reader, sign interpreter or  
43 test proctor.

44 5. The acceptance or refusal by an eligible person of a  
45 temporary appointment does not affect the person's standing on the



1 register for permanent employment, nor may the period of  
2 temporary service be counted as part of the probationary period in  
3 case of subsequent appointment to a permanent position.

4 6. Successive temporary appointments to the same position  
5 must not be made under this section.

6 7. As used in this section, "student with an identified academic  
7 disadvantage" includes, without limitation, a student who the  
8 Nevada System of Higher Education *or the Nevada System of*  
9 *Community Colleges, as applicable*, has determined requires the  
10 services of a tutor for success in a course of study.

11 **Sec. 216.** NRS 284.343 is hereby amended to read as follows:

12 284.343 1. Except as otherwise provided in this subsection,  
13 after consultation with appointing authorities, and in cooperation  
14 with the State Board of Examiners, the Commission shall adopt  
15 regulations for all training of employees in the state service.  
16 Professional employees of the teaching staff, Agricultural Extension  
17 Service and Nevada Agricultural Experiment Station staffs of the  
18 Nevada System of Higher Education, *the Nevada System of*  
19 *Community Colleges*, or any other state institution of learning and  
20 student employees of such an institution are exempt from the  
21 provisions of this section.

22 2. The regulations adopted pursuant to subsection 1 must set  
23 forth the conditions under which educational leave stipends may be  
24 paid to any officer or employee of the State. Except as otherwise  
25 provided in NRS 612.230 and with the exception of intermittent  
26 course work not leading to the awarding of a degree, no person may  
27 be granted educational leave stipends until the person has entered  
28 into a contract with the person's employing agency whereby the  
29 person agrees to pursue only those courses required for a degree  
30 related to the person's employment with the State and to return to  
31 the employ of the person's employing agency on the basis of 1 year  
32 for each 9 months of educational leave taken or to refund the total  
33 amount of the stipends regardless of the balance at the time of  
34 separation.

35 3. This section does not prevent the granting of sabbatical  
36 leaves by the Board of Regents of the University of Nevada ~~or~~ *or*  
37 *the board of trustees of a community college.*

38 4. Where practicable all training for state employees must be  
39 presented through established educational institutions within the  
40 State.

41 5. The Division shall coordinate all training activities related to  
42 remedial programs and programs for career development designed to  
43 correct educational and training deficiencies of state employees  
44 and create employment opportunities for the disadvantaged. In  
45 connection with these activities, the Division, with the approval of



1 the Governor, is designated to enter into contractual arrangements  
2 with the Federal Government and others that provide grants or other  
3 money for educational and training activities.

4 **Sec. 217.** NRS 284.345 is hereby amended to read as follows:

5 284.345 1. Except as otherwise provided in ~~[subsection]~~  
6 *subsections 2 ~~1~~ and 3*, the Commission shall adopt regulations for  
7 attendance and leave with or without pay or reduced pay in the  
8 various classes of positions in the public service.

9 2. The Board of Regents of the University of Nevada shall  
10 adopt regulations for attendance and for leave with or without pay or  
11 with reduced pay, sabbatical leave, sick leave, emergency leave,  
12 annual leave, terminal leave, military leave and such other leave as  
13 the Board of Regents determines to be necessary or desirable for  
14 officers and members of the faculty of the Nevada System of Higher  
15 Education. Sabbatical leave with pay may not be granted to more  
16 than 2 percent of the teaching personnel of a branch or facility of the  
17 System with the rank of instructor or higher in any 1 year. No  
18 sabbatical leave with pay may be granted unless the person  
19 requesting the leave agrees in writing with the branch or facility to  
20 return to the branch or facility after the leave for a period not less  
21 than that required by the person's most recent contract of  
22 employment if the Nevada System of Higher Education desires the  
23 person's continued service.

24 *3. The State Board for Community Colleges shall adopt*  
25 *regulations for attendance and for leave with or without pay or*  
26 *with reduced pay, sabbatical leave, sick leave, emergency leave,*  
27 *annual leave, terminal leave, military leave and such other leave*  
28 *as the Board determines to be necessary or desirable for officers*  
29 *and members of the faculty of the Nevada System of Community*  
30 *Colleges. Sabbatical leave with pay may not be granted to more*  
31 *than 2 percent of the teaching personnel of a branch or facility of*  
32 *the System with the rank of instructor or higher in any 1 year. No*  
33 *sabbatical leave with pay may be granted unless the person*  
34 *requesting the leave agrees in writing with the branch or facility to*  
35 *return to the branch or facility after the leave for a period not less*  
36 *than that required by the person's most recent contract of*  
37 *employment if the Nevada System of Community Colleges desires*  
38 *the person's continued service.*

39 **Sec. 218.** NRS 284.350 is hereby amended to read as follows:

40 284.350 1. Except as otherwise provided in subsections 2, 3  
41 and 4, an employee in the public service, whether in the classified or  
42 unclassified service, is entitled to annual leave with pay of 1 1/4  
43 working days for each month of continuous public service. The  
44 annual leave may be cumulative from year to year not to exceed 30  
45 working days. The Commission may by regulation provide for



1 additional annual leave for long-term employees and for prorated  
2 annual leave for part-time employees.

3 2. Except as otherwise provided in this subsection, any annual  
4 leave in excess of 30 working days must be used before January 1 of  
5 the year following the year in which the annual leave in excess of 30  
6 working days is accumulated or the amount of annual leave in  
7 excess of 30 working days is forfeited on that date. If an employee:

8 (a) On or before October 15, requests permission to take annual  
9 leave; and

10 (b) The employee's request for leave is denied in writing for any  
11 reason,

12 ➤ the employee is entitled to payment for any annual leave in  
13 excess of 30 working days which the employee requested to take  
14 and which the employee would otherwise forfeit as the result of the  
15 denial of the employee's request, unless the employee has final  
16 authority to approve use of the employee's own accrued leave and  
17 the employee received payment pursuant to this subsection for any  
18 unused annual leave in excess of 30 working days accumulated  
19 during the immediately preceding calendar year. The payment for  
20 the employee's unused annual leave must be made to the employee  
21 not later than January 31.

22 3. Officers and members of the faculty of the Nevada System  
23 of Higher Education *and the Nevada System of Community*  
24 *Colleges* are entitled to annual leave as provided by the regulations  
25 adopted pursuant to subsection 2 *or 3* of NRS 284.345 ~~§~~, *as*  
26 *applicable.*

27 4. The Commission shall establish by regulation a schedule for  
28 the accrual of annual leave for employees who regularly work more  
29 than 40 hours per week or 80 hours biweekly. The schedule must  
30 provide for the accrual of annual leave at the same rate  
31 proportionately as employees who work a 40-hour week accrue  
32 annual leave.

33 5. No elected state officer may be paid for accumulated annual  
34 leave upon termination of the officer's service.

35 6. During the first 6 months of employment of any employee in  
36 the public service, annual leave accrues as provided in subsection 1,  
37 but no annual leave may be taken during that period.

38 7. No employee in the public service may be paid for  
39 accumulated annual leave upon termination of employment unless  
40 the employee has been employed for 6 months or more.

41 8. Upon the request of an employee, the appointing authority of  
42 the employee may approve the reduction or satisfaction of an  
43 overpayment of the salary of the employee that was not obtained by  
44 the fraud or willful misrepresentation of the employee with a  
45 corresponding amount of the accrued annual leave of the employee.



**Sec. 219.** NRS 284.355 is hereby amended to read as follows:

284.355 1. Except as otherwise provided in this section, all employees in the public service, whether in the classified or unclassified service, are entitled to sick and disability leave with pay of 1 1/4 working days for each month of service, which may be cumulative from year to year. After an employee has accumulated 90 working days of sick leave, the amount of additional unused sick leave which the employee is entitled to carry forward from 1 year to the next is limited to one-half of the unused sick leave accrued during that year, but the Commission may by regulation provide for subsequent use of unused sick leave accrued but not carried forward because of this limitation in cases where the employee is suffering from a long-term or chronic illness and has used all sick leave otherwise available to the employee.

2. Upon the retirement of an employee, the employee's termination through no fault of the employee or the employee's death while in public employment, the employee or the employee's beneficiaries are entitled to payment:

(a) For the employee's unused sick leave in excess of 30 days, exclusive of any unused sick leave accrued but not carried forward, according to the employee's number of years of public service, except service with a political subdivision of the State, as follows:

(1) For 10 years of service or more but less than 15 years, not more than \$2,500.

(2) For 15 years of service or more but less than 20 years, not more than \$4,000.

(3) For 20 years of service or more but less than 25 years, not more than \$6,000.

(4) For 25 years of service, not more than \$8,000.

(b) For the employee's unused sick leave accrued but not carried forward, an amount equal to one-half of the sum of:

(1) The employee's hours of unused sick leave accrued but not carried forward; and

(2) An additional 120 hours.

3. The Commission may by regulation provide for additional sick and disability leave for long-term employees and for prorated sick and disability leave for part-time employees.

4. An employee entitled to payment for unused sick leave pursuant to subsection 2 may elect to receive the payment in any one or more of the following forms:

(a) A lump-sum payment.

(b) An advanced payment of the premiums or contributions for insurance coverage for which the employee is otherwise eligible pursuant to chapter 287 of NRS. If the insurance coverage is terminated and the money advanced for premiums or contributions



1 pursuant to this subsection exceeds the amount which is payable for  
2 premiums or contributions for the period for which the former  
3 employee was actually covered, the unused portion of the advanced  
4 payment must be paid promptly to the former employee or, if the  
5 employee is deceased, to the employee's beneficiary.

6 (c) The purchase of additional retirement credit, if the employee  
7 is otherwise eligible pursuant to chapter 286 of NRS.

8 5. Officers and members of the faculty of the Nevada System  
9 of Higher Education *and the Nevada System of Community*  
10 *Colleges* are entitled to sick and disability leave as provided by the  
11 regulations adopted pursuant to subsection 2 *or 3* of NRS 284.345  
12 **H**, *as applicable*.

13 6. The Commission may by regulation provide policies  
14 concerning employees with mental or emotional disorders which:

15 (a) Use a liberal approach to the granting of sick leave or leave  
16 without pay to such an employee if it is necessary for the employee  
17 to be absent for treatment or temporary hospitalization.

18 (b) Provide for the retention of the job of such an employee for a  
19 reasonable period of absence, and if an extended absence  
20 necessitates separation or retirement, provide for the reemployment  
21 of such an employee if at all possible after recovery.

22 (c) Protect employee benefits, including, without limitation,  
23 retirement, life insurance and health benefits.

24 7. The Commission shall establish by regulation a schedule for  
25 the accrual of sick 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 sick leave at the same rate proportionately  
28 as employees who work a 40-hour week accrue sick leave.

29 8. The Division may investigate any instance in which it  
30 believes that an employee has taken sick or disability leave to which  
31 the employee was not entitled. If, after notice to the employee and a  
32 hearing, the Commission determines that the employee has taken  
33 sick or disability leave to which the employee was not entitled, the  
34 Commission may order the forfeiture of all or part of the employee's  
35 accrued sick leave.

36 **Sec. 220.** NRS 284.360 is hereby amended to read as follows:

37 284.360 1. Any person holding a permanent position in the  
38 classified service may be granted a leave of absence without pay.  
39 Leave of absence may be granted to any person holding a position in  
40 the classified service to permit acceptance of an appointive position  
41 in the unclassified service. Leave of absence must be granted to any  
42 person holding a position in the classified service to permit  
43 acceptance of a position in the Legislative Branch during a regular  
44 or special session of the Legislature, including a reasonable period



1 before and after the session if the entire period of employment in the  
2 Legislative Branch is continuous.

3 2. If a person is granted a leave of absence without pay to  
4 permit acceptance of an appointive position in the unclassified  
5 service or a position in the Legislative Branch, any benefits earned  
6 while the person is in the:

7 (a) Classified service are retained and must be paid by the  
8 employer in the classified service, whether or not the person returns  
9 to the classified service.

10 (b) Unclassified service or employed by the Legislative Branch  
11 are retained and must be paid by the appointing authority in the  
12 unclassified service or by the Legislative Branch, if the person does  
13 not return to the classified service, or by the employer in the  
14 classified service, if the person returns to the classified service.

15 3. Any person in the unclassified service, except members of  
16 the academic staff of the Nevada System of Higher Education   
17 *and the Nevada System of Community Colleges*, may be granted by  
18 the appointing authority a leave of absence without pay for a period  
19 not to exceed 6 months.

20 4. Officers and members of the faculty of the Nevada System  
21 of Higher Education *and the Nevada System of Community*  
22 *Colleges* may be granted leaves of absence without pay as provided  
23 by the regulations prescribed pursuant to subsection 2 *or 3* of NRS  
24 284.345 , *as applicable*.

25 5. Except as otherwise provided in subsection 6, a person in the  
26 classified or unclassified service who:

27 (a) Is the natural parent of a child who is less than 6 months old;  
28 or

29 (b) Has recently adopted a child,  
30 ➔ must be granted, upon request, a leave of absence without pay for  
31 a period not to exceed 12 weeks. Such a request by natural parents  
32 must be submitted at least 3 months before the date upon which the  
33 requested leave will begin, unless a shorter notice is approved by the  
34 employer. Such a request by adoptive parents must be submitted not  
35 fewer than 2 working days after the parents receive notice of the  
36 approval of the adoption. This subsection does not affect the rights  
37 of an employee set forth in NRS 284.350 or 284.355.

38 6. The provisions of subsection 5 are effective only if the  
39 Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 et seq.,  
40 or a subsequent federal law ceases to provide for a parental leave of  
41 absence of at least 12 weeks.

42 **Sec. 221.** NRS 284.385 is hereby amended to read as follows:

43 284.385 1. An appointing authority may:



1 (a) Dismiss or demote any permanent classified employee when  
2 the appointing authority considers that the good of the public service  
3 will be served thereby.

4 (b) Except as otherwise provided in NRS 284.148, suspend  
5 without pay, for disciplinary purposes, a permanent employee for a  
6 period not to exceed 30 days.

7 2. Before a permanent classified employee is dismissed,  
8 involuntarily demoted or suspended, the appointing authority must  
9 consult with the Attorney General or, if the employee is employed  
10 by the Nevada System of Higher Education ~~or~~ *or the Nevada  
11 System of Community Colleges*, the appointing authority's general  
12 counsel, regarding the proposed discipline. After such consultation,  
13 the appointing authority may take such lawful action regarding the  
14 proposed discipline as it deems necessary under the circumstances.

15 3. A dismissal, involuntary demotion or suspension does not  
16 become effective until the employee is notified in writing of the  
17 dismissal, involuntary demotion or suspension and the reasons  
18 therefor. The Commission shall adopt regulations setting forth the  
19 procedures for properly notifying the employee of the dismissal,  
20 involuntary demotion or suspension and the reasons therefor.

21 4. No employee in the classified service may be dismissed for  
22 any reason relating to his or her religion, race, sexual orientation, or  
23 gender identity or expression.

24 **Sec. 222.** NRS 286.130 is hereby amended to read as follows:

25 286.130 1. Three members of the Board must be persons  
26 who:

27 (a) Have had at least 10 years of service as employees of the  
28 State of Nevada or its political subdivisions;

29 (b) Are not elected officers of the State of Nevada or its political  
30 subdivisions;

31 (c) Are active members of the System; and

32 (d) Are appointed from written nominations submitted by the  
33 following groups:

34 (1) Employees of the State , *the Nevada System of*  
35 *Community Colleges* and the Nevada System of Higher Education;

36 (2) The academic staff of school districts;

37 (3) Employees of cities, excluding Carson City;

38 (4) Employees of counties, including Carson City and  
39 excluding employees of county hospitals;

40 (5) Employees of county hospitals, public utilities, power  
41 districts, sanitation districts, classified school employees and  
42 employees of other districts as determined by the Board; and

43 (6) Employees whose current positions entitle them to  
44 participate in the Police and Firefighters' Retirement Fund.



1 ↪ Each nominee must be a member of the group or organization  
2 that is nominating the nominee.

3 2. Two members of the Board must be persons who:

4 (a) Have had at least 10 years of service as employees of the  
5 State of Nevada or its political subdivisions;

6 (b) Are not elected officers of the State of Nevada or its political  
7 subdivisions;

8 (c) Are active members of the System; and

9 (d) Are appointed from written nominations submitted by the  
10 following groups:

11 (1) Administrators of school districts or members of boards  
12 of trustees of school districts; and

13 (2) Members of boards of county commissioners or the  
14 governing bodies of cities or administrators of counties or cities.

15 3. One member of the Board must be a person who:

16 (a) Is an employee of the State of Nevada or its political  
17 subdivisions with at least 10 years of service;

18 (b) Is serving in a position at least equivalent to the manager of  
19 a department or division;

20 (c) Is not an elected officer of the State of Nevada or its political  
21 subdivisions; and

22 (d) Is an active member of the System.

23 4. One member of the board must be a person who:

24 (a) Has had at least 10 years of service as an employee of the  
25 State of Nevada or its political subdivisions;

26 (b) Is not an elected officer of the State of Nevada or its political  
27 subdivisions; and

28 (c) Is receiving an allowance for service or disability retirement  
29 pursuant to this chapter.

30 5. A member of the Board shall serve for 4 years, so long as  
31 the member has the qualifications required by this section, and  
32 until the member's successor is appointed and takes office. A  
33 member of the Board who no longer has the qualifications specified  
34 in the subsection under which the member was appointed may serve  
35 the remainder of the member's term if the member loses those  
36 qualifications in the final 24 months of the member's term.

37 **Sec. 223.** NRS 286.297 is hereby amended to read as follows:

38 286.297 The following persons are not eligible to become  
39 members of the System:

40 1. Inmates of state institutions even though they may be  
41 receiving compensation for services performed for the institution.

42 2. Independent contractors or persons rendering professional  
43 services on a fee, retainer or contract basis.



1 3. Except as otherwise provided in NRS 286.525, persons  
2 retired under the provisions of this chapter who are employed by a  
3 participating public employer.

4 4. Members of boards or commissions of the State of Nevada  
5 or of its political subdivisions when such boards or commissions are  
6 advisory or directive and when membership thereon is not  
7 compensated except for expenses incurred. Receipt of a fee for  
8 attendance at official sessions of a particular board or commission  
9 does not constitute compensation for the purpose of this subsection.

10 5. Substitute teachers and students who are employed by the  
11 institution which they attend.

12 6. District judges, judges of the Court of Appeals and justices  
13 of the Supreme Court first elected or appointed on or after  
14 July 1, 1977, who are not enrolled in the System at the time of  
15 election or appointment.

16 7. Members of the professional staff of the Nevada System of  
17 Higher Education *or Nevada System of Community Colleges* who  
18 are employed on or after July 1, 1977.

19 8. Persons employed on or after July 1, 1979, under the  
20 Comprehensive Employment and Training Act.

21 9. Except as otherwise provided in NRS 286.293, persons  
22 assigned to intermittent or temporary positions unless the  
23 assignment exceeds 6 consecutive months.

24 10. Persons employed on or after July 1, 1981, as part-time  
25 guards at school crossings.

26 11. Nurses who:

27 (a) Are not full-time employees;

28 (b) Are paid an hourly wage on a daily basis;

29 (c) Do not receive the employee benefits received by other  
30 employees of the same employer; and

31 (d) Do not work a regular schedule or are requested to work for  
32 a shift at a time.

33 **Sec. 224.** NRS 286.501 is hereby amended to read as follows:

34 286.501 Each member who is employed by a school district for  
35 less than 12 months per school year and each member of the  
36 professional staff of the Nevada System of Higher Education *or the*  
37 *Nevada System of Community Colleges* employed for the academic  
38 year who is employed for less than 12 months per fiscal year is  
39 credited with service as follows:

40 1. Service is credited on the basis of a full year if the member  
41 works full-time for the full school year.

42 2. Employment for a part of a school year is credited on a ratio  
43 of one and one-third days for each day worked, but credit may not  
44 be given in advance or until the appropriate period has expired.



1 3. A full year of service is not credited until the full 12-month  
2 period has expired. If the employee begins work under a new  
3 contract before the expiration of the 12-month period for the old  
4 contract, credit must be granted for the period of overlap, as  
5 certified by the school district, at the first period in which there is a  
6 lapse in service.

7 4. Service credit under this section must be computed  
8 according to:

9 (a) The school year for school district employees.

10 (b) The fiscal year for members of the professional staff of the  
11 *Nevada System of Community Colleges and the Nevada System of*  
12 *Higher Education.*

13 5. A member receives full credit while on sabbatical leave if  
14 the public employer certifies that the compensation and  
15 contributions reported for the member are the same as if the member  
16 were employed full-time. If the employer does not so certify, the  
17 member receives credit in the proportion that the member's actual  
18 compensation bears to the member's previous compensation.

19 ↪ No member may receive less credit under this section than was  
20 provided under the law in force when the credit was earned.

21 **Sec. 225.** NRS 286.523 is hereby amended to read as follows:

22 286.523 1. It is the policy of this State to ensure that the  
23 reemployment of a retired public employee pursuant to this section  
24 is limited to positions of extreme need. An employer who desires to  
25 employ such a retired public employee to fill a position for which  
26 there is a critical labor shortage must make the determination of  
27 reemployment based upon the appropriate and necessary delivery of  
28 services to the public.

29 2. The provisions of subsections 1 and 2 of NRS 286.520 do  
30 not apply to a retired employee who accepts employment or an  
31 independent contract with a public employer under the System if:

32 (a) The retired employee fills a position for which there is a  
33 critical labor shortage; and

34 (b) At the time of the retired employee's reemployment, the  
35 retired employee is receiving:

36 (1) A benefit that is not actuarially reduced pursuant to  
37 subsection 6 of NRS 286.510; or

38 (2) A benefit actuarially reduced pursuant to subsection 6 of  
39 NRS 286.510 and has reached the required age at which the retired  
40 employee could have retired with a benefit that was not actuarially  
41 reduced pursuant to subsection 6 of NRS 286.510.

42 3. A retired employee who is reemployed under the  
43 circumstances set forth in subsection 2 may reenroll in the System  
44 as provided in NRS 286.525.



1 4. Positions for which there are critical labor shortages must be  
2 determined in an open public meeting held by the designating  
3 authority as follows:

4 (a) Except as otherwise provided in this subsection, the State  
5 Board of Examiners shall designate positions in State Government  
6 for which there are critical labor shortages.

7 (b) The Supreme Court shall designate positions in the Judicial  
8 Branch of State Government for which there are critical labor  
9 shortages.

10 (c) The Board of Regents shall designate positions in the  
11 Nevada System of Higher Education for which there are critical  
12 labor shortages.

13 (d) *The board of trustees of each community college within the*  
14 *Nevada System of Community Colleges shall designate positions*  
15 *within the community college for which there are critical labor*  
16 *shortages.*

17 (e) The board of trustees of each school district shall designate  
18 positions within the school district for which there are critical labor  
19 shortages.

20 ~~(e)~~ (f) The governing body of a charter school shall designate  
21 positions within the charter school for which there are critical labor  
22 shortages.

23 ~~(f)~~ (g) The governing body of a local government shall  
24 designate positions with the local government for which there are  
25 critical labor shortages.

26 ~~(g)~~ (h) The Board shall designate positions within the System  
27 for which there are critical labor shortages.

28 5. In determining whether a position is a position for which  
29 there is a critical labor shortage, the designating authority shall  
30 make findings based upon the criteria set forth in this subsection that  
31 support the designation. Before making a designation, the  
32 designating authority shall consider all efforts made by the  
33 applicable employer to fill the position through other means. The  
34 written findings made by the designating authority must include:

35 (a) The history of the rate of turnover for the position;

36 (b) The number of openings for the position and the number of  
37 qualified candidates for those openings after all other efforts of  
38 recruitment have been exhausted;

39 (c) The length of time the position has been vacant;

40 (d) The difficulty in filling the position due to special  
41 circumstances, including, without limitation, special educational or  
42 experience requirements for the position; and

43 (e) The history and success of the efforts to recruit for the  
44 position, including, without limitation, advertising, recruitment  
45 outside of this State and all other efforts made.



1 6. A designating authority that designates a position as a  
2 critical need position shall submit to the System its written findings  
3 which support that designation made pursuant to subsection 5 on a  
4 form prescribed by the System. The System shall compile the forms  
5 received from each designating authority and provide a biennial  
6 report on the compilation to the Interim Retirement and Benefits  
7 Committee of the Legislature.

8 7. A designating authority shall not designate a position  
9 pursuant to subsection 4 as a position for which there is a critical  
10 labor shortage for a period longer than 2 years. To be redesignated  
11 as such a position, the designating authority must consider and make  
12 new findings in an open public meeting as to whether the position  
13 continues to meet the criteria set forth in subsection 5.

14 **Sec. 226.** NRS 287.04054 is hereby amended to read as  
15 follows:

16 287.04054 “Participating state agency” means a department,  
17 commission, board, bureau or other agency of the Executive,  
18 Legislative and Judicial Branches of State Government, including,  
19 without limitation, the Public Employees’ Retirement System , *the*  
20 *Nevada System of Community Colleges* and the Nevada System of  
21 Higher Education.

22 **Sec. 227.** NRS 287.041 is hereby amended to read as follows:

23 287.041 1. There is hereby created the Board of the Public  
24 Employees’ Benefits Program. The Board consists of ~~10~~ 11  
25 members appointed as follows:

26 (a) Two members who are professional employees of the  
27 Nevada System of Higher Education, appointed by the Governor  
28 upon consideration of any recommendations of organizations that  
29 represent employees of the Nevada System of Higher Education.  
30 One such member must reside in northern Nevada and the other  
31 member must reside in southern Nevada.

32 (b) *One member who is a professional employee of the Nevada*  
33 *System of Community Colleges, appointed by the Governor upon*  
34 *consideration of any recommendations of organizations that*  
35 *represent employees of the Nevada System of Community*  
36 *Colleges.*

37 (c) Two members who are retired from public employment,  
38 appointed by the Governor upon consideration of any  
39 recommendations of organizations that represent retired public  
40 employees.

41 ~~(e)~~ (d) Two members who are employees in the classified  
42 service of the State, appointed by the Governor upon consideration  
43 of any recommendations of organizations that represent state  
44 employees.



1 ~~[(d)]~~ (e) One member who is employed by this State in a  
2 managerial capacity and has substantial and demonstrated  
3 experience in risk management, group insurance programs, health  
4 care administration or employee benefits programs appointed by the  
5 Governor.

6 ~~[(e)]~~ (f) Two members who have substantial and demonstrated  
7 experience in risk management, group insurance programs, health  
8 care administration or employee benefits programs appointed by the  
9 Governor.

10 ~~[(f)]~~ (g) The Director of the Department of Administration or a  
11 designee of the Director approved by the Governor.

12 2. Of the ~~[nine]~~ 10 persons appointed to the Board pursuant to  
13 paragraphs (a) to ~~[(e)]~~ (f), inclusive, of subsection 1, at least four  
14 members must have a bachelor's degree or a more advanced degree,  
15 or equivalent professional experience, in business administration,  
16 economics, medicine, accounting, actuarial science, insurance, risk  
17 management or health care administration, and at least two members  
18 must have education or proven experience in the management of  
19 employees' benefits, insurance, risk management, health care  
20 administration or business administration.

21 3. Each person appointed as a member of the Board must:

22 (a) Except for a member appointed pursuant to paragraph ~~[(e)]~~  
23 (f) of subsection 1, have been a participant in the Program for at  
24 least 1 year before the person's appointment;

25 (b) Except for a member appointed pursuant to paragraph ~~[(e)]~~  
26 (f) of subsection 1, be a current employee of the State of Nevada or  
27 another public employer that participates in the Program or a retired  
28 public employee who is a participant in the Program;

29 (c) Not be an elected officer of the State of Nevada or any of its  
30 political subdivisions; and

31 (d) Not participate in any business enterprise or investment:

32 (1) With any vendor or provider to the Program; or

33 (2) In real or personal property if the Program owns or has a  
34 direct financial interest in that enterprise or property.

35 4. Except as otherwise provided in this subsection, after the  
36 initial terms, the term of an appointed member of the Board is 4  
37 years and until the member's successor is appointed and takes office  
38 unless the member no longer possesses the qualifications for  
39 appointment set forth in this section or is removed by the Governor.  
40 If a member loses the requisite qualifications within the last 12  
41 months of the member's term, the member may serve the remainder  
42 of the member's term. Members are eligible for reappointment. A  
43 vacancy occurring in the membership of the Board must be filled in  
44 the same manner as the original appointment.



1 5. The appointed members of the Board serve at the pleasure of  
2 the Governor.

3 **Sec. 228.** NRS 287.045 is hereby amended to read as follows:

4 287.045 1. Except as otherwise provided in this section,  
5 every state officer or employee who is employed in a full-time  
6 position is eligible to participate in the Program on:

7 (a) The first day of full-time employment of the state officer or  
8 employee, if that date is the first day of the month; or

9 (b) The first day of the month immediately following the first  
10 day of full-time employment of the state officer or employee.

11 2. Professional employees of the *Nevada System of*  
12 *Community Colleges and the Nevada System of Higher Education*  
13 who have annual employment contracts are eligible to participate in  
14 the Program on:

15 (a) The effective dates of their respective employment contracts,  
16 if those dates are on the first day of a month; or

17 (b) The first day of the month immediately following the  
18 effective dates of their respective employment contracts, if those  
19 dates are not on the first day of a month.

20 3. Every officer or employee who is employed by a  
21 participating local governmental agency on a permanent and full-  
22 time basis on the date on which the participating local governmental  
23 agency enters into an agreement to participate in the Program  
24 pursuant to paragraph (a) of subsection 1 of NRS 287.025, and  
25 every officer or employee who commences employment with that  
26 participating local governmental agency after that date, is eligible to  
27 participate in the Program on:

28 (a) The first day of full-time employment of the officer or  
29 employee, if that date is the first day of the month; or

30 (b) The first day of the month immediately following the first  
31 day of full-time employment of the officer or employee,

32 ↪ unless that officer or employee is excluded pursuant to sub-  
33 subparagraph (III) of subparagraph (2) of paragraph (h) of  
34 subsection 2 of NRS 287.043.

35 4. Every member of the Senate and Assembly is eligible to  
36 participate in the Program on:

37 (a) The first day of the initial term of office of the member, if  
38 that date is the first day of the month; or

39 (b) The first day of the month immediately following the first  
40 day of the initial term of office of the member.

41 5. For each eligible person identified in subsections 1 to 4,  
42 inclusive, the Program must receive the notice required pursuant to  
43 NRS 287.0439 before the date on which the person is eligible to  
44 enroll in the Program. If the Program does not receive the notice  
45 required pursuant to NRS 287.0439 before the date on which the



1 person is eligible to enroll in the Program, the person will not be  
2 eligible to enroll in the Program until the first day of the month  
3 immediately after the Program received the notice required pursuant  
4 to NRS 287.0439 for that person.

5 6. Each person identified in subsections 1, 2 and 3 must enroll  
6 or decline coverage in the Program before the end of the first month  
7 in which he or she is eligible to enroll in the Program. If the person  
8 fails to enroll or decline coverage in the Program before the end of  
9 the first month in which he or she is eligible to enroll in the  
10 Program, he or she will be automatically enrolled on an individual  
11 basis, without coverage for dependents, in the base plan offered by  
12 the Program. Such a person must be allowed to:

13 (a) Change the plan in which the person is enrolled during the  
14 next period of open enrollment; and

15 (b) Add eligible dependents during the next period of open  
16 enrollment or after meeting the applicable terms and conditions of  
17 the Program.

18 7. Notwithstanding the provisions of subsections 1, 3 and 4, if  
19 the Board does not, pursuant to NRS 689B.580, elect to exclude the  
20 Program from compliance with NRS 689B.340 to 689B.580,  
21 inclusive, and if the coverage under the Program is provided by a  
22 health maintenance organization authorized to transact insurance in  
23 this State pursuant to chapter 695C of NRS, any affiliation period  
24 imposed by the Program may not exceed the statutory limit for an  
25 affiliation period set forth in NRS 689B.500.

26 8. As used in this section, "base plan" means the plan  
27 designated by the Board as the default plan for the year as described  
28 in the Program documents.

29 **Sec. 229.** NRS 287.245 is hereby amended to read as follows:

30 287.245 1. The State may agree with any of its employees,  
31 *the Nevada System of Community Colleges may agree with any of*  
32 *its employees* and the Board of Regents of the University of Nevada  
33 may agree with any of its employees, to reduce the amount of  
34 taxable compensation due to an employee in accordance with a  
35 program established pursuant to 26 U.S.C. § 125 by the Board of the  
36 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 *Nevada System of Community Colleges and* Nevada System of  
11 Higher Education the responsibility for administering the program  
12 for their respective 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 Nevada System of Higher Education, for services necessary to the  
20 administration of the plan, including, without limitation:

21 (1) Consolidated billing;

22 (2) The keeping of records for each participating employee  
23 and the program;

24 (3) The control and safeguarding of assets;

25 (4) Programs for communication with employees; and

26 (5) The administration and coordination of the program.

27 6. Each employee who participates in a program established by  
28 the Board of the Public Employees' Benefits Program pursuant to  
29 this section shall pay a proportionate share of the cost to administer  
30 the program as determined by the Board.

31 7. The provisions of this section do not supersede, make  
32 inoperative or reduce the benefits provided by the Public  
33 Employees' Retirement System or by any other retirement, pension  
34 or benefit program established by law.

35 **Sec. 230.** NRS 287.270 is hereby amended to read as follows:

36 287.270 "Deferred compensation" means income which a state  
37 employee or employee of the *Nevada System of Community*  
38 *Colleges or* Nevada System of Higher Education may legally set  
39 aside under the Program, which may consist of one or more plans  
40 authorized by 26 U.S.C. § 401(a), 401(k), 403(b), 457 or 3121,  
41 including, without limitation, a FICA alternative plan, or any other  
42 plan authorized by any federal law to reduce taxable compensation  
43 or other forms of compensation, and which income, while invested  
44 under the Program, is exempt from federal income taxes on the  
45 employee's contributions and interest, dividends and capital gains.



1       **Sec. 231.** NRS 287.320 is hereby amended to read as follows:

2       287.320 1. The State may agree with any of its employees,  
3       *the State Board for Community Colleges may agree with any of its*  
4       *employees* and the Board of Regents of the University of Nevada  
5       may agree with any of its employees, to defer the compensation due  
6       to them in accordance with a program approved by the Committee  
7       which may consist of one or more plans authorized by 26 U.S.C. §  
8       401(a), 401(k), 403(b), 457 or 3121, including, without limitation, a  
9       FICA alternative plan, or any other plan authorized by any federal  
10      law to reduce taxable compensation or other forms of compensation.  
11     The *State Board for Community Colleges and the* Board of  
12     Regents may agree with any of its employees to defer the  
13     compensation due to them as authorized by 26 U.S.C. § 403(b)  
14     without submitting the program to the Committee for its approval.  
15     An employee may defer compensation under one or more plans in  
16     the Program.

17      2. The employer shall withhold the amount of compensation  
18      which an employee has, by such an agreement, directed the  
19      employer to defer.

20      3. The employer may invest the withheld money in any  
21      investment approved by the Committee or, in the case of deferred  
22      compensation under 26 U.S.C. § 403(b) for employees of the :

23        (a) *Nevada System of Community Colleges, by the State Board*  
24        *for Community Colleges.*

25        (b) Nevada System of Higher Education , by the Board of  
26        Regents of the University of Nevada.

27      4. The investments must be underwritten and offered in  
28      compliance with all applicable federal and state laws and  
29      regulations, and may be offered only by persons who are authorized  
30      and licensed under all applicable state and federal regulations.

31      5. All amounts of compensation deferred pursuant to the  
32      Program, all property and all rights purchased with those amounts  
33      and all income attributable to those amounts, property or rights  
34      must, in accordance with 26 U.S.C. § 401(a), 401(k), 403(b), 457(g)  
35      or 3121, including, without limitation, a FICA alternative plan, or  
36      any other federal law authorizing a plan to reduce taxable  
37      compensation or other forms of compensation, as applicable, be held  
38      in trust for the exclusive benefit of the participants in the Program  
39      and their beneficiaries.

40      **Sec. 232.** NRS 287.325 is hereby amended to read as follows:

41      287.325 1. The Governor shall appoint the Committee to  
42      Administer the Public Employees' Deferred Compensation  
43      Program. The Committee must consist of:



1 (a) Two members who are employed by state agencies whose  
2 payrolls are administered by the Division of Human Resource  
3 Management of the Department of Administration;

4 (b) One member who is employed by:

5 (1) A state agency whose payroll is administered by the  
6 Division of Human Resource Management of the Department of  
7 Administration; or

8 (2) A political subdivision that participates in the Program;

9 (c) One member who is employed by a state agency whose  
10 payroll is administered by an entity other than the Division of  
11 Human Resource Management of the Department of  
12 Administration; and

13 (d) One member who has retired from employment by the State  
14 of Nevada , *the Nevada System of Community Colleges* or the  
15 Nevada System of Higher Education.

16 ↪ Each member of the Committee must be a participant in the  
17 Program, have participated in the Program for not less than 2 years  
18 and have been nominated for membership by five or more persons  
19 who have each participated in the Program for not less than 6  
20 months.

21 2. After their initial terms, members of the Committee serve  
22 terms of 4 years or until their successors have been appointed and  
23 have qualified.

24 3. A vacancy on the Committee occurs when a member dies,  
25 resigns or becomes ineligible for membership on the Committee. A  
26 person becomes ineligible for membership on the Committee when:

27 (a) The person ceases to be a participant in the Program; or

28 (b) Except as otherwise provided in this paragraph, the person  
29 ceases to have the qualifications for membership required by the  
30 paragraph of subsection 1 under which the person was appointed. A  
31 member of the Committee who ceases to have those qualifications  
32 may serve the remainder of the member's term if that period does  
33 not exceed 24 months.

34 4. The member appointed pursuant to paragraph (d) of  
35 subsection 1 must be compensated \$80 per day from money  
36 appropriated from the Program pursuant to NRS 287.365 for  
37 attending a meeting of the Committee and for acting at the direction  
38 of or on behalf of the Committee.

39 5. For the purposes of this section, "participant in the Program"  
40 means a person who is:

41 (a) Deferring compensation pursuant to the Program;

42 (b) Maintaining deferred compensation in the Program; or

43 (c) Receiving payments of deferred compensation pursuant to  
44 the Program.



1       **Sec. 233.** NRS 287.330 is hereby amended to read as follows:  
2       287.330 1. The Committee shall:

3       (a) At its first meeting each year, designate one of its members  
4 to serve as Chair of the Committee for a term of 1 year or until the  
5 Chair's successor has been designated.

6       (b) Act in such a manner as to promote the collective best  
7 interests of the participants in the Program.

8       2. The Committee may:

9       (a) Create an appropriate account for administration of money  
10 and other assets resulting from compensation deferred pursuant to  
11 the Program.

12       (b) With the approval of the Governor, delegate to one or more  
13 state agencies or institutions of the *Nevada System of Community*  
14 *Colleges or* Nevada System of Higher Education the responsibility  
15 for administering the Program for their respective employees,  
16 including:

17           (1) Collection of deferred compensation;

18           (2) Transmittal of money collected to depositories within the  
19 State designated by the Committee; and

20           (3) Payment of deferred compensation to participating  
21 employees.

22       (c) Contract with a private person, corporation, institution or  
23 other entity, directly or through a state agency or institution of the  
24 *Nevada System of Community Colleges or the* Nevada System of  
25 Higher Education, for services necessary to the administration of the  
26 plan, including, without limitation:

27           (1) Consolidated billing;

28           (2) The keeping of records for each participating employee  
29 and the Program;

30           (3) The purchase, control and safeguarding of assets;

31           (4) Programs for communication with employees; and

32           (5) The administration and coordination of the Program.

33       3. The Committee and its individual members are not liable for  
34 any decision relating to investments if the Committee has:

35       (a) Obtained the advice of qualified counsel on investments.

36       (b) Established proper objectives and policies relating to  
37 investments.

38       (c) Discharged its duties regarding the decision:

39           (1) Solely in the interest of the participants in the Program;  
40 and

41           (2) With the care, skill, prudence and diligence that, under  
42 the circumstances existing at the time of the decision, a prudent  
43 person who is familiar with similar investments would use while  
44 acting in a similar capacity in conducting an enterprise of similar  
45 character and purpose.



1 (d) Solicited proposals from qualified providers, record keepers  
2 or third-party administrators of plans at least once every 5 years.

3 (e) Monitored the plan and investments to ensure that fees and  
4 expenses are reasonable.

5 4. The Committee may delegate administrative duties for the  
6 Program to the Executive Officer. The Executive Officer and the  
7 staff of the Program shall act to discharge their duties in  
8 the collective best interest of the participants of the Program and  
9 with the care, skill, prudence and diligence that, under the  
10 circumstances existing at the time of the actions, a prudent person  
11 who is familiar with similar programs would use while acting in a  
12 similar capacity in conducting an enterprise of similar character and  
13 purpose.

14 **Sec. 234.** NRS 287.360 is hereby amended to read as follows:

15 287.360 The Program must be established in addition to other  
16 retirement, pension and benefit systems established by the State ,  
17 *the Nevada System of Community Colleges* or the Nevada System  
18 of Higher Education, and does not supersede, make inoperative, or  
19 reduce benefits provided by the Public Employees' Retirement  
20 System or by any other retirement, pension or benefit program  
21 established by law.

22 **Sec. 235.** NRS 287.370 is hereby amended to read as follows:

23 287.370 No appropriated money of the State may be spent in  
24 connection with the administration of the Program except as  
25 compensation for employees who participated in the administration  
26 as part of their regular duties, including without limitation:

- 27 1. Members of the Committee;
- 28 2. The Executive Officer and employees of the Program; and
- 29 3. Employees of the state agency or the institution of the  
30 *Nevada System of Community Colleges or the Nevada System of*  
31 *Higher Education* selected to administer the Program.

32 **Sec. 236.** NRS 289.350 is hereby amended to read as follows:

33 289.350 1. A person employed and compensated as a  
34 member of the police department of the Nevada System of Higher  
35 Education *[H]* *or the Nevada System of Community Colleges*, when  
36 appointed pursuant to subsection 1 of NRS 396.325 *or subsection 1*  
37 *of section 26 of this act* and duly sworn, is a peace officer, but may  
38 exercise the officer's power or authority only:

39 (a) Upon the campuses of the Nevada System of Higher  
40 Education *[H]* *or Nevada System of Community Colleges, as*  
41 *applicable*, including that area to the center line of public streets  
42 adjacent to a campus;

43 (b) When in hot pursuit of a violator leaving such a campus or  
44 area;



1 (c) In or about other grounds or properties of the Nevada System  
2 of Higher Education ~~§~~ *or Nevada System of Community Colleges,*  
3 *as applicable;* or

4 (d) Except as limited by subsection 2, in accordance with  
5 interlocal agreements entered into with other law enforcement  
6 agencies.

7 2. An interlocal agreement between the police department for  
8 the Nevada System of Higher Education *or the Nevada System of*  
9 *Community Colleges* and other law enforcement agencies may  
10 allow a peace officer of the police department of the Nevada System  
11 of Higher Education *or Nevada System of Community Colleges, as*  
12 *applicable,* to exercise the officer's power or authority:

13 (a) On any public street that is adjacent to property owned by  
14 the Nevada System of Higher Education ~~§~~ *or Nevada System of*  
15 *Community Colleges, as applicable.*

16 (b) On any property that is consistently used by an organization  
17 whose recognition by the Nevada System of Higher Education *or*  
18 *Nevada System of Community Colleges, as applicable,* is a  
19 necessary condition for its continued operation.

20 (c) On any property that is rented or leased by the Nevada  
21 System of Higher Education *or Nevada System of Community*  
22 *Colleges, as applicable,* for an event that is approved by the Nevada  
23 System of Higher Education ~~§~~ *or Nevada System of Community*  
24 *Colleges, as applicable.*

25 (d) For mutual assistance specifically agreed upon with the other  
26 law enforcement agencies that are parties to the interlocal  
27 agreement.

28 **Sec. 237.** NRS 288.042 is hereby amended to read as follows:

29 288.042 "Executive Department" means an agency, board,  
30 bureau, commission, department, division, elected officer or any  
31 other unit of the Executive Department of State Government. The  
32 term includes the *Nevada System of Community Colleges and the*  
33 Nevada System of Higher Education.

34 **Sec. 238.** NRS 288.425 is hereby amended to read as follows:

35 288.425 1. "Employee" means a person who:

36 (a) Is employed in the classified service of the State pursuant to  
37 chapter 284 of NRS; or

38 (b) Is employed by the *Nevada System of Community Colleges*  
39 *or the* Nevada System of Higher Education in the classified service  
40 of the State or is required to be paid in accordance with the pay plan  
41 for the classified service of the State.

42 2. The term does not include:

43 (a) A managerial employee whose primary function, as  
44 determined by the Board, is to administer and control the business  
45 of any agency, board, bureau, commission, department, division,



1 elected officer or any other unit of the Executive Department and  
2 who is vested with discretion and independent judgment with regard  
3 to the general conduct and control of that agency, board, bureau,  
4 commission, department, division, elected officer or unit;

5 (b) An elected official or any person appointed to fill a vacancy  
6 in an elected office;

7 (c) A confidential employee;

8 (d) A temporary employee who is employed for a fixed period  
9 of 4 months or less;

10 (e) A commissioned officer or an enlisted member of the  
11 Nevada National Guard;

12 (f) Any person employed by the *Nevada System of Community*  
13 *Colleges or the* Nevada System of Higher Education who is not in  
14 the classified service of the State or required to be paid in  
15 accordance with the pay plan of the classified service of the State; or

16 (g) Any person employed by the Public Employees' Retirement  
17 System who is required to be paid in accordance with the pay plan  
18 of the classified service of the State.

19 **Sec. 239.** NRS 321.001 is hereby amended to read as follows:

20 321.001 1. The Division shall acquire and hold in the name  
21 of the State of Nevada all lands and interests in land owned or  
22 required by the State except:

23 (a) Lands or interests used or acquired for highway purposes;

24 (b) Lands or interests the title to which is vested in the Board of  
25 Regents of the University of Nevada;

26 (c) *Lands or interests the title to which is vested in the State*  
27 *Board for Community Colleges;*

28 (d) Offices outside state buildings leased by the Administrator  
29 of the State Public Works Division of the Department of  
30 Administration for the use of state officers and employees; or

31 ~~(d)~~ (e) Lands or interests used or acquired for the Legislature  
32 or its staff,

33 and shall administer all lands it holds which are not assigned for  
34 administration to another state agency.

35 2. If additional land or an interest in land is required for the use  
36 of any state agency except the Department of Transportation, *the*  
37 *Nevada System of Community Colleges* or the Nevada System of  
38 Higher Education, the agency and the Division shall select land for  
39 use by the agency. The Division shall obtain the approval of the  
40 Administrator of the State Public Works Division of the Department  
41 of Administration if the land will be used for a building pursuant to  
42 NRS 341.141. The Division shall determine the value of that land  
43 and obtain the land or interest by negotiation or, if necessary, by  
44 exercising the State's power of eminent domain. Title must be taken  
45 in the name of the State of Nevada.



1 3. The Division may acquire and hold land and interests in land  
2 required for any public purpose, including the production of public  
3 revenue. Title must be taken in the name of the State of Nevada.

4 **Sec. 240.** NRS 321.5963 is hereby amended to read as  
5 follows:

6 321.5963 As used in NRS 321.596 to 321.599, inclusive,  
7 unless the context otherwise requires:

8 1. "Division" means the Division of State Lands of the State  
9 Department of Conservation and Natural Resources.

10 2. "Public lands" means all lands within the exterior  
11 boundaries of the State of Nevada except lands:

12 (a) To which title is held by any private person or entity;

13 (b) To which title is held by the State of Nevada, any of its local  
14 governments, *the Nevada System of Community Colleges* or the  
15 Nevada System of Higher Education;

16 (c) Which are located within congressionally authorized national  
17 parks, monuments, national forests or wildlife refuges or which are  
18 lands acquired by purchase consented to by the Legislature;

19 (d) Which are controlled by the United States Department of  
20 Defense, Department of Energy or Bureau of Reclamation; or

21 (e) Which are held in trust for Indian purposes or are Indian  
22 reservations.

23 **Sec. 241.** NRS 321.610 is hereby amended to read as follows:

24 321.610 1. All applications to the Bureau of Land  
25 Management by the State filed on behalf of a state agency except:

26 (a) The Department of Transportation;

27 (b) The Nevada System of Higher Education; ~~for~~

28 (c) *The Nevada System of Community Colleges; or*

29 (d) The Legislature,

30 ↪ to lease or purchase lands pursuant to the provisions of the  
31 Recreation and Public Purposes Act of 1926, 44 Stat. 741, as  
32 amended, must be submitted to the State Land Registrar for  
33 approval.

34 2. The State Land Registrar shall:

35 (a) Examine those applications and determine whether they are  
36 in proper form, contain the required information and are  
37 accompanied by the required fees;

38 (b) Determine from the records of the Bureau of Land  
39 Management whether the lands to be leased or purchased are subject  
40 to disposition pursuant to the Act; and

41 (c) File each application the State Land Registrar approves with  
42 the Bureau of Land Management.

43 3. If the State Land Registrar denies an application submitted  
44 pursuant to subsection 1, the State Land Registrar shall mail a  
45 written notice of the denial to the state agency within 7 days after



1 the application is denied. The notice must include a statement that  
2 sets forth:

3 (a) The reason the application was denied; and

4 (b) Any conditions that the state agency must satisfy before the  
5 State Land Registrar will approve the application.

6 4. If the state agency satisfies the conditions set forth in the  
7 notice, the State Land Registrar shall approve the application and  
8 file it with the Bureau of Land Management.

9 5. The Department of Transportation, the Nevada System of  
10 Higher Education, *the Nevada System of Community Colleges*, the  
11 Legislature or a political subdivision of the State may request the  
12 assistance of the State Land Registrar in filing an application with  
13 the Bureau of Land Management to lease or purchase lands pursuant  
14 to the provisions of the Recreation and Public Purposes Act of 1926,  
15 44 Stat. 741, as amended. The State Land Registrar shall provide the  
16 assistance requested, including, but not limited to, an examination of  
17 any application submitted to the State Land Registrar for his or her  
18 review. The State Land Registrar shall, upon the completion of the  
19 examination, return the application to the Department of  
20 Transportation, the Nevada System of Higher Education, *the*  
21 *Nevada System of Community Colleges*, the Legislature or the  
22 political subdivision for filing with the Bureau of Land  
23 Management.

24 **Sec. 242.** NRS 321.655 is hereby amended to read as follows:

25 321.655 As used in NRS 321.640 to 321.770, inclusive:

26 1. "Administrator" means the executive head of the Division.

27 2. "Area of critical environmental concern" means any area in  
28 this State where there is or could develop irreversible degradation of  
29 more than local significance but does not include an area of  
30 depleting water supply which is caused by the beneficial use or  
31 storage of water in other areas pursuant to legally owned and fully  
32 appropriated water rights.

33 3. "Planning agency" means:

34 (a) The planning commission for the city in which the land is  
35 entirely located; or

36 (b) A county or regional planning commission, if there is one, or  
37 the board of county commissioners or Nevada Tahoe Regional  
38 Planning Agency, within whose jurisdiction the land is located.

39 4. "Public lands" means all lands within the exterior  
40 boundaries of the State of Nevada except lands:

41 (a) To which title is held by any private person or entity;

42 (b) To which title is held by the State of Nevada, any of its local  
43 governments, *the Nevada System of Community Colleges* or the  
44 Nevada System of Higher Education;



1 (c) Which are located within congressionally authorized national  
2 parks, monuments, national forests or wildlife refuges, or which are  
3 lands acquired by purchase consented to by the Legislature;

4 (d) Which are controlled by the United States Department of  
5 Defense, Department of Energy or Bureau of Reclamation; or

6 (e) Which are held in trust for Indian purposes or are Indian  
7 reservations.

8 **Sec. 243.** NRS 328.500 is hereby amended to read as follows:

9 328.500 1. The Legislature finds that more than 87 percent of  
10 the land in the State of Nevada is held by the Federal Government,  
11 of which 69 percent is public land, and the actions of federal  
12 agencies and instrumentalities involving the public lands and waters  
13 appurtenant to and public roads over those lands significantly affect  
14 the health, safety, welfare and happiness of the citizens of this State  
15 and may interfere with the traditional sovereign functions of the  
16 State of Nevada with respect to those lands, waters and roads and  
17 their uses.

18 2. Except as otherwise provided in subsection 3, the Attorney  
19 General may:

20 (a) On his or her own initiative or at the request of the Governor  
21 or any state agency, bring and maintain any action; or

22 (b) Intervene on behalf of or bring and maintain an action on the  
23 relation of, any person in any meritorious case,

24 ↪ in any court or before any federal agency if any action or  
25 proposed action by a federal agency or instrumentality with respect  
26 to the public lands or waters appurtenant to or public roads over  
27 those lands impairs or tends to impair the sovereignty of the State of  
28 Nevada.

29 3. The Attorney General may bring an action pursuant to this  
30 section if:

31 (a) The Legislature has appropriated sufficient money for the  
32 operation of the Attorney General's office to permit the Attorney  
33 General to bring and maintain the action until its conclusion; or

34 (b) The Attorney General has obtained the permission:

35 (1) From the Legislature, if it is in session, expressed by a  
36 concurrent resolution; or

37 (2) If the Legislature is not in session, from the Interim  
38 Finance Committee.

39 4. As used in this section, "public lands" means all lands  
40 within the exterior boundaries of the State of Nevada except lands:

41 (a) To which title is held by any private person or entity;

42 (b) To which title is held by the State of Nevada, any of its local  
43 governments, *the Nevada System of Community Colleges* or the  
44 Nevada System of Higher Education;



1 (c) Which are located within congressionally authorized national  
2 parks, monuments, national forests or wildlife refuges or which are  
3 lands acquired by purchase consented to by the Legislature;

4 (d) Which are controlled by the United States Department of  
5 Defense, Department of Energy or Bureau of Reclamation; or

6 (e) Which are held in trust for Indian purposes or are Indian  
7 reservations.

8 **Sec. 244.** NRS 333.020 is hereby amended to read as follows:

9 333.020 As used in this chapter, unless the context otherwise  
10 requires:

11 1. "Administrator" means the Administrator of the Purchasing  
12 Division.

13 2. "Best value" means the greatest possible economy consistent  
14 with grades or qualities of supplies, materials, equipment and  
15 services that are adapted to the purposes to be served.

16 3. "Director" means the Director of the Department of  
17 Administration.

18 4. "Invitation to bid" means a written statement which sets  
19 forth the requirements and specifications of a contract to be awarded  
20 by competitive selection.

21 5. "Proprietary information" means:

22 (a) Any trade secret or confidential business information that is  
23 contained in a bid or proposal submitted on a particular contract; or

24 (b) Any other trade secret or confidential business information  
25 submitted in a bid or proposal and designated as proprietary by the  
26 Administrator.

27 ➤ As used in this subsection, "confidential business information"  
28 means any information relating to the amount or source of any  
29 income, profits, losses or expenditures of a person, including data  
30 relating to cost or price submitted in support of a bid or proposal.  
31 The term does not include the amount of a bid or proposal.

32 6. "Purchasing Division" means the Purchasing Division of the  
33 Department of Administration.

34 7. "Purchasing officer" means a person who is authorized by  
35 the Administrator or a using agency to facilitate:

36 (a) The evaluation of bids or proposals for a contract;

37 (b) Any negotiations concerning a contract; or

38 (c) The development, review or approval of a contract.

39 8. "Request for proposals" means a written statement which  
40 sets forth the requirements and specifications of a contract to be  
41 awarded by competitive selection.

42 9. "Trade secret" has the meaning ascribed to it in  
43 NRS 600A.030.

44 10. "Using agencies" means all officers, departments,  
45 divisions, institutions, boards, commissions and other agencies in



1 the Executive Department of the State Government which derive  
2 their support from public money in whole or in part, whether the  
3 money is provided by the State of Nevada, received from the  
4 Federal Government or any branch, bureau or agency thereof, or  
5 derived from private or other sources. The term does not include the  
6 Nevada Rural Housing Authority, the Housing Division of the  
7 Department of Business and Industry, local governments as defined  
8 in NRS 354.474, conservation districts, irrigation districts , *the*  
9 *Nevada System of Community Colleges* and the Nevada System of  
10 Higher Education.

11 11. "Volunteer fire department" means a volunteer fire  
12 department which pays premiums for industrial insurance pursuant  
13 to the provisions of chapters 616A to 616D, inclusive, or chapter  
14 617 of NRS.

15 **Sec. 245.** NRS 333.470 is hereby amended to read as follows:

16 333.470 The Nevada System of Higher Education, *the Nevada*  
17 *System of Community Colleges*, local governments as defined in  
18 NRS 354.474, conservation districts and irrigation districts in the  
19 State of Nevada may obtain supplies, materials and equipment on a  
20 voluntary basis through the facilities of the Purchasing Division.

21 **Sec. 246.** NRS 333.700 is hereby amended to read as follows:

22 333.700 1. Except as otherwise provided in NRS 333.705, a  
23 using agency may contract for the services of a person as an  
24 independent contractor. Except as otherwise provided by specific  
25 statute, each such contract must be awarded pursuant to this chapter.

26 2. An independent contractor is a natural person, firm or  
27 corporation who agrees to perform services for a fixed price  
28 according to his, her or its own methods and without subjection to  
29 the supervision or control of the other contracting party, except as to  
30 the results of the work, and not as to the means by which the  
31 services are accomplished.

32 3. For the purposes of this section:

33 (a) Travel, subsistence and other personal expenses may be paid  
34 to an independent contractor, if provided for in the contract, in such  
35 amounts as provided for in the contract. Those expenses must not be  
36 paid pursuant to the provisions of NRS 281.160.

37 (b) There must be no:

- 38 (1) Withholding of income taxes by the State;  
39 (2) Coverage for industrial insurance provided by the State;  
40 (3) Participation in group insurance plans which may be  
41 available to employees of the State;  
42 (4) Participation or contributions by either the independent  
43 contractor or the State to the Public Employees' Retirement System;  
44 (5) Accumulation of vacation leave or sick leave; or



1 (6) Coverage for unemployment compensation provided by  
2 the State if the requirements of NRS 612.085 for independent  
3 contractors are met.

4 4. An independent contractor is not in the classified or  
5 unclassified service of the State and has none of the rights or  
6 privileges available to officers or employees of the State of Nevada.

7 5. If the contract is for services for which a license, certificate,  
8 registration, permit or other type of authorization is required by law,  
9 an independent contractor must hold the appropriate, current  
10 authorization that is required by law for the services.

11 6. Except as otherwise provided in this subsection, each  
12 contract for the services of an independent contractor must be in  
13 writing. The form of the contract must be first approved by the  
14 Attorney General, and except as otherwise provided in subsection 8,  
15 an executed copy of each contract must be filed with the Fiscal  
16 Analysis Division of the Legislative Counsel Bureau and the Clerk  
17 of the State Board of Examiners. The State Board of Examiners may  
18 waive the requirements of this subsection in the case of contracts  
19 which are for amounts less than \$2,000.

20 7. Except as otherwise provided in subsection 8, and except for  
21 contracts entered into by the *Nevada System of Community*  
22 *Colleges and the* Nevada System of Higher Education, each  
23 proposed contract with an independent contractor must be submitted  
24 to the State Board of Examiners. The contracts do not become  
25 effective without the prior approval of the State Board of  
26 Examiners, except that the State Board of Examiners may authorize  
27 its Clerk or a designee to approve contracts which are:

28 (a) For amounts less than \$50,000; or

29 (b) Entered into by the Nevada Gaming Control Board for the  
30 purposes of investigating an applicant for or holder of a gaming  
31 license.

32 8. Copies of the following types of contracts need not be filed  
33 or approved as provided in subsections 6 and 7:

34 (a) Contracts executed by the Department of Transportation,  
35 other than contracts subject to the provisions of NRS 333.705 or  
36 408.353.

37 (b) Contracts executed by the State Public Works Division of  
38 the Department of Administration or any other state department or  
39 agency for any work of construction or major repairs of state  
40 buildings, if the contracting process was controlled by the rules of  
41 open competitive bidding.

42 (c) Contracts executed by the Housing Division of the  
43 Department of Business and Industry.

44 (d) Contracts executed with business entities for any work of  
45 maintenance or repair of office machines and equipment.



1 9. The State Board of Examiners shall review each contract  
2 submitted for approval pursuant to subsection 7 to consider:

3 (a) Whether sufficient authority exists to expend the money  
4 required by the contract; and

5 (b) Whether the service which is the subject of the contract  
6 could be provided by a state agency in a more cost-effective  
7 manner.

8 ↪ If the contract submitted for approval continues an existing  
9 contractual relationship, the State Board of Examiners shall ask each  
10 agency to ensure that the State is receiving the services that the  
11 contract purports to provide.

12 10. If the services of an independent contractor are contracted  
13 for to represent an agency of the State in any proceeding in any  
14 court, the contract must require that the independent contractor  
15 identify in all pleadings the specific state agency which he or she is  
16 representing.

17 11. Except as otherwise provided in this subsection, a contract  
18 for the services of an independent contractor may be performed in  
19 parts or phases. A contract for the services of an independent  
20 contract must not be split into separate contracts for the purpose of  
21 avoiding any requirements for competitive bidding.

22 12. The State Board of Examiners may adopt regulations to  
23 carry out the provisions of this section.

24 **Sec. 247.** NRS 333.705 is hereby amended to read as follows:

25 333.705 1. Except as otherwise provided in this section, a  
26 using agency shall not enter into a contract with a person to provide  
27 services for the using agency if:

28 (a) The person is a current employee of an agency of this State;

29 (b) The person is a former employee of an agency of this State  
30 and less than 2 years have expired since the termination of the  
31 person's employment with the State; or

32 (c) The person is employed by the Department of Transportation  
33 for a transportation project that is entirely funded by federal money  
34 and the term of the contract is for more than 4 years,

35 ↪ unless the using agency submits a written disclosure to the State  
36 Board of Examiners indicating the services to be provided pursuant  
37 to the contract and the person who will be providing those services  
38 and, after reviewing the disclosure, the State Board of Examiners  
39 approves entering into a contract with the person. The requirements  
40 of this subsection apply to any person employed by a business or  
41 other entity that enters into a contract to provide services for a using  
42 agency if the person will be performing or producing the services  
43 for which the business or entity is employed.

44 2. The provisions of paragraph (b) of subsection 1 apply to  
45 employment through a temporary employment service. A temporary



1 employment service providing employees for a using agency shall  
2 provide the using agency with the names of the employees to be  
3 provided to the agency. The State Board of Examiners shall not  
4 approve a contract pursuant to paragraph (b) of subsection 1 unless  
5 the Board determines that one or more of the following  
6 circumstances exist:

7 (a) The person provides services that are not provided by any  
8 other employee of the using agency or for which a critical labor  
9 shortage exists; or

10 (b) A short-term need or unusual economic circumstance exists  
11 for the using agency to contract with the person.

12 3. The approval by the State Board of Examiners to contract  
13 with a person pursuant to subsection 1:

14 (a) May occur at the same time and in the same manner as the  
15 approval by the State Board of Examiners of a proposed contract  
16 pursuant to subsection 7 of NRS 333.700; and

17 (b) Must occur before the date on which the contract becomes  
18 binding on the using agency.

19 4. A using agency may contract with a person pursuant to  
20 paragraph (a) or (b) of subsection 1 without obtaining the approval  
21 of the State Board of Examiners if the term of the contract is for less  
22 than 4 months and the head of the using agency determines that an  
23 emergency exists which necessitates the contract. If a using agency  
24 contracts with a person pursuant to this subsection, the using agency  
25 shall submit a copy of the contract and a description of the  
26 emergency to the State Board of Examiners, which shall review the  
27 contract and the description of the emergency and notify the using  
28 agency whether the State Board of Examiners would have approved  
29 the contract if it had not been entered into pursuant to this  
30 subsection.

31 5. Except as otherwise provided in subsection 9, a using  
32 agency shall, not later than 10 days after the end of each fiscal  
33 quarter, report to the Interim Finance Committee concerning all  
34 contracts to provide services for the using agency that were entered  
35 into by the using agency during the fiscal quarter with a person who  
36 is a current or former employee of a department, division or other  
37 agency of this State.

38 6. Except as otherwise provided in subsection 9, a using  
39 agency shall not contract with a temporary employment service  
40 unless the contracting process is controlled by rules of open  
41 competitive bidding.

42 7. Each board or commission of this State and each institution  
43 of the *Nevada System of Community Colleges and the Nevada*  
44 System of Higher Education that employs a consultant shall, at least



1 once every 6 months, submit to the Interim Finance Committee a  
2 report setting forth:

3 (a) The number of consultants employed by the board,  
4 commission or institution;

5 (b) The purpose for which the board, commission or institution  
6 employs each consultant;

7 (c) The amount of money or other remuneration received by  
8 each consultant from the board, commission or institution; and

9 (d) The length of time each consultant has been employed by the  
10 board, commission or institution.

11 8. A using agency, board or commission of this State and each  
12 institution of the *Nevada System of Community Colleges and the*  
13 *Nevada System of Higher Education*:

14 (a) Shall make every effort to limit the number of contracts it  
15 enters into with persons to provide services which have a term of  
16 more than 2 years and which are in the amount of less than  
17 \$1,000,000; and

18 (b) Shall not enter into a contract with a person to provide  
19 services without ensuring that the person is in active and good  
20 standing with the Secretary of State.

21 9. The provisions of subsections 1 to 6, inclusive, do not apply  
22 to:

23 (a) The Nevada System of Higher Education , *the Nevada*  
24 *System of Community Colleges* or a board or commission of this  
25 State.

26 (b) The employment of professional engineers by the  
27 Department of Transportation if those engineers are employed for a  
28 transportation project that is entirely funded by federal money.

29 (c) Contracts in the amount of \$1,000,000 or more entered into:

30 (1) Pursuant to the State Plan for Medicaid established  
31 pursuant to NRS 422.063.

32 (2) For financial services.

33 (3) Pursuant to the Public Employees' Benefits Program.

34 (d) The employment of a person by a business or entity which is  
35 a provider of services under the State Plan for Medicaid and which  
36 provides such services on a fee-for-service basis or through  
37 managed care.

38 (e) The employment of a former employee of an agency of this  
39 State who is not receiving retirement benefits under the Public  
40 Employees' Retirement System during the duration of the contract.

41 **Sec. 248.** NRS 333A.015 is hereby amended to read as  
42 follows:

43 333A.015 "Board" means:

44 1. If the using agency that enters into a performance contract is  
45 the :



1       (a) *Nevada System of Community Colleges, the State Board for*  
2 *Community Colleges; or*

3       (b) Nevada System of Higher Education, the Board of Regents  
4 of the University of Nevada; or

5       2. For any other using agency that enters into a performance  
6 contract, the State Board of Examiners.

7       **Sec. 249.** NRS 333A.070 is hereby amended to read as  
8 follows:

9       333A.070 “Using agency” means all officers, departments,  
10 institutions, boards, commissions and other agencies in the  
11 Executive Department of the State Government which derive their  
12 support from public money in whole or in part, whether the money  
13 is provided by the State of Nevada, received from the Federal  
14 Government or any branch, bureau or agency thereof, or derived  
15 from private or other sources. The term includes the *Nevada System*  
16 *of Community Colleges and the* Nevada System of Higher  
17 Education, but does not include the Nevada Rural Housing  
18 Authority, local governments as defined in NRS 354.474,  
19 conservation districts and irrigation districts.

20       **Sec. 250.** NRS 338.018 is hereby amended to read as follows:

21       338.018 The provisions of NRS 338.013 to 338.018, inclusive,  
22 apply to any contract for construction work of the Nevada System of  
23 Higher Education *or the Nevada System of Community Colleges*  
24 for which the estimated cost exceeds \$100,000 even if the  
25 construction work does not qualify as a public work, as defined in  
26 NRS 338.010.

27       **Sec. 251.** NRS 338.075 is hereby amended to read as follows:

28       338.075 The provisions of NRS 338.020 to 338.090, inclusive,  
29 apply to any contract for construction work of the Nevada System of  
30 Higher Education *or the Nevada System of Community Colleges*  
31 for which the estimated cost exceeds \$100,000 even if the  
32 construction work does not qualify as a public work, as defined in  
33 NRS 338.010.

34       **Sec. 252.** NRS 341.128 is hereby amended to read as follows:

35       341.128 1. The Division shall periodically inspect all  
36 buildings owned by the State and all physical plant facilities at all  
37 institutions owned by the State, except any building or physical  
38 plant facility owned by any component of *the Nevada System of*  
39 *Community Colleges or* the Nevada System of Higher Education.

40       2. Reports of all inspections, including findings and  
41 recommendations, must be submitted to the appropriate state  
42 agencies and, if the Division finds any matter of serious concern in a  
43 report, it shall submit that report to the Legislative Commission.



1 **Sec. 253.** NRS 341.1407 is hereby amended to read as  
2 follows:

3 341.1407 1. Except as otherwise provided in subsection 2,  
4 the provisions of NRS 341.141 to 341.148, inclusive, apply to a  
5 contract for the construction of a building for the Nevada System of  
6 Higher Education *or the Nevada System of Community Colleges*  
7 only if 25 percent or more of the costs of the building as a whole are  
8 paid from money appropriated by this State or from federal money.

9 2. The provisions of subsection 2 of NRS 341.145 apply to the  
10 construction of any building for the Nevada System of Higher  
11 Education ~~and~~ *or the Nevada System of Community Colleges, as*  
12 *applicable.*

13 **Sec. 254.** NRS 341.141 is hereby amended to read as follows:

14 341.141 1. The Division shall furnish engineering and  
15 architectural services to the Nevada System of Higher Education ,  
16 *the Nevada System of Community Colleges* and all other state  
17 departments, boards or commissions charged with the construction  
18 of any building constructed on state property or for which the  
19 money is appropriated by the Legislature, except:

20 (a) Buildings used in maintaining highways;

21 (b) Improvements, other than nonresidential buildings with more  
22 than 1,000 square feet in floor area, made:

23 (1) In state parks by the State Department of Conservation  
24 and Natural Resources; or

25 (2) By the Department of Wildlife;

26 (c) Buildings of the Nevada System of Higher Education:

27 (1) That are exempted pursuant to subsection 1 of NRS  
28 341.1407; or

29 (2) To which subsection 1 of NRS 341.1407 applies if the  
30 Administrator has delegated his or her authority in accordance with  
31 NRS 341.119; ~~and~~

32 (d) *Buildings of the Nevada System of Community Colleges:*

33 (1) *That are exempted pursuant to subsection 1 of NRS*  
34 *341.1407; or*

35 (2) *To which subsection 1 of NRS 341.1407 applies if the*  
36 *Administrator has delegated his or her authority in accordance*  
37 *with NRS 341.119; and*

38 (e) Buildings on property controlled by other state agencies if  
39 the Administrator has delegated his or her authority in accordance  
40 with NRS 341.119.

41 ➔ The Board of Regents of the University of Nevada , *the State*  
42 *Board for Community Colleges* and all other state departments,  
43 boards or commissions shall use those services.

44 2. The services must consist of:

45 (a) Preliminary planning;



- 1 (b) Designing;
- 2 (c) Estimating of costs; and
- 3 (d) Preparation of detailed plans and specifications.

4 **Sec. 255.** NRS 341.155 is hereby amended to read as follows:

5 341.155 With the concurrence of the Administrator, the Board  
6 of Regents of the University of Nevada , *the State Board for*  
7 *Community Colleges* and any other state department, board or  
8 commission may enter into agreements with persons, associations or  
9 corporations to provide consulting services to determine and plan  
10 the construction work that may be necessary to meet the needs of  
11 the programs of those agencies. These contracts must be for a term  
12 not exceeding 5 years and must provide for payment of a fee for  
13 those services not to exceed one-half of 1 percent of the total value  
14 of:

15 1. In the case of the Nevada System of Higher Education,  
16 building construction contracts relating to the construction of a  
17 branch or facility within the Nevada System of Higher Education;

18 ~~[and]~~

19 2. *In the case of the Nevada System of Community Colleges,*  
20 *building construction contracts relating to the construction of a*  
21 *branch or facility within the Nevada System of Community*  
22 *Colleges; and*

23 3. In the case of another state department, board or  
24 commission, all construction contracts relating to construction for  
25 that agency,

26 ↪ during the term and in the area covered by the contract.

27 **Sec. 256.** NRS 345.010 is hereby amended to read as follows:

28 345.010 Upon publication of the Statutes of Nevada, the  
29 Director of the Legislative Counsel Bureau shall distribute them  
30 without charge as follows:

31 1. To each of the judges of the District Court of the United  
32 States for the District of Nevada, one copy.

33 2. To the Supreme Court Law Library, two copies.

34 3. To each justice of the Supreme Court, Clerk of the Supreme  
35 Court, judge of the Court of Appeals, district judge, county clerk,  
36 district attorney, justice of the peace and municipal judge in this  
37 State, one copy.

38 4. To each public library in this State, one copy.

39 5. To each library in the Nevada System of Higher Education,  
40 one copy.

41 6. *To each library in the Nevada System of Community*  
42 *Colleges, one copy.*

43 7. To the Nevada Historical Society, one copy.

44 ~~[7]~~ 8. Upon request, to any state, county or municipal officer.



1       **Sec. 257.** NRS 345.020 is hereby amended to read as follows:  
2       345.020 Upon receipt of copies of each volume of Nevada  
3 Reports from the State Printer, the Director of the Legislative  
4 Counsel Bureau shall distribute them without charge as follows:

5       1. To each of the judges of the District Court of the United  
6 States for the District of Nevada, one copy.

7       2. The Supreme Court Law Library, two copies.

8       3. To each justice of the Supreme Court, Clerk of the Supreme  
9 Court, judge of the Court of Appeals, district judge, district attorney,  
10 county clerk, justice of the peace and municipal judge in this State,  
11 one copy.

12       4. To each public library in this State, one copy.

13       5. To each library in the Nevada System of Higher Education,  
14 one copy.

15       6. *To each library in the Nevada System of Community*  
16 *Colleges, one copy.*

17       7. To the Nevada Historical Society, one copy.

18       ~~7.7~~ 8. Upon request, to any state, county or municipal officer.

19       **Sec. 258.** NRS 353.007 is hereby amended to read as follows:

20       353.007 1. Except as otherwise provided in subsection 2, a  
21 person shall not enter into a contract with the State of Nevada unless  
22 the person is a holder of a state business license issued pursuant to  
23 chapter 76 of NRS.

24       2. A person who is not a holder of a state business license may  
25 enter into a contract with the State of Nevada if, pursuant to  
26 paragraph (b) of subsection 7 of NRS 76.100, the person is not  
27 required to obtain a state business license.

28       3. The provisions of this section apply to all offices,  
29 departments, divisions, boards, commissions, institutions, agencies  
30 or any other units of:

31       (a) The Legislative, Executive and Judicial Departments of the  
32 State Government;

33       (b) The Nevada System of Higher Education; ~~and~~

34       (c) *The Nevada System of Community Colleges; and*

35       (d) The Public Employees' Retirement System.

36       **Sec. 259.** NRS 353.224 is hereby amended to read as follows:

37       353.224 1. A state agency other than the Nevada System of  
38 Higher Education, *the Nevada System of Community Colleges* and  
39 vocational licensing boards may not change a position for which  
40 money has been appropriated or authorized from one occupational  
41 group to another, as defined by the index developed pursuant to  
42 NRS 284.171, without the approval of the Legislature or of the  
43 Interim Finance Committee.

44       2. All proposed changes of positions from one occupational  
45 group to another must be submitted to the Interim Finance



1 Committee. The Interim Finance Committee has 45 days after a  
2 proposal is submitted to its Secretary within which to consider it.  
3 Any proposed change of a position from one occupational group to  
4 another which is not considered within the 45-day period shall be  
5 deemed approved.

6 3. The Secretary shall place each request submitted pursuant to  
7 subsection 2 on the agenda of the next meeting of the Interim  
8 Finance Committee.

9 4. In acting upon a proposed change of position, the Interim  
10 Finance Committee shall consider, among other things:

11 (a) The need for the proposed change; and

12 (b) The intent of the Legislature in approving the existing  
13 classification of positions.

14 **Sec. 260.** NRS 353.228 is hereby amended to read as follows:

15 353.228 1. The Economic Forum impeaneled pursuant to NRS  
16 353.226 shall:

17 (a) Make such projections for economic indicators as it deems  
18 necessary to ensure that an accurate estimate is produced pursuant to  
19 paragraph (b);

20 (b) Provide an accurate estimate of the revenue that will be  
21 collected by the State for general, unrestricted uses, and not for  
22 special purposes, during the biennium that begins on July 1 of the  
23 year following the date on which the Economic Forum was  
24 empaneled;

25 (c) Request such technical assistance as the Economic Forum  
26 deems necessary from the Technical Advisory Committee created  
27 by NRS 353.229;

28 (d) On or before December 3 of each even-numbered year,  
29 prepare a written report of its projections of economic indicators and  
30 estimate of future state revenue required by paragraphs (a) and (b)  
31 and present the report to the Governor and the Legislature;

32 (e) On or before May 1 of each odd-numbered year, prepare a  
33 written report confirming or revising the projections of economic  
34 indicators and estimate of future state revenue contained in the  
35 report prepared pursuant to paragraph (d) and present the report to  
36 the Governor and the Legislature; and

37 (f) Except as otherwise provided in subsection 2, on or before  
38 June 10 of each even-numbered year and December 10 of each odd-  
39 numbered year, hold a meeting to consider current economic  
40 indicators, including, without limitation, employment,  
41 unemployment, personal income and any other indicators deemed  
42 appropriate by the Economic Forum. Based on current economic  
43 indicators, the Economic Forum shall update the status of actual  
44 State General Fund revenue compared to the most recent forecast of  
45 the Economic Forum. The provisions of this paragraph are not



1 intended to authorize the Economic Forum to make additional  
2 forecasts pursuant to paragraph (b). At the next appropriate meeting  
3 of the Interim Finance Committee, the Chair of the Economic  
4 Forum or a member of the staff of the Economic Forum shall  
5 present to the Interim Finance Committee such matters considered at  
6 the meeting of the Economic Forum held pursuant to this paragraph,  
7 as the Economic Forum determines appropriate. Any such  
8 information presented to the Interim Finance Committee must be  
9 made available on the Internet website of the Legislature.

10 2. If the deadline for preparing a report or holding a meeting as  
11 required in subsection 1 falls on a Saturday, Sunday or legal  
12 holiday, the deadline is extended to the second business day  
13 following the deadline.

14 3. The Economic Forum may make preliminary projections of  
15 economic indicators and estimates of future state revenue at any  
16 time. Any such projections and estimates must be made available to  
17 the various agencies of the State through the Chief.

18 4. The Economic Forum may request information directly from  
19 any state agency, including, without limitation, the Nevada System  
20 of Higher Education **and the Nevada System of Community**  
21 **Colleges**. A state agency, including, without limitation, the Nevada  
22 System of Higher Education **and the Nevada System of**  
23 **Community Colleges**, that receives a reasonable request for  
24 information from the Economic Forum shall comply with the  
25 request as soon as is reasonably practicable after receiving the  
26 request.

27 5. The Economic Forum may request direct testimony from  
28 any state agency, including, without limitation, the Nevada System  
29 of Higher Education **and the Nevada System of Community**  
30 **Colleges**, at a meeting of the Economic Forum or the Technical  
31 Advisory Committee. The head, or a designee thereof, of a state  
32 agency, including, without limitation, the Nevada System of Higher  
33 Education **and the Nevada System of Community Colleges**, who  
34 receives a reasonable request for direct testimony at a meeting of the  
35 Economic Forum or the Technical Advisory Committee shall appear  
36 at the meeting and shall comply with the request.

37 6. To carry out its duties pursuant to this section, the Economic  
38 Forum may consider any information received from the Technical  
39 Advisory Committee and any other information received from  
40 independent sources.

41 7. Copies of the projections and estimates made pursuant to  
42 this section must be made available to the public by the Director of  
43 the Legislative Counsel Bureau for the cost of reproducing the  
44 material.



1       **Sec. 261.** 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 Nevada System of  
16 Higher Education or a person designated by the Vice Chancellor;

17       (f) *The Executive Director of the State Board for Community*  
18 *Colleges;*

19       (g) The demographer employed pursuant to NRS 360.283; and

20       ~~(g)~~ (h) The Chair of the Committee on Local Government  
21 Finance.

22       3. The Committee shall:

23       (a) At its first meeting and annually thereafter elect a Chair and  
24 Vice Chair from among its members;

25       (b) Adopt such rules governing the conduct of the Committee as  
26 it deems necessary;

27       (c) Hold such number of meetings as may be necessary to carry  
28 out the requests made by the Economic Forum pursuant to NRS  
29 353.228 in the most timely manner practicable; and

30       (d) Provide all assistance requested by the Economic Forum  
31 pursuant to NRS 353.227.

32       4. A majority of the Committee constitutes a quorum and a  
33 majority of those members present must concur in any decision.

34       5. Each member of the Committee who is not an officer or  
35 employee of the State shall serve without compensation, except that  
36 while the member is engaged in the business of the Committee he or  
37 she is entitled to receive the per diem allowance and travel expenses  
38 provided for state officers and employees generally.

39       6. Each member of the Committee who is an officer or  
40 employee of the State must be relieved from duties without loss of  
41 his or her regular compensation so that the member may prepare for  
42 and attend meetings of the Committee and perform any work  
43 necessary to accomplish the tasks assigned to the Committee in the  
44 most timely manner practicable. A state agency shall not require an  
45 officer or employee who is a member of the Committee to make up



1 the time he or she is absent from work to fulfill his or her  
2 obligations as a member, nor shall it require the member to take  
3 annual vacation or compensatory time for the absence. Such a  
4 member shall serve on the Committee without additional  
5 compensation, except that while the member is engaged in the  
6 business of the Committee he or she is entitled to receive the per  
7 diem allowance and travel expenses provided for state officers and  
8 employees generally, which must be paid by the state agency which  
9 employs the member.

10 7. The Committee may request information from any state  
11 agency. A state agency that receives a reasonable request for  
12 information from the Committee shall comply with the request as  
13 soon as is reasonably practicable after receiving the request.

14 8. The Director of the Legislative Counsel Bureau and the  
15 Budget Division of the Office of Finance shall jointly provide the  
16 Committee with:

- 17 (a) Meeting rooms;
- 18 (b) Staff;
- 19 (c) Data processing services; and
- 20 (d) Clerical assistance.

21 **Sec. 262.** NRS 353.253 is hereby amended to read as follows:

22 353.253 1. Every agency, department and institution of the  
23 State of Nevada shall deposit all money received from the Federal  
24 Government, the counties or other sources, in the State Treasury as  
25 provided in NRS 353.250 unless otherwise provided by law. These  
26 deposits must be made to work program accounts directly or to other  
27 budget accounts.

28 2. Except for the balance in any proprietary fund and  
29 appropriated or authorized reserves, any balance remaining at the  
30 end of a fiscal year in a budget account of an agency, department or  
31 institution of the State of Nevada, whether or not authorized for  
32 expenditure under a work program, reverts to the source of funding  
33 supporting the agency, department or institution. If that source of  
34 funding is federal money or a source of revenue the use of which is  
35 restricted by statute, then the balance may be authorized for  
36 expenditure under a work program for the subsequent fiscal year in  
37 accordance with the provisions of this chapter.

38 3. No provision of this chapter may be construed to authorize  
39 or direct the transfer, expenditure or reversion of any money  
40 received from the Federal Government contrary to the conditions  
41 upon which that money was received or to any federal law or  
42 regulation respecting the accountability therefor.

43 4. This section does not apply to the Board of Regents of the  
44 University of Nevada , *the State Board for Community Colleges*  
45 and the Nevada State Museum.



1       **Sec. 263.** NRS 353.335 is hereby amended to read as follows:

2       353.335 1. Except as otherwise provided in subsections 5 and  
3 6, a state agency may accept any gift or grant of property or services  
4 from any source only if it is included in an act of the Legislature  
5 authorizing expenditures of nonappropriated money or, when it is  
6 not so included, if it is approved as provided in subsection 2.

7       2. If:

8       (a) Any proposed gift or grant is necessary because of an  
9 emergency as defined in NRS 353.263 or for the protection or  
10 preservation of life or property, the Governor shall take reasonable  
11 and proper action to accept it and shall report the action and his or  
12 her reasons for determining that immediate action was necessary to  
13 the Interim Finance Committee at its first meeting after the action is  
14 taken. Action by the Governor pursuant to this paragraph constitutes  
15 acceptance of the gift or grant, and other provisions of this chapter  
16 requiring approval before acceptance do not apply.

17       (b) The Governor determines that any proposed gift or grant  
18 would be forfeited if the State failed to accept it before the  
19 expiration of the period prescribed in paragraph (c), the Governor  
20 may declare that the proposed acceptance requires expeditious  
21 action by the Interim Finance Committee. Whenever the Governor  
22 so declares, the Interim Finance Committee has 15 days after the  
23 proposal is submitted to its Secretary within which to approve or  
24 deny the acceptance. Any proposed acceptance which is not  
25 considered within the 15-day period shall be deemed approved.

26       (c) The proposed acceptance of any gift or grant does not qualify  
27 pursuant to paragraph (a) or (b), it must be submitted to the Interim  
28 Finance Committee. The Interim Finance Committee has 45 days  
29 after the proposal is submitted to its Secretary within which to  
30 consider acceptance. Any proposed acceptance which is not  
31 considered within the 45-day period shall be deemed approved.

32       3. The Secretary shall place each request submitted to the  
33 Secretary pursuant to paragraph (b) or (c) of subsection 2 on the  
34 agenda of the next meeting of the Interim Finance Committee.

35       4. In acting upon a proposed gift or grant, the Interim Finance  
36 Committee shall consider, among other things:

37       (a) The need for the facility or service to be provided or  
38 improved;

39       (b) Any present or future commitment required of the State;

40       (c) The extent of the program proposed; and

41       (d) The condition of the national economy, and any related fiscal  
42 or monetary policies.

43       5. A state agency may accept:

44       (a) Gifts, including grants from nongovernmental sources, not  
45 exceeding \$20,000 each in value; and



1 (b) Governmental grants not exceeding \$150,000 each in value,  
2 ➔ if the gifts or grants are used for purposes which do not involve  
3 the hiring of new employees and if the agency has the specific  
4 approval of the Governor or, if the Governor delegates this power of  
5 approval to the Chief of the Budget Division of the Office of  
6 Finance, the specific approval of the Chief.

7 6. This section does not apply to:

8 (a) The Nevada System of Higher Education;

9 (b) *The Nevada System of Community Colleges*;

10 (c) The Department of Health and Human Services while acting  
11 as the state health planning and development agency pursuant to  
12 paragraph (d) of subsection 2 of NRS 439A.081 or for donations,  
13 gifts or grants to be disbursed pursuant to NRS 433.395 or 435.490;  
14 or

15 ~~(e)~~ (d) Artifacts donated to the Department of Tourism and  
16 Cultural Affairs.

17 **Sec. 264.** NRS 353.540 is hereby amended to read as follows:

18 353.540 “State agency” means an agency, bureau, board,  
19 commission, department, division or any other unit of the  
20 government of this State that is required to submit information to  
21 the Chief pursuant to subsection 1 or 6 of NRS 353.210. “State  
22 agency” does not include the Nevada System of Higher Education  
23 *or the Nevada System of Community Colleges* unless it is  
24 anticipated that payments under the agreement will be made with  
25 state appropriations.

26 **Sec. 265.** NRS 353A.020 is hereby amended to read as  
27 follows:

28 353A.020 1. The Director, in consultation with the  
29 Committee and Legislative Auditor, shall adopt a uniform system of  
30 internal accounting and administrative control for agencies. The  
31 elements of the system must include, without limitation:

32 (a) A plan of organization which provides for a segregation of  
33 duties appropriate to safeguard the assets of the agency;

34 (b) A plan which limits access to assets of the agency to persons  
35 who need the assets to perform their assigned duties;

36 (c) Procedures for authorizations and recordkeeping which  
37 effectively control accounting of assets, liabilities, revenues and  
38 expenses;

39 (d) A system of practices to be followed in the performance of  
40 the duties and functions of each agency; and

41 (e) An effective system of internal review.

42 2. The Director, in consultation with the Committee and  
43 Legislative Auditor, may modify the system whenever the Director  
44 considers it necessary.



1 3. Each agency shall develop written procedures to carry out  
2 the system of internal accounting and administrative control adopted  
3 pursuant to this section.

4 4. For the purposes of this section, "agency" does not include:

5 (a) A board created by the provisions of NRS 590.485 and  
6 chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648,  
7 654 and 656 of NRS.

8 (b) The Nevada System of Higher Education.

9 (c) *The Nevada System of Community Colleges.*

10 (d) The Public Employees' Retirement System.

11 ~~(d)~~ (e) The Housing Division of the Department of Business  
12 and Industry.

13 ~~(e)~~ (f) The Colorado River Commission of Nevada.

14 **Sec. 266.** NRS 353A.025 is hereby amended to read as  
15 follows:

16 353A.025 1. The head of each agency shall periodically  
17 review the agency's system of internal accounting and  
18 administrative control to determine whether it is in compliance with  
19 the uniform system of internal accounting and administrative control  
20 for agencies adopted pursuant to subsection 1 of NRS 353A.020.

21 2. On or before July 1 of each even-numbered year, the head of  
22 each agency shall report to the Director whether the agency's  
23 system of internal accounting and administrative control is in  
24 compliance with the uniform system adopted pursuant to subsection  
25 1 of NRS 353A.020. The reports must be made available for  
26 inspection by the members of the Legislature.

27 3. For the purposes of this section, "agency" does not include:

28 (a) A board created by the provisions of NRS 590.485 and  
29 chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648,  
30 654 and 656 of NRS.

31 (b) The Nevada System of Higher Education.

32 (c) *The Nevada System of Community Colleges.*

33 (d) The Public Employees' Retirement System.

34 ~~(d)~~ (e) The Housing Division of the Department of Business  
35 and Industry.

36 ~~(e)~~ (f) The Colorado River Commission of Nevada.

37 4. The Director shall, on or before the first Monday in  
38 February of each odd-numbered year, submit a report on the status  
39 of internal accounting and administrative controls in agencies to the:

40 (a) Director of the Legislative Counsel Bureau for transmittal to  
41 the:

42 (1) Senate Standing Committee on Finance; and

43 (2) Assembly Standing Committee on Ways and Means;

44 (b) Governor; and

45 (c) Legislative Auditor.



1 5. The report submitted by the Director pursuant to subsection  
2 4 must include, without limitation:

3 (a) The identification of each agency that has not complied with  
4 the requirements of subsections 1 and 2;

5 (b) The identification of each agency that does not have an  
6 effective method for reviewing its system of internal accounting and  
7 administrative control; and

8 (c) The identification of each agency that has weaknesses in its  
9 system of internal accounting and administrative control, and the  
10 extent and types of such weaknesses.

11 **Sec. 267.** NRS 353A.045 is hereby amended to read as  
12 follows:

13 353A.045 The Administrator shall:

14 1. Report to the Director.

15 2. Develop long-term and annual work plans to be based on the  
16 results of periodic documented risk assessments. The annual work  
17 plan must list the agencies to which the Division will provide  
18 training and assistance and be submitted to the Director for  
19 approval. Such agencies must not include:

20 (a) A board created by the provisions of NRS 590.485 and  
21 chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648,  
22 654 and 656 of NRS.

23 (b) The Nevada System of Higher Education.

24 (c) *The Nevada System of Community Colleges.*

25 (d) The Public Employees' Retirement System.

26 ~~(d)~~ (e) The Housing Division of the Department of Business  
27 and Industry.

28 ~~(e)~~ (f) The Colorado River Commission of Nevada.

29 3. Provide a copy of the approved annual work plan to the  
30 Legislative Auditor.

31 4. In consultation with the Director, prepare a plan for auditing  
32 executive branch agencies for each fiscal year and present the plan  
33 to the Committee for its review and approval. Each plan for auditing  
34 must:

35 (a) State the agencies which will be audited, the proposed scope  
36 and assignment of those audits and the related resources which will  
37 be used for those audits; and

38 (b) Ensure that the internal accounting, administrative controls  
39 and financial management of each agency are reviewed periodically.

40 5. Perform the audits of the programs and activities of the  
41 agencies in accordance with the plan approved pursuant to  
42 subsection 5 of NRS 353A.038 and prepare audit reports of his or  
43 her findings.



1 6. Review each agency that is audited pursuant to subsection 5  
2 and advise those agencies concerning internal accounting,  
3 administrative controls and financial management.

4 7. Submit to each agency that is audited pursuant to subsection  
5 5 analyses, appraisals and recommendations concerning:

6 (a) The adequacy of the internal accounting and administrative  
7 controls of the agency; and

8 (b) The efficiency and effectiveness of the management of the  
9 agency.

10 8. Report any possible abuses, illegal actions, errors, omissions  
11 and conflicts of interest of which the Division becomes aware  
12 during the performance of an audit.

13 9. Adopt the standards of The Institute of Internal Auditors for  
14 conducting and reporting on internal audits.

15 10. Consult with the Legislative Auditor concerning the plan  
16 for auditing and the scope of audits to avoid duplication of effort  
17 and undue disruption of the functions of agencies that are audited  
18 pursuant to subsection 5.

19 **Sec. 268.** NRS 353B.002 is hereby amended to read as  
20 follows:

21 353B.002 *As used in this chapter*, “Board” means the Board of  
22 Trustees of the College Savings Plans of Nevada created by  
23 NRS 353B.005.

24 **Sec. 269.** NRS 353B.005 is hereby amended to read as  
25 follows:

26 353B.005 1. There is hereby created a Board of Trustees of  
27 the College Savings Plans of Nevada.

28 2. The Board consists of ~~five~~ *six* members composed of:

29 (a) The State Treasurer, who may name a designee to serve on  
30 the Board on his or her behalf.

31 (b) The Director of the Office of Finance, who may name a  
32 designee to serve on the Board on his or her behalf.

33 (c) The Chancellor of the *Nevada System* ~~of~~ *of Higher*  
34 *Education*, who may name a designee to serve on the Board on his  
35 or her behalf.

36 (d) *The Executive Director of the State Board for Community*  
37 *Colleges, who may name a designee to serve on the Board on his*  
38 *or her behalf.*

39 (e) Two members appointed by the Governor. A member who is  
40 appointed by the Governor must possess knowledge, skill and  
41 experience in the field of:

42 (1) Accounting;

43 (2) Finance;

44 (3) Investment management; or

45 (4) Marketing.



1 3. A member of the Board who is appointed by the Governor  
2 pursuant to paragraph ~~[(d)]~~ (e) of subsection 2:

3 (a) Serves for a term of 4 years or until his or her successor is  
4 appointed;

5 (b) Except as otherwise provided in paragraph (c), may be  
6 reappointed by the Governor; and

7 (c) Except as otherwise provided in this paragraph, may serve  
8 for only two terms. A member who is appointed to fill a vacancy in  
9 an unexpired term that is not longer than 3 years may serve two  
10 terms in addition to the unexpired term.

11 4. The members of the Board shall elect a Chair of the Board  
12 from among their number.

13 5. Each member of the Board serves without compensation,  
14 except that each member is entitled to receive:

15 (a) The per diem allowance and travel expenses provided for  
16 state officers and employees generally; and

17 (b) Reimbursement for any other actual and reasonable expense  
18 incurred while performing his or her duties.

19 6. As used in this section, the term "College Savings Plans of  
20 Nevada" includes the Nevada Higher Education Prepaid Tuition  
21 Program set forth in NRS 353B.010 to 353B.190, inclusive, and the  
22 Nevada College Savings Program set forth in NRS 353B.300 to  
23 353B.370, inclusive, including the Nevada College Kick Start  
24 Program.

25 **Sec. 270.** NRS 353B.075 is hereby amended to read as  
26 follows:

27 353B.075 The provisions of NRS 353B.010 to 353B.190,  
28 inclusive, must not be construed as a promise or guarantee that a  
29 qualified beneficiary:

30 1. Will be admitted to, allowed to continue enrollment at or  
31 graduated from a community college or university; or

32 2. Will have the full cost of his or her tuition paid at a  
33 community college ~~[(a)]~~ *that is not a member of the Nevada System*  
34 *of Community Colleges or a* college or university that is not a  
35 member of the Nevada System of Higher Education.

36 **Sec. 271.** NRS 353B.090 is hereby amended to read as  
37 follows:

38 353B.090 1. The Board shall develop the Nevada Higher  
39 Education Prepaid Tuition Program for the prepayment of tuition for  
40 a qualified beneficiary for:

41 (a) Undergraduate studies at:

42 (1) A university, state college or community college that is a  
43 member of the *Nevada System of Community Colleges or Nevada*  
44 *System* ~~[(a)]~~ *of Higher Education;*



1 (2) An accredited college or university in this State that is not  
2 a member of the *Nevada System of Community Colleges or Nevada*  
3 *System* ~~of~~ *Higher Education*; or

4 (3) An accredited community college, college or university  
5 in another state.

6 (b) If any money paid into the Trust Fund under a prepaid  
7 tuition contract is remaining after a qualified beneficiary has  
8 graduated with an undergraduate degree, for graduate-level studies  
9 at:

10 (1) A university, state college or community college that is a  
11 member of the *Nevada System of Community Colleges or Nevada*  
12 *System* ~~of~~ *Higher Education*;

13 (2) An accredited college or university in this State that is not  
14 a member of the *Nevada System of Community Colleges or Nevada*  
15 *System* ~~of~~ *Higher Education*; or

16 (3) An accredited community college, college or university  
17 in another state.

18 2. The amount of the tuition under a prepaid tuition contract  
19 must be at a guaranteed rate which is established based on the  
20 annual actuarial study required pursuant to NRS 353B.190 for  
21 undergraduate studies at a university ~~or~~ state college ~~or~~  
22 ~~community college~~ that is a member of the *Nevada System of*  
23 *Higher Education or a community college that is a member of the*  
24 *Nevada System of Community Colleges*.

25 3. The Board shall adopt regulations for the implementation of  
26 the Program, including, without limitation, regulations setting forth  
27 requirements for:

28 (a) Residency;

29 (b) A limit on the number of qualified beneficiaries;

30 (c) The termination, withdrawal and transfer of money paid into  
31 the Trust Fund;

32 (d) A payment received by the Trust Fund as a matching  
33 contribution made as described in NRS 363A.137 or 363B.117 to be  
34 credited to the qualified beneficiary on whose behalf the matching  
35 contribution was made;

36 (e) The time within which the money paid into the Trust Fund  
37 must be used;

38 (f) Payment schedules; and

39 (g) A master agreement for the Program.

40 **Sec. 272.** NRS 353B.100 is hereby amended to read as  
41 follows:

42 353B.100 1. The Board may enter into a prepaid tuition  
43 contract with a purchaser.

44 2. The Board shall create a prepaid tuition contract in  
45 accordance with the provisions of this section.



1 3. The prepaid tuition contract must include, without  
2 limitation:

3 (a) The terms and conditions under which the purchaser shall  
4 remit payment, including, without limitation:

5 (1) The amount and number of payments that are required  
6 from the purchaser on behalf of the qualified beneficiary;

7 (2) The date upon which each payment is due; and

8 (3) A provision for a reasonable penalty for a delinquent  
9 payment or default.

10 (b) The name and date of birth of the qualified beneficiary on  
11 whose behalf the prepaid tuition contract is drawn.

12 (c) The terms and conditions under which another person may  
13 be substituted as the qualified beneficiary.

14 (d) The terms and conditions under which the purchaser, or  
15 another person designated by the purchaser, may terminate the  
16 prepaid tuition contract, receive a refund of money that he or she has  
17 paid into the Trust Fund or withdraw money that he or she has paid  
18 into the Trust Fund, including, without limitation, a provision  
19 allowing the Board to impose a fee that amounts to more than a de  
20 minimis penalty.

21 (e) A provision that the Board shall, after making a reasonable  
22 effort to contact the purchaser, report any money that has been  
23 deposited under a prepaid tuition contract that has not been  
24 terminated and has not been used within a specified period to the  
25 State Treasurer for proper disposition.

26 (f) The number of semesters for which the purchaser is  
27 contracting.

28 (g) A provision that money paid into the Trust Fund under a  
29 prepaid tuition contract may be applied toward tuition for an  
30 undergraduate degree at:

31 (1) A university ~~{ }~~ or state college ~~{ }~~ ~~for community college~~  
32 that is a member of the Nevada System ~~{ }~~ of Higher Education;

33 (2) An accredited college or university in this State that is not  
34 a member of the Nevada System ~~{ }~~ of Higher Education;

35 (3) *A community college that is a member of the Nevada*  
36 *System of Community Colleges;* or

37 ~~{(3)}~~ (4) An accredited community college, college or  
38 university in another state.

39 ↪ Payments authorized pursuant to subparagraph (2) or ~~{(3)}~~ (4)  
40 must not exceed the projected highest payment for tuition for the  
41 current academic year at a university that is a member of the  
42 Nevada System ~~{ }~~ of Higher Education.

43 (h) A provision that any money under a prepaid tuition contract  
44 that is remaining after a qualified beneficiary has graduated with an



1 undergraduate degree may be applied toward tuition for graduate-  
2 level studies at:

3 (1) A university ~~{ }~~ or state college ~~{or community college}~~  
4 that is a member of the Nevada System ~~{ }~~ of Higher Education;

5 (2) An accredited college or university in this State that is not  
6 a member of the Nevada System ~~{ }~~ of Higher Education;

7 (3) A community college that is a member of the Nevada  
8 System of Community Colleges; or

9 ~~{(3)}~~ (4) An accredited community college, college or  
10 university in another state.

11 ➤ Payments authorized pursuant to this paragraph may not exceed  
12 the total amount payable under the prepaid tuition contract of the  
13 qualified beneficiary.

14 (i) Any other term or condition that the Board considers  
15 necessary or proper.

16 **Sec. 273.** NRS 355.270 is hereby amended to read as follows:

17 355.270 1. The State Treasurer shall cause to be formed in  
18 this State an independent corporation for public benefit, the general  
19 purpose of which is to act as a limited partner of limited  
20 partnerships or a shareholder or member of limited-liability  
21 companies that provide private equity funding to businesses:

22 (a) Located in this State or seeking to locate in this State; and

23 (b) Engaged primarily in one or more of the following  
24 industries:

25 (1) Health care and life sciences.

26 (2) Cyber security.

27 (3) Homeland security and defense.

28 (4) Alternative energy.

29 (5) Advanced materials and manufacturing.

30 (6) Information technology.

31 (7) Any other industry that the board of directors of the  
32 corporation for public benefit determines will likely meet the targets  
33 for investment returns established by the corporation for public  
34 benefit for investments authorized by NRS 355.250 to 355.285,  
35 inclusive, and comply with sound fiduciary principles.

36 2. The corporation for public benefit created pursuant to  
37 subsection 1 must have a board of directors consisting of:

38 (a) Five members from the private sector who have at least 10  
39 years of experience in the field of investment, finance or banking  
40 and who are appointed for a term of 4 years as follows:

41 (1) One member appointed by the Governor;

42 (2) One member appointed by the Senate Majority Leader;

43 (3) One member appointed by the Speaker of the Assembly;

44 (4) One member appointed by the Senate Minority Leader;

45 and



1 (5) One member appointed by the Assembly Minority  
2 Leader;

3 (b) The Chancellor of the Nevada System of Higher Education  
4 or his or her designee;

5 (c) *The Executive Director of the State Board for Community*  
6 *Colleges or his or her designee;*

7 (d) The State Treasurer; and

8 ~~[(d)]~~ (e) With the approval of a majority of the members of the  
9 board of directors described in subparagraphs (1), (2) and (3) of  
10 paragraph (a), up to 5 additional members who are direct investors  
11 in the corporation for public benefit.

12 3. Vacancies in the appointed positions on the board of  
13 directors of the corporation for public benefit created pursuant to  
14 subsection 1 must be filled by the appointing authority for the  
15 unexpired term.

16 4. The State Treasurer shall serve as chair of the board of  
17 directors of the corporation for public benefit created pursuant to  
18 subsection 1.

19 5. The members of the board of directors of the corporation for  
20 public benefit must serve without compensation but are entitled to  
21 be reimbursed for actual and necessary expenses incurred in the  
22 performance of their duties, including, without limitation, travel  
23 expenses.

24 6. A member of the board of directors of the corporation for  
25 public benefit created pursuant to subsection 1 must not have an  
26 equity interest in any:

27 (a) External asset manager or venture capital or private equity  
28 investment firm contracting with the board pursuant to NRS  
29 355.275; or

30 (b) Business which receives private equity funding pursuant to  
31 NRS 355.250 to 355.285, inclusive.

32 7. The board of directors of the corporation for public benefit  
33 created pursuant to subsection 1 shall:

34 (a) Comply with the provisions of chapter 281A of NRS.

35 (b) Meet at least quarterly and conduct any meetings of the  
36 board of directors in accordance with chapter 241 of NRS.

37 (c) Review the performance of all external asset managers and  
38 venture capital and private equity investment firms contracting with  
39 the corporation for public benefit pursuant to NRS 355.275.

40 (d) On or before December 1 of each year, provide an annual  
41 report to the Governor and the Director of the Legislative Counsel  
42 Bureau for transmission to the next session of the Legislature, if the  
43 report is submitted in an even-numbered year or to the Legislative  
44 Commission, if the report is submitted in an odd-numbered year.  
45 The report must include, without limitation:



1 (1) An accounting of all money received and expended by  
2 the corporation for public benefit, including, without limitation, any  
3 matching grant funds, gifts or donations; and

4 (2) The name and a brief description of all businesses  
5 receiving an investment of money pursuant to the provisions of NRS  
6 355.250 to 355.285, inclusive.

7 **Sec. 274.** NRS 360.752 is hereby amended to read as follows:

8 360.752 1. A person who intends to locate or expand a  
9 business in this State may apply to the Office of Economic  
10 Development pursuant to this section for a partial abatement of the  
11 tax imposed on the new or expanded business pursuant to chapter  
12 361 of NRS.

13 2. The Office of Economic Development shall approve an  
14 application for a partial abatement pursuant to this section if the  
15 Office makes the following determinations:

16 (a) The business is in one or more of the industry sectors for  
17 economic development promoted, identified or otherwise approved  
18 by the Governor's Workforce Investment Board described in  
19 NRS 232.935.

20 (b) The business is consistent with:

21 (1) The State Plan for Economic Development developed by  
22 the Executive Director of the Office of Economic Development  
23 pursuant to subsection 2 of NRS 231.053; and

24 (2) Any guidelines adopted by the Executive Director of the  
25 Office to implement the State Plan for Economic Development.

26 (c) The applicant has executed an agreement with the Office  
27 which must:

28 (1) Comply with the requirements of NRS 360.755;

29 (2) Require the business to submit to the Department the  
30 reports required by paragraph (c) of subsection 1 of NRS 218D.355;

31 (3) State the agreed terms of the partial abatement, which  
32 must comply with the requirements of subsection 4;

33 (4) State the date on which the abatement becomes effective,  
34 as agreed to by the applicant and the Office, which must not be  
35 earlier than the date on which the Office received the application;

36 (5) State that the business will, after the date on which a  
37 certificate of eligibility for the abatement is issued pursuant to  
38 subsection 5, continue in operation in this State for a period  
39 specified by the Office, which must be at least 5 years, and will  
40 continue to meet the eligibility requirements set forth in this  
41 subsection; and

42 (6) Bind the successors in interest of the business for the  
43 specified period.

44 (d) The business is registered pursuant to the laws of this State  
45 or the applicant commits to obtain a valid business license and all



1 other permits required by the county, city or town in which the  
2 business operates.

3 (e) The business does not receive:

4 (1) Any funding from a governmental entity, other than any  
5 private activity bonds as defined in 26 U.S.C. § 141; or

6 (2) Any real or personal property from a governmental entity  
7 at no cost or at a reduced cost.

8 (f) The average hourly wage that will be paid by the business to  
9 its new employees in this State is at least 100 percent of the average  
10 statewide hourly wage or the average countywide hourly wage,  
11 whichever is less, as established by the Employment Security  
12 Division of the Department of Employment, Training and  
13 Rehabilitation on July 1 of each fiscal year.

14 (g) The business will offer a health insurance plan for all full-  
15 time employees that includes an option for health insurance  
16 coverage for dependents of those employees, or will abide by all  
17 applicable provisions of the Patient Protection and Affordable Care  
18 Act, Public Law 111-148, or both, and the benefits the business  
19 offers to its employees in this State will meet the minimum  
20 requirements for benefits established by the Office.

21 (h) The business meets the following requirements:

22 (1) The business makes a capital investment of at least  
23 \$1,000,000 in a program of the University of Nevada, Reno, the  
24 University of Nevada, Las Vegas, or the Desert Research Institute to  
25 be used in support of research, development or training related to  
26 the field of endeavor of the business.

27 (2) The business will employ 15 or more full-time employees  
28 for the duration of the abatement.

29 (3) The business will employ two or more graduate students  
30 from the program in which the capital investment is made on a part-  
31 time basis during years 2 through 5, inclusive, of the abatement.

32 (4) The business submits with its application for a partial  
33 abatement:

34 (I) A letter of support from the institution in which the  
35 capital investment is made, which is signed by the chief  
36 administrative officer of the institution and the director or chair of  
37 the program or the appropriate department, and which includes,  
38 without limitation, a summary of the financial and other resources  
39 the business will provide to the program and an agreement that the  
40 institution will provide to the Office periodic reports, at such times  
41 and containing such information as the Office may require,  
42 regarding the use of those resources; and

43 (II) A letter of support which is signed by the chair of the  
44 board of directors of the regional economic development authority  
45 within whose jurisdiction the institution is located and which



1 includes, without limitation, a summary of the role the business will  
2 play in diversifying the economy and, if applicable, in achieving the  
3 broader goals of the regional economic development authority for  
4 economic development and diversification.

5 (i) In lieu of meeting the requirements of paragraph (h), the  
6 business meets the following requirements:

7 (1) The business makes a capital investment of at least  
8 \$500,000 in the Nevada State College , ~~for~~ an institution of the  
9 Nevada System of Higher Education *or a community college within*  
10 *the Nevada System of Community Colleges*, other than those set  
11 forth in subparagraph (1) of paragraph (h), to be used in support of  
12 college certification or in support of research or training related to  
13 the field of endeavor of the business.

14 (2) The business will employ 15 or more full-time employees  
15 for the duration of the abatement.

16 (3) The business will employ two or more students from the  
17 college or institution in which the capital investment is made on a  
18 full-time basis during years 2 through 5, inclusive, of the abatement.

19 (4) The business submits with its application for a partial  
20 abatement:

21 (I) A letter of support from the college or institution in  
22 which the capital investment is made, which is signed by the chief  
23 administrative officer of the college or institution and which  
24 includes, without limitation, a summary of the financial and other  
25 resources the business will provide to the program and an agreement  
26 that the college or institution will provide to the Office periodic  
27 reports, at such times and containing such information as the Office  
28 may require, regarding the use of those resources; and

29 (II) A letter of support which is signed by the chair of the  
30 board of directors of the regional economic development authority  
31 within whose jurisdiction the college or institution is located and  
32 which includes, without limitation, a summary of the role the  
33 business will play in diversifying the economy and, if applicable, in  
34 achieving the broader goals of the regional economic development  
35 authority for economic development and diversification.

36 3. Notwithstanding the provisions of subsection 2, the Office  
37 of Economic Development:

38 (a) Shall furnish to the board of county commissioners of each  
39 affected county a copy of each application for a partial abatement  
40 pursuant to this section.

41 (b) Shall not consider an application for a partial abatement  
42 pursuant to this section unless the Office has requested a letter of  
43 acknowledgment of the request for the abatement from any affected  
44 county, school district, city or town.



1 (c) Shall not approve an application for a partial abatement  
2 pursuant to this section unless the abatement is approved or deemed  
3 approved as described in this paragraph. The board of county  
4 commissioners of each affected county must approve or deny the  
5 application not later than 30 days after the board of county  
6 commissioners receives a copy of the application as described in  
7 paragraph (a). If the board of county commissioners does not  
8 approve or deny the application within 30 days after the board of  
9 county commissioners receives a copy of the application, the  
10 application shall be deemed approved.

11 (d) May, if the Office determines that such action is necessary  
12 add additional requirements that a business must meet to qualify for  
13 a partial abatement pursuant to this section.

14 4. If the Office of Economic Development approves an  
15 application for a partial abatement pursuant to this section:

16 (a) The total amount of the abatement must not exceed;

17 (1) Fifty percent of the amount of the taxes imposed on the  
18 personal property of the business pursuant to chapter 361 of NRS  
19 during the period of the abatement; or

20 (2) Fifty percent of the amount of the capital investment by  
21 the business,

22 ↪ whichever amount is less;

23 (b) The duration of the abatement must be for 5 years; and

24 (c) The abatement applies only to the business for which the  
25 abatement was approved pursuant to this section and the property  
26 used in connection with that business.

27 5. If the Office of Economic Development approves an  
28 application for a partial abatement pursuant to this section, the  
29 Office shall immediately forward a certificate of eligibility for the  
30 abatement to:

31 (a) The Department;

32 (b) The Nevada Tax Commission; and

33 (c) If the partial abatement is from the property tax imposed  
34 pursuant to chapter 361 of NRS, the county treasurer of the county  
35 in which the business will be located.

36 6. An applicant for a partial abatement pursuant to this section  
37 or an existing business whose partial abatement is in effect shall,  
38 upon the request of the Executive Director of the Office of  
39 Economic Development, furnish the Executive Director with copies  
40 of all records necessary to verify that the applicant meets the  
41 requirements of subsection 2.

42 7. If a business whose partial abatement has been approved  
43 pursuant to this section and is in effect ceases to meet the  
44 requirements set forth in subsection 2 or ceases operation before the



1 time specified in the agreement described in paragraph (c) of  
2 subsection 2:

3 (a) The business shall repay to the county treasurer the amount  
4 of the partial abatement that was allowed pursuant to this section  
5 before the failure of the business to comply unless the Nevada Tax  
6 Commission determines that the business has substantially complied  
7 with the requirements of this section. Except as otherwise provided  
8 in NRS 360.232 and 360.320, the business shall, in addition to the  
9 amount of the partial abatement required to be paid pursuant to this  
10 subsection, pay interest on the amount due at the rate most recently  
11 established pursuant to NRS 99.040 for each month, or portion  
12 thereof, from the last day of the month following the period for  
13 which the payment would have been made had the partial abatement  
14 not been approved until the date of payment of the tax.

15 (b) The applicable institution of higher education is entitled to  
16 keep the entire capital investment made by the business in that  
17 institution.

18 8. A county treasurer:

19 (a) Shall deposit any money that he or she receives pursuant to  
20 subsection 7 in one or more of the funds established by a local  
21 government of the county pursuant to NRS 354.6113 or 354.6115;  
22 and

23 (b) May use the money deposited pursuant to paragraph (a) only  
24 for the purposes authorized by NRS 354.6113 and 354.6115.

25 9. The Office of Economic Development:

26 (a) Shall adopt regulations relating to the minimum level of  
27 benefits that a business must provide to its employees to qualify for  
28 a partial abatement pursuant to this section; and

29 (b) May adopt such regulations as the Office determines to be  
30 necessary to carry out the provisions of this section.

31 10. The Nevada Tax Commission:

32 (a) Shall adopt regulations regarding any security that a business  
33 is required to post to qualify for a partial abatement pursuant to this  
34 section; and

35 (b) May adopt such other regulations as the Nevada Tax  
36 Commission determines to be necessary to carry out the provisions  
37 of this section.

38 11. An applicant for a partial abatement pursuant to this section  
39 who is aggrieved by a final decision of the Office of Economic  
40 Development may petition for judicial review in the manner  
41 provided in chapter 233B of NRS.

42 12. Except as otherwise provided in this subsection, as used in  
43 this section, "capital investment" includes, without limitation, an  
44 investment of real or personal property, money or other assets by a  
45 business in an institution of the Nevada System of Higher Education



1 ~~[H]~~ *or the Nevada System of Community Colleges*. The Office of  
2 Economic Development may, by regulation, specify the types of real  
3 or personal property or assets that are included within the definition  
4 of “capital investment.”

5 **Sec. 275.** NRS 361.098 is hereby amended to read as follows:

6 361.098 All real and personal property owned by a charitable  
7 foundation established by the Board of Regents of the University of  
8 Nevada *or the State Board for Community Colleges* is exempt from  
9 taxation, but the property must be taxed when it is used for any  
10 purpose other than carrying out the legitimate functions of the  
11 foundation.

12 **Sec. 276.** NRS 361.099 is hereby amended to read as follows:

13 361.099 All real and personal property which is leased or  
14 rented to the Nevada System of Higher Education *or the Nevada*  
15 *System of Community Colleges* for total consideration which is less  
16 than 10 percent of the fair market rental or lease value of the  
17 property is hereby deemed to be used for an educational purpose and  
18 is exempt from taxation.

19 **Sec. 277.** NRS 361.603 is hereby amended to read as follows:

20 361.603 1. Any local government , *the Nevada System of*  
21 *Community Colleges* or the Nevada System of Higher Education  
22 may, in the manner provided in this section, acquire property held in  
23 trust by the treasurer of the county in which the local government or  
24 any part of ~~[the]~~ *such a* System is located by virtue of any deed  
25 made pursuant to the provisions of this chapter.

26 2. Whenever any local government , *the Nevada System of*  
27 *Community Colleges* or the Nevada System of Higher Education  
28 determines that a public purpose may be served by the acquisition of  
29 the property, it may make application to the board of county  
30 commissioners for permission to acquire the property. If the board  
31 of county commissioners approves the application, it shall direct the  
32 county treasurer to give notice of intent to sell to the last known  
33 owner or heirs or devisees of the last known owner of the property  
34 in the manner provided by law.

35 3. The last known owner may, within 90 days after the notice,  
36 redeem the property by paying to the treasurer the amount of the  
37 delinquent taxes, plus penalties, interest and costs.

38 4. If the owner fails to redeem the property within the time  
39 allowed, the county treasurer shall transfer the property to the local  
40 government , *the State Board for Community Colleges* or the Board  
41 of Regents of the University of Nevada upon receiving from it the  
42 amount of the delinquent taxes, except as otherwise provided in  
43 subsection 5.

44 5. If property is so transferred to a local government for street,  
45 sewer or drainage uses, for use in a program for the rehabilitation of



1 abandoned residential properties established by the local  
2 government pursuant to chapter 279B of NRS, or for use as open-  
3 space real property as designated in a city, county or regional  
4 comprehensive plan, the delinquent taxes need not be paid.

5 6. As used in this section, "open-space real property" has the  
6 meaning ascribed to it in NRS 361A.040.

7 **Sec. 278.** NRS 361A.286 is hereby amended to read as  
8 follows:

9 361A.286 1. The deferred tax and penalty assessed pursuant  
10 to NRS 361A.280 and 361A.283 are a perpetual lien until paid as  
11 provided in NRS 361.450. If the property continues to be used  
12 exclusively for agricultural use or approved open-space use for 7  
13 fiscal years after the date of attachment, the lien for that earliest year  
14 expires. The lien is for an undetermined amount until the property is  
15 converted and the amount is determined pursuant to NRS 361A.280.  
16 Any liens calculated and recorded before July 1, 1989, for property  
17 that had not been converted shall be deemed to have expired on that  
18 date.

19 2. If agricultural or open-space real property receiving  
20 agricultural or open-space use assessment is sold or transferred to an  
21 ownership making it exempt from taxation ad valorem, any such  
22 liens for deferred taxes must, unless the property is sold or  
23 transferred to the *Nevada System of Community Colleges, the*  
24 Nevada System of Higher Education, a school district or another  
25 local governmental entity, be paid in full before the transfer of  
26 ownership if the property is converted to another use.

27 3. The provisions of this section do not apply to any portion of  
28 agricultural or open-space real property if the deferred tax and any  
29 penalty have been paid pursuant to NRS 361A.265.

30 4. Each year, the county assessor must record a list of parcel  
31 numbers and owner's names for all parcels on which a lien exists  
32 pursuant to subsection 1.

33 **Sec. 279.** NRS 368A.200 is hereby amended to read as  
34 follows:

35 368A.200 1. Except as otherwise provided in this section,  
36 there is hereby imposed an excise tax on admission to any facility in  
37 this State where live entertainment is provided and on the charge for  
38 live entertainment provided by an escort at one or more locations in  
39 this State. The rate of the tax is:

40 (a) Except as otherwise provided in paragraph (b), for admission  
41 to a facility in this State where live entertainment is provided, 9  
42 percent of the admission charge to the facility.

43 (b) For live entertainment provided by an escort who is  
44 escorting one or more persons at a location or locations in this State,



1 9 percent of the total amount, expressed in terms of money, of  
2 consideration paid for the live entertainment provided by the escort.

3 2. Amounts paid for:

4 (a) Admission charges collected and retained by a nonprofit  
5 religious, charitable, fraternal or other organization that qualifies as  
6 a tax-exempt organization pursuant to 26 U.S.C. § 501(c), or by a  
7 nonprofit corporation organized or existing under the provisions of  
8 chapter 82 of NRS, are not taxable pursuant to this section, only if  
9 the number of tickets to the live entertainment which are offered for  
10 sale or other distribution to patrons, either directly or indirectly  
11 through a partner, subsidiary, client, affiliate or other collaborator, is  
12 less than 7,500.

13 (b) Gratuities directly or indirectly remitted to persons employed  
14 at a facility where live entertainment is provided are not taxable  
15 pursuant to this section.

16 (c) Fees imposed, collected and retained by an independent  
17 financial institution in connection with the use of credit cards or  
18 debit cards to pay the admission charge to a facility where live  
19 entertainment is provided are not taxable pursuant to this section. As  
20 used in this paragraph, "independent financial institution" means a  
21 financial institution that is not the taxpayer or an owner or operator  
22 of the facility where the live entertainment is provided or an affiliate  
23 of any of those persons.

24 3. The tax imposed by this section must be added to and  
25 collected from the purchaser at the time of purchase, whether or not  
26 the admission for live entertainment is purchased for resale. Each  
27 ticket for admission to a facility where live entertainment is  
28 provided must show on its face the admission charge or the seller of  
29 the admission shall prominently display a notice disclosing the  
30 admission charge at the box office or other place where the charge is  
31 made.

32 4. The tax imposed by subsection 1 does not apply to:

33 (a) Live entertainment that this State is prohibited from taxing  
34 under the Constitution, laws or treaties of the United States or the  
35 Nevada Constitution.

36 (b) Live entertainment that is governed by the Nevada  
37 Interscholastic Activities Association pursuant to chapter 385B of  
38 NRS or is provided or sponsored by an elementary school, junior  
39 high school, middle school or high school, if only pupils or faculty  
40 provide the live entertainment.

41 (c) An athletic contest, event, tournament or exhibition provided  
42 by an institution of the *Nevada System of Community Colleges or*  
43 *the Nevada System of Higher Education*, if students of such an  
44 institution are contestants in the contest, event, tournament or  
45 exhibition.



1 (d) Live entertainment that is provided by or entirely for the  
2 benefit of a nonprofit religious, charitable, fraternal or other  
3 organization that qualifies as a tax-exempt organization pursuant to  
4 26 U.S.C. § 501(c), or a nonprofit corporation organized or existing  
5 under the provisions of chapter 82 of NRS, only if the number of  
6 tickets to the live entertainment which are offered for sale or other  
7 distribution to patrons, either directly or indirectly through a partner,  
8 subsidiary, client, affiliate or other collaborator, is less than 7,500.

9 (e) Any boxing contest or exhibition governed by the provisions  
10 of chapter 467 of NRS.

11 (f) Live entertainment that is not provided at a licensed gaming  
12 establishment if the facility in which the live entertainment is  
13 provided has a maximum occupancy of less than 200 persons.

14 (g) Live entertainment that is provided at a licensed gaming  
15 establishment that is licensed for less than 51 slot machines, less  
16 than 6 games, or any combination of slot machines and games  
17 within those respective limits, if the facility in which the live  
18 entertainment is provided has a maximum occupancy of less than  
19 200 persons.

20 (h) Live entertainment that is provided at a trade show.

21 (i) Music performed by musicians who move constantly through  
22 the audience if no other form of live entertainment is afforded to the  
23 patrons.

24 (j) Live entertainment that is provided at a licensed gaming  
25 establishment at private meetings or dinners attended by members of  
26 a particular organization or by a casual assemblage if the purpose of  
27 the event is not primarily for entertainment.

28 (k) Live entertainment that is provided in the common area of a  
29 shopping mall, unless the entertainment is provided in a facility  
30 located within the mall.

31 (l) Food and product demonstrations provided at a shopping  
32 mall, a craft show or an establishment that sells grocery products,  
33 housewares, hardware or other supplies for the home.

34 (m) Live entertainment that is incidental to an amusement ride, a  
35 motion simulator or a similar digital, electronic, mechanical or  
36 electromechanical attraction. For the purposes of this paragraph, live  
37 entertainment shall be deemed to be incidental to an amusement  
38 ride, a motion simulator or a similar digital, electronic, mechanical  
39 or electromechanical attraction if the live entertainment is:

40 (1) Not the predominant element of the attraction; and

41 (2) Not the primary purpose for which the public rides,  
42 attends or otherwise participates in the attraction.

43 (n) A race scheduled at a race track in this State and sanctioned  
44 by the National Association for Stock Car Auto Racing, if two or



1 more such races are held at that race track during the same calendar  
2 year.

3 (o) An athletic contest, event or exhibition conducted by a  
4 professional team based in this State if the professional team based  
5 in this State is a participant in the contest, event or exhibition.

6 5. As used in this section:

7 (a) "Affiliate" has the meaning ascribed to it in NRS 463.0133.

8 (b) "Maximum occupancy" means, in the following order of  
9 priority:

10 (1) The maximum occupancy of the facility in which live  
11 entertainment is provided, as determined by the State Fire Marshal  
12 or the local governmental agency that has the authority to determine  
13 the maximum occupancy of the facility;

14 (2) If such a maximum occupancy has not been determined,  
15 the maximum occupancy of the facility designated in any permit  
16 required to be obtained in order to provide the live entertainment; or

17 (3) If such a permit does not designate the maximum  
18 occupancy of the facility, the actual seating capacity of the facility  
19 in which the live entertainment is provided.

20 (c) "Operator" includes, without limitation, a person who  
21 operates a facility where live entertainment is provided or who  
22 presents, produces or otherwise provides live entertainment.

23 **Sec. 280.** NRS 372.287 is hereby amended to read as follows:

24 372.287 There are exempted from the taxes imposed by this  
25 chapter the gross receipts from the sale of textbooks sold within the  
26 ~~University of~~ *Nevada System of Community Colleges and the*  
27 Nevada System ~~of~~ *of Higher Education.*

28 **Sec. 281.** NRS 374.292 is hereby amended to read as follows:

29 374.292 There are exempted from the taxes imposed by this  
30 chapter the gross receipts from the sale of textbooks sold within the  
31 Nevada System of Higher Education ~~of~~ *and the Nevada System of*  
32 *Community Colleges.*

33 **Sec. 282.** NRS 375.090 is hereby amended to read as follows:

34 375.090 The taxes imposed by NRS 375.020, 375.023 and  
35 375.026 do not apply to:

36 1. A mere change in identity, form or place of organization,  
37 such as a transfer between a business entity and its parent, its  
38 subsidiary or an affiliated business entity if the affiliated business  
39 entity has identical common ownership.

40 2. A transfer of title to the United States, any territory or state  
41 or any agency, department, instrumentality or political subdivision  
42 thereof.

43 3. A transfer of title recognizing the true status of ownership of  
44 the real property, including, without limitation, a transfer by an  
45 instrument in writing pursuant to the terms of a land sale installment



1 contract previously recorded and upon which the taxes imposed by  
2 this chapter have been paid.

3 4. A transfer of title without consideration from one joint  
4 tenant or tenant in common to one or more remaining joint tenants  
5 or tenants in common.

6 5. A transfer, assignment or other conveyance of real property  
7 if the owner of the property is related to the person to whom it is  
8 conveyed within the first degree of lineal consanguinity or affinity.

9 6. A transfer of title between former spouses in compliance  
10 with a decree of divorce.

11 7. A transfer of title to or from a trust without consideration if a  
12 certificate of trust is presented at the time of transfer.

13 8. Transfers, assignments or conveyances of unpatented mines  
14 or mining claims.

15 9. A transfer, assignment or other conveyance of real property  
16 to a corporation or other business organization if the person  
17 conveying the property owns 100 percent of the corporation or  
18 organization to which the conveyance is made.

19 10. A conveyance of real property by deed which becomes  
20 effective upon the death of the grantor pursuant to NRS 111.655 to  
21 111.699, inclusive.

22 11. The making, delivery or filing of conveyances of real  
23 property to make effective any plan of reorganization or adjustment:

24 (a) Confirmed under the Bankruptcy Act, as amended, 11 U.S.C.  
25 §§ 101 et seq.;

26 (b) Approved in an equity receivership proceeding involving a  
27 railroad, as defined in the Bankruptcy Act; or

28 (c) Approved in an equity receivership proceeding involving a  
29 corporation, as defined in the Bankruptcy Act,

30 ➤ if the making, delivery or filing of instruments of transfer or  
31 conveyance occurs within 5 years after the date of the confirmation,  
32 approval or change.

33 12. A transfer to an educational foundation. As used in this  
34 subsection, "educational foundation" has the meaning ascribed to it  
35 in subsection 3 of NRS 388.750.

36 13. A transfer to a university foundation. As used in this  
37 subsection, "university foundation" has the meaning ascribed to it in  
38 subsection 3 of NRS 396.405.

39 14. *A transfer to a community college foundation. As used in*  
40 *this subsection, "community college foundation" has the meaning*  
41 *ascribed to it in subsection 3 of section 39 of this act.*

42 15. A transfer to a library foundation. As used in this  
43 subsection, "library foundation" has the meaning ascribed to it in  
44 NRS 379.0056.



1     **Sec. 283.** NRS 375B.410 is hereby amended to read as  
2 follows:

3     375B.410 The money collected pursuant to the provisions of  
4 this chapter must be used only for the purpose of education, to be  
5 divided between the common schools , *the Nevada System of*  
6 *Community Colleges* and the Nevada System of Higher Education  
7 for their support and maintenance.

8     **Sec. 284.** NRS 378.087 is hereby amended to read as follows:

9     378.087 1. The State Library, Archives and Public Records  
10 Administrator shall establish a program to provide grants of money  
11 to the public libraries of this State for the purchase or acquisition of  
12 books, library materials and computer databases. The money must  
13 be provided by legislative appropriation, accounted for separately  
14 and administered by the State Library, Archives and Public Records  
15 Administrator.

16     2. The State Library, Archives and Public Records  
17 Administrator shall, within the limits of legislative appropriation,  
18 provide such grants based on the following:

19     (a) If the requesting library has a budget for materials which is  
20 \$10,000 or less, the requesting library is eligible to receive a base  
21 grant of \$1,000, plus a matching grant in an amount that is not more  
22 than 75 percent of its budget for materials.

23     (b) If the requesting library has a budget for materials which is  
24 more than \$10,000 but less than \$75,000, the requesting library is  
25 eligible to receive a base grant of \$5,000, plus a matching grant in  
26 an amount that is not more than 50 percent of its budget for  
27 materials.

28     (c) If the requesting library has a budget for materials which is  
29 \$75,000 or more but less than \$150,000, the requesting library is  
30 eligible to receive a base grant of \$10,000, plus a matching grant in  
31 an amount that is not more than 33 1/3 percent of its budget for  
32 materials.

33     (d) If the requesting library has a budget for materials which is  
34 \$150,000 or more but less than \$500,000, the requesting library is  
35 eligible to receive a base grant of \$15,000, plus a matching grant in  
36 an amount that is not more than 25 percent of its budget for  
37 materials.

38     (e) If the requesting library has a budget for materials which is  
39 \$500,000 or more, the requesting library is eligible to receive a base  
40 grant of \$25,000, plus a matching grant in the first year it receives a  
41 grant pursuant to this paragraph in an amount that is not more than  
42 10 percent of its budget for materials. The amount of the matching  
43 grant provided in any year may be increased by 10 percent in each  
44 succeeding year, except that in no event may the matching grant



1 provided in any year exceed 25 percent of the library's budget for  
2 materials in that year.

3 3. The State Library, Archives and Public Records  
4 Administrator shall adopt such regulations as are necessary to:

5 (a) Establish a procedure pursuant to which a public library may  
6 apply to receive a grant pursuant to this section;

7 (b) Determine the eligibility of a public library to receive such a  
8 grant; and

9 (c) Determine the exact amount of a grant to be awarded to a  
10 public library.

11 4. Money granted pursuant to this section must not supplant or  
12 cause to be reduced any other source of funding for a public library  
13 and must be used exclusively by the public library to purchase or  
14 acquire books, library materials and computer databases.

15 5. For the purposes of this section, "public library" does not  
16 include a library operated within the Nevada System of Higher  
17 Education ~~[ ]~~ *or the Nevada System of Community Colleges.*

18 **Sec. 285.** NRS 378.160 is hereby amended to read as follows:

19 378.160 As used in NRS 378.150 to 378.210, inclusive:

20 1. "Center" means the State Publications Distribution Center  
21 created by NRS 378.170.

22 2. "Depository library" means a library with which the Center  
23 has entered into an agreement pursuant to NRS 378.190.

24 3. "Local government" means every political subdivision or  
25 other entity which has the right to levy or receive money from ad  
26 valorem or other taxes or any mandatory assessments, and includes,  
27 without limitation, counties, cities, towns, boards, school districts  
28 and other districts organized pursuant to chapters 244A, 318, 318A,  
29 379, 474, 541, 543 and 555 of NRS, NRS 450.550 to 450.750,  
30 inclusive, and any agency or department of a county or city which  
31 prepares a budget separate from that of the parent political  
32 subdivision. The term includes the Nevada Rural Housing  
33 Authority.

34 4. "Publication" includes any information in any format or  
35 medium that is produced pursuant to the authority of or at the total  
36 or partial expense of a state agency or local government, is required  
37 by law to be distributed by a state agency or local government, or is  
38 distributed publicly by a state agency or local government outside  
39 that state agency or local government. The term does not include:

40 (a) Nevada Revised Statutes with annotations;

41 (b) Nevada Reports;

42 (c) Bound volumes of the Statutes of Nevada;

43 (d) Items published by the University of Nevada Press and other  
44 information disseminated by the Nevada System of Higher



1 Education *or the Nevada System of Community Colleges* which is  
2 not designed for public distribution;

3 (e) Official state records scheduled for retention and disposition  
4 pursuant to NRS 239.080; or

5 (f) Records of a local government which have been scheduled  
6 for disposition pursuant to NRS 239.124 or retention pursuant to  
7 NRS 239.125.

8 5. "State agency" includes the Legislature, constitutional  
9 officers or any department, division, bureau, board, commission or  
10 agency of the State of Nevada.

11 **Sec. 286.** NRS 378.250 is hereby amended to read as follows:

12 378.250 The State Library, Archives and Public Records  
13 Administrator may:

14 1. Receive into the archives material from a state agency if the  
15 State Library, Archives and Public Records Administrator finds that  
16 it is of historical value.

17 2. With the approval of the Committee to Approve Schedules  
18 for the Retention and Disposition of Official State Records created  
19 pursuant to NRS 239.073, return to the state agency from which it  
20 was received, material in the archives which the State Library,  
21 Archives and Public Records Administrator finds is not of historical  
22 value.

23 3. Receive into the archives material which has been directed  
24 to be deposited in the archives by an order or resolution of the  
25 governing body of a local governmental entity, if the State Library,  
26 Archives and Public Records Administrator finds that it is of  
27 historical value.

28 4. With the approval of the Committee to Approve Schedules  
29 for the Retention and Disposition of Official State Records, turn  
30 over to:

31 (a) Any agency in the Department; ~~or~~

32 (b) The Nevada System of Higher Education ~~or~~; *or*

33 (c) *The Nevada System of Community Colleges,*

34 ➔ material in the archives which the State Library, Archives and  
35 Public Records Administrator finds to be surplus, not properly in the  
36 archives or appropriate to be kept elsewhere.

37 5. Expend a gift of money the State Library, Archives and  
38 Public Records Administrator is authorized to accept for the purpose  
39 specified by the donor or, if no purpose is specified, in a manner  
40 which will further the purposes of the Division.

41 **Sec. 287.** NRS 408.078 is hereby amended to read as follows:

42 408.078 "Public lands" means all lands within the exterior  
43 boundaries of the State of Nevada except lands:

44 1. To which title is held by any private person or entity;



1 2. To which title is held by the State of Nevada, any of its local  
2 governments , *the Nevada System of Community Colleges* or the  
3 Nevada System of Higher Education;

4 3. Which are located within congressionally authorized  
5 national parks, monuments, national forests or wildlife refuges, or  
6 which are lands acquired by purchase consented to by the  
7 Legislature;

8 4. Which are controlled by the United States Department of  
9 Defense, Department of Energy or Bureau of Reclamation; or

10 5. Which are held in trust for Indian purposes or are Indian  
11 reservations.

12 **Sec. 288.** NRS 412.143 is hereby amended to read as follows:

13 412.143 1. The Adjutant General may authorize the payment  
14 of not more than 100 percent of the consolidated fee each semester  
15 for each member of the active Nevada National Guard who attends  
16 one of the universities or state colleges within the Nevada System of  
17 Higher Education as a full-time or part-time student from money  
18 appropriated for this purpose.

19 2. The Adjutant General may authorize the payment of not  
20 more than 100 percent of the credit-hour cost each semester for each  
21 member of the active Nevada National Guard who attends one of the  
22 community colleges within the Nevada System of ~~[Higher~~  
23 ~~Education]~~ *Community Colleges* as a full-time or part-time student  
24 from money appropriated for this purpose.

25 3. To be eligible to receive benefits, a person must be a  
26 member in good standing of the active Nevada National Guard at  
27 the beginning of and throughout the entire semester for which  
28 benefits are received.

29 **Sec. 289.** NRS 412.1435 is hereby amended to read as  
30 follows:

31 412.1435 1. The Patriot Relief Account is hereby created as a  
32 special account in the State General Fund.

33 2. The money in the Patriot Relief Account does not lapse to  
34 the State General Fund at the end of any fiscal year. The interest and  
35 income earned on the sum of:

36 (a) The money in the Patriot Relief Account, after deducting any  
37 applicable charges; and

38 (b) Unexpended appropriations made to the Patriot Relief  
39 Account from the State General Fund,

40 ➤ must be credited to the Account. All claims against the Patriot  
41 Relief Account must be paid as other claims against the State are  
42 paid.

43 3. The Office may accept gifts, grants and donations from any  
44 source for deposit in the Patriot Relief Account.



1 4. To the extent money is available from legislative  
2 appropriation or otherwise in the Patriot Relief Account, the money  
3 in the Patriot Relief Account may only be used to provide:

4 (a) Reimbursement to a member of the Nevada National Guard  
5 for the cost of:

6 (1) Premiums on a policy of group life insurance purchased  
7 pursuant to the provisions of 38 U.S.C. §§ 1965 et seq.; or

8 (2) Textbooks required for a course of study in which the  
9 member is enrolled at an institution within the *Nevada System of*  
10 *Community Colleges or the* Nevada System of Higher Education;  
11 and

12 (b) Monetary relief from economic hardships experienced by a  
13 member of the Nevada National Guard.

14 5. The Adjutant General shall adopt any regulations necessary  
15 to determine eligibility for reimbursement or monetary relief from  
16 the Patriot Relief Account and to carry out a program to provide  
17 such reimbursement and monetary relief.

18 **Sec. 290.** NRS 417.0191 is hereby amended to read as  
19 follows:

20 417.0191 1. The Interagency Council on Veterans Affairs is  
21 hereby created. The Council consists of:

22 (a) The Director of the Department of Business and Industry;

23 (b) The Director of the Department of Corrections;

24 (c) The Director of the Department of Employment, Training  
25 and Rehabilitation;

26 (d) The Director of the Department of Health and Human  
27 Services;

28 (e) The Director of the Department of Public Safety;

29 (f) The Director of the Department of Veterans Services;

30 (g) The Adjutant General;

31 (h) The Chancellor of the Nevada System of Higher Education;

32 (i) *The Executive Director of the State Board for Community*  
33 *Colleges;*

34 (j) The Executive Director of the Office of Economic  
35 Development;

36 ~~(k)~~ (k) The Executive Director of the Nevada Indian  
37 Commission;

38 ~~(l)~~ (l) The Administrator of the Division of Human Resource  
39 Management of the Department of Administration; and

40 ~~(m)~~ (m) Any other persons appointed by the Governor,  
41 including, without limitation, representatives of federal and local  
42 governmental agencies and private entities that provide services to  
43 veterans. Members appointed pursuant to this paragraph serve at the  
44 pleasure of the Governor.



1 2. A member of the Council may designate a person to  
2 represent him or her at any meeting of the Council. The person  
3 designated may exercise all the duties, rights and privileges of the  
4 member that he or she represents.

5 **Sec. 291.** NRS 426.630 is hereby amended to read as follows:

6 426.630 As used in NRS 426.630 to 426.720, inclusive, unless  
7 the context otherwise requires:

8 1. "Operator" means the individual person who is blind who is  
9 responsible for the day-to-day operation of the vending stand.

10 2. "Public building" or "property" means any building, land or  
11 other real property, owned, leased or occupied by any department or  
12 agency of the State or any of its political subdivisions except public  
13 elementary and secondary schools, the Nevada System of Higher  
14 Education, *the Nevada System of Community Colleges*, the Nevada  
15 State Park System and the Department of Corrections.

16 3. "Vending stand" means:

17 (a) Such buildings, shelters, counters, shelving, display and wall  
18 cases, refrigerating apparatus and other appropriate auxiliary  
19 equipment as are necessary or customarily used for the vending of  
20 such articles or the provision of such services as may be approved  
21 by the Bureau and the department or agency having care, custody  
22 and control of the building or property in or on which the vending  
23 stand is located;

24 (b) Manual or coin-operated vending machines or similar  
25 devices for vending such articles, operated in a particular building,  
26 even though no person is physically present on the premises except  
27 to service the machines;

28 (c) A cafeteria or snack bar for the dispensing of foodstuffs and  
29 beverages; or

30 (d) Portable shelters which can be disassembled and  
31 reassembled, and the equipment therein, used for the vending of  
32 approved articles, foodstuffs or beverages or the provision of  
33 approved services.

34 **Sec. 292.** NRS 432A.076 is hereby amended to read as  
35 follows:

36 432A.076 1. The Nevada Early Childhood Advisory Council  
37 is hereby established as the state advisory council on early  
38 childhood education and care required to be established pursuant to  
39 42 U.S.C. § 9837b(b)(1)(A)(i). The membership of the Council  
40 must be appointed by the Governor and include, without limitation:

41 (a) One member who is a representative of the Division of  
42 Public and Behavioral Health of the Department whose duties  
43 include responsibility for child care;

44 (b) One member who is a representative of the Department of  
45 Education;



1 (c) One member who is a representative of the Department of  
2 Education whose duties include responsibilities for programs under  
3 section 619 or part C of the Individuals with Disabilities Education  
4 Act, 20 U.S.C. §§ 1400 et seq.;

5 (d) One member who is a representative of the boards of trustees  
6 of the school districts in this State;

7 (e) One member who is a representative of the Nevada System  
8 of Higher Education;

9 (f) *One member who is a representative of the Nevada System  
10 of Community Colleges;*

11 (g) One member who is a representative of local providers of  
12 early childhood education and developmental services;

13 ~~(g)~~ (h) One member who is a representative of Head Start  
14 agencies in this State, including, without limitation, migrant and  
15 seasonal Head Start programs and Indian Head Start programs;

16 ~~(h)~~ (i) One member who is appointed or designated pursuant  
17 to 42 U.S.C. § 9837b(a)(3)(A);

18 ~~(i)~~ (j) One member who is a representative of the Aging and  
19 Disability Services Division of the Department;

20 ~~(j)~~ (k) One member who is a representative of a nonprofit  
21 organization located in southern Nevada that provides early  
22 childhood education programs;

23 ~~(k)~~ (l) One member who is a representative of a nonprofit  
24 organization located in northern Nevada that provides early  
25 childhood education programs;

26 ~~(l)~~ (m) One member who is a representative of the pediatric  
27 mental, physical or behavioral health care industry; and

28 ~~(m)~~ (n) 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 Legislative  
32 Committee on Health Care and the Legislative Committee on  
33 Education, if the report is received during an odd-numbered year, or  
34 to the next session of the Legislature, if the report is received during  
35 an even-numbered year. The report must include, without limitation,  
36 a summary of the activities of the Council and any  
37 recommendations for improvements to the early childhood system  
38 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. 293.** 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 Police Department of the Nevada System of  
22 Higher Education;

23 (e) *Members of the Police Department of the Nevada System of*  
24 *Community Colleges;*

25 (f) Employees of the Division of State Parks of the State  
26 Department of Conservation and Natural Resources designated by  
27 the Administrator of the Division who exercise police powers  
28 specified in NRS 289.260;

29 ~~(g)~~ (g) The Chief, investigators and agents of the Investigation  
30 Division of the Department of Public Safety;

31 ~~(h)~~ (h) The personnel of the Department of Wildlife who  
32 exercise those powers of enforcement conferred by title 45 and  
33 chapter 488 of NRS; and

34 ~~(i)~~ (i) School police officers employed or appointed by the  
35 board of trustees of any county school district.

36 **Sec. 294.** NRS 433.279 is hereby amended to read as follows:

37 433.279 1. The Division shall carry out a vocational and  
38 educational program for the certification of mental health  
39 technicians, including forensic technicians:

40 (a) Employed by the Division, or other employees of the  
41 Division who perform similar duties, but are classified differently.

42 (b) Employed by the Division of Child and Family Services of  
43 the Department.



1 ↪ The program must be carried out in cooperation with the Nevada  
2 System of Higher Education  *and the Nevada System of*  
3 *Community Colleges.*

4 2. A mental health technician is responsible to the director of  
5 the service in which his or her duties are performed. The director of  
6 a service may be a licensed physician, dentist, podiatric physician,  
7 psychiatrist, psychologist, rehabilitation therapist, social worker,  
8 registered nurse or other professionally qualified person. This  
9 section does not authorize a mental health technician to perform  
10 duties which require the specialized knowledge and skill of a  
11 professionally qualified person.

12 3. The Division shall adopt regulations to carry out the  
13 provisions of this section.

14 4. As used in this section, "mental health technician" means an  
15 employee of the Division of Public and Behavioral Services or the  
16 Division of Child and Family Services who, for compensation or  
17 personal profit, carries out procedures and techniques which involve  
18 cause and effect and which are used in the care, treatment and  
19 rehabilitation of persons with mental illness and persons who are  
20 emotionally disturbed, and who has direct responsibility for:

21 (a) Administering or carrying out specific therapeutic  
22 procedures, techniques or treatments, excluding medical  
23 interventions, to enable consumers to make optimal use of their  
24 therapeutic regime, their social and personal resources, and their  
25 residential care; or

26 (b) The application of interpersonal and technical skills in the  
27 observation and recognition of symptoms and reactions of  
28 consumers, for the accurate recording of such symptoms and  
29 reactions, and for carrying out treatments authorized by members of  
30 the interdisciplinary team that determines the treatment of the  
31 consumers.

32 **Sec. 295.** NRS 435.425 is hereby amended to read as follows:

33 435.425 1. The Division shall carry out a vocational and  
34 educational program for the certification of intellectual and  
35 developmental disability technicians, including forensic technicians  
36 employed by the Division, or other employees of the Division who  
37 perform similar duties, but are classified differently. The program  
38 must be carried out in cooperation with the Nevada System of  
39 Higher Education  *and the Nevada System of Community*  
40 *Colleges.*

41 2. An intellectual and developmental disability technician is  
42 responsible to the director of the service in which his or her duties  
43 are performed. The director of a service may be a licensed  
44 physician, dentist, podiatric physician, psychiatrist, psychologist,  
45 rehabilitation therapist, social worker, registered nurse or other



1 professionally qualified person. This section does not authorize an  
2 intellectual and developmental disability technician to perform  
3 duties which require the specialized knowledge and skill of a  
4 professionally qualified person.

5 3. The Administrator shall adopt regulations to carry out the  
6 provisions of this section.

7 4. As used in this section, "intellectual and developmental  
8 disability technician" means an employee of the Division who, for  
9 compensation or personal profit, carries out procedures and  
10 techniques which involve cause and effect and which are used in the  
11 care, treatment and rehabilitation of persons with intellectual  
12 disabilities or persons with developmental disabilities and who has  
13 direct responsibility for:

14 (a) Administering or carrying out specific therapeutic  
15 procedures, techniques or treatments, excluding medical  
16 interventions, to enable consumers to make optimal use of their  
17 therapeutic regime, their social and personal resources, and their  
18 residential care; or

19 (b) The application of interpersonal and technical skills in the  
20 observation and recognition of symptoms and reactions of  
21 consumers, for the accurate recording of such symptoms and  
22 reactions, and for carrying out treatments authorized by members of  
23 the interdisciplinary team that determines the treatment of the  
24 consumers.

25 **Sec. 296.** NRS 439.110 is hereby amended to read as follows:

26 439.110 1. Except as otherwise provided in this section and  
27 NRS 284.143, the Chief Medical Officer shall devote his or her full  
28 time to the official duties of the Chief Medical Officer and shall not  
29 engage in any other business or occupation.

30 2. Notwithstanding the provisions of NRS 281.127, the Chief  
31 Medical Officer may cooperate with the Nevada System of Higher  
32 Education *and the Nevada System of Community Colleges* in the  
33 preparation and teaching of preservice professional workers in  
34 public health and in a program providing additional professional  
35 preparation for behavioral health workers and public health workers  
36 employed by the State of Nevada.

37 3. With the approval of the Director, the Chief Medical Officer  
38 may maintain a clinical practice that is not established through the  
39 University of Nevada in order to retain expertise and remain current  
40 in his or her specialized field.

41 **Sec. 297.** NRS 439.518 is hereby amended to read as follows:

42 439.518 1. Within the limits of available money, the Division  
43 shall establish the Advisory Council on the State Program for  
44 Wellness and the Prevention of Chronic Disease to advise and make  
45 recommendations to the Division concerning the Program.



1 2. The Administrator shall appoint to the Advisory Council the  
2 following ~~13~~ 14 voting members:

3 (a) The Chief Medical Officer or the designee of the Chief  
4 Medical Officer;

5 (b) The Superintendent of Public Instruction or the designee of  
6 the Superintendent;

7 (c) One representative of the health insurance industry;

8 (d) One provider of health care;

9 (e) One representative of the Nevada Association for Health,  
10 Physical Education, Recreation and Dance or its successor  
11 organization;

12 (f) Three representatives of organizations committed to the  
13 prevention and treatment of chronic diseases;

14 (g) One registered dietitian;

15 (h) One representative who is a member of a racial or ethnic  
16 minority group appointed from a list of persons submitted to the  
17 Administrator by the Advisory Committee of the Office of Minority  
18 Health and Equity of the Department;

19 (i) One representative of private employers in this State who has  
20 experience in matters relating to employment and human resources;

21 (j) One representative of a local health authority; ~~and~~

22 (k) One representative of the Nevada System of Higher  
23 Education from a list of persons submitted to the Administrator by  
24 the Board of Regents of the University of Nevada ~~and~~; and

25 *(l) One representative of the Nevada System of Community  
26 Colleges from a list of persons submitted to the Administrator by  
27 the State Board for Community Colleges.*

28 3. The Legislative Commission shall appoint to the Advisory  
29 Council the following two voting members:

30 (a) One member of the Senate; and

31 (b) One member of the Assembly.

32 4. A majority of the voting members of the Advisory Council  
33 may appoint nonvoting members to the Advisory Council.

34 **Sec. 298.** NRS 439.521 is hereby amended to read as follows:

35 439.521 1. To carry out the provisions of NRS 439.514 to  
36 439.525, inclusive, the Division shall, within the limits of available  
37 money, and with the advice and recommendations of the Advisory  
38 Council:

39 (a) Periodically prepare burden reports concerning health  
40 problems and diseases, including, without limitation, a lack of  
41 physical fitness, poor nutrition, tobacco use and exposure to tobacco  
42 smoke, chronic diseases, including, without limitation, obesity and  
43 diabetes, and other diseases, as determined by the Division, using  
44 the most recent information obtained through surveillance,  
45 epidemiology and research. As used in this paragraph, "burden



1 report” means a calculation of the impact of a particular health  
2 problem or chronic disease on this State, as measured by financial  
3 cost, mortality, morbidity or other indicators specified by the  
4 Division.

5 (b) Prepare an annual report on obesity pursuant to paragraph (a)  
6 which must:

7 (1) Include, without limitation:

8 (I) Current obesity rates in this State;

9 (II) Information regarding obesity with regard to specific  
10 demographics;

11 (III) Actions taken by the Division regarding obesity; and

12 (IV) The State’s goals and achievements regarding  
13 obesity rates.

14 (2) On or before March 15 of each year, be submitted to the  
15 Director of the Legislative Counsel Bureau for transmittal to:

16 (I) The Legislative Committee on Health Care during  
17 even-numbered years; and

18 (II) The Legislature during odd-numbered years.

19 (c) Identify, review and encourage, in coordination with the  
20 Department of Education, the Nevada System of Higher Education ,  
21 *the Nevada System of Community Colleges* and other appropriate  
22 state agencies, existing evidence-based programs related to  
23 nutrition, physical fitness and tobacco prevention and cessation,  
24 including, without limitation, programs of state and local  
25 governments, educational institutions, businesses and the general  
26 public.

27 (d) Develop, promote and coordinate recommendations for  
28 model and evidence-based programs that contribute to reductions in  
29 the incidence of chronic disease in this State. The programs should  
30 encourage:

31 (1) Proper nutrition, physical fitness and health among the  
32 residents of this State, including, without limitation, parents and  
33 children, senior citizens, high-risk populations and persons with  
34 special needs; and

35 (2) Work-site wellness policies that include, without  
36 limitation, tobacco-free and breast feeding-friendly environments,  
37 healthy food and beverage choices and physical activity  
38 opportunities in schools, businesses and public buildings.

39 (e) Assist on projects within this State as requested by, and in  
40 coordination with, the President’s Council on Fitness, Sports and  
41 Nutrition.

42 (f) Identify and review methods for reducing health care costs  
43 associated with tobacco use and exposure to tobacco smoke, chronic  
44 diseases, including, without limitation, obesity and diabetes, and  
45 other diseases, as determined by the Division.



1 (g) Maintain a website to provide information and resources on  
2 nutrition, physical fitness, health, wellness and the prevention of  
3 chronic diseases, including, without limitation, obesity and diabetes.

4 (h) Solicit information from and, to the extent feasible,  
5 coordinate its efforts with:

6 (1) Other governmental agencies;

7 (2) National health organizations and their local and state  
8 chapters;

9 (3) Community and business leaders;

10 (4) Community organizations;

11 (5) Providers of health care;

12 (6) Private schools; and

13 (7) Other persons who provide services relating to tobacco  
14 use and exposure, physical fitness and wellness and the prevention  
15 of chronic diseases, including, without limitation, obesity and  
16 diabetes, and other diseases.

17 (i) Establish, maintain and enhance statewide chronic disease  
18 surveillance systems.

19 (j) Translate surveillance, evaluation and research information  
20 into press releases, briefs, community education and advocacy  
21 materials and other publications that highlight chronic diseases and  
22 the key risk factors of those diseases.

23 (k) Identify, assist and encourage the growth of, through  
24 funding, training, resources and other support, the community's  
25 capacity to assist persons who have a chronic disease.

26 (l) Encourage relevant community organizations to effectively  
27 recruit key population groups to receive clinical preventative  
28 services, including, without limitation:

29 (1) Screening and early detection of breast, cervical and  
30 colorectal cancer, diabetes, high blood pressure and obesity;

31 (2) Oral screenings; and

32 (3) Tobacco cessation counseling.

33 (m) Promote positive policy, system and environmental changes  
34 within communities and the health care system based on, without  
35 limitation, the Chronic Care Model developed by the MacColl  
36 Center for Health Care Innovation and the Patient-Centered Medical  
37 Home Recognition Program of the National Committee for Quality  
38 Assurance.

39 (n) Review and revise the Program as needed.

40 2. As used in this section:

41 (a) "Chronic disease" means a health condition or disease which  
42 presents for a period of 3 months or more or is persistent, indefinite  
43 or incurable.

44 (b) "Obesity" means a chronic disease characterized by an  
45 abnormal and unhealthy accumulation of body fat which is



1 statistically correlated with premature mortality, hypertension, heart  
2 disease, diabetes, cancer and other health conditions, and may be  
3 indicated by:

4 (1) A body mass index of 30 or higher in adults;

5 (2) A body mass index that is greater than two standard  
6 deviations above the World Health Organization's growth standard  
7 for children who are at least 5 but less than 19 years of age, or  
8 greater than three standard deviations above the standard for  
9 children who are less than 5 years of age;

10 (3) A body fat percentage greater than 25 percent for men or  
11 32 percent for women; or

12 (4) A waist size of 40 inches or more for men or 35 inches or  
13 more for women.

14 **Sec. 299.** NRS 442.007 is hereby amended to read as follows:

15 442.007 1. The State Board of Health shall adopt regulations  
16 establishing standards for perinatal care provided by any provider of  
17 health care, based on recommendations submitted to the Board by  
18 the School of Medicine and ~~[School of Nursing]~~ *a school of*  
19 *nursing* of the Nevada System of Higher Education ~~[ ]~~ *and the*  
20 *Nevada System of Community Colleges.*

21 2. As used in this section, "provider of health care" has the  
22 meaning ascribed to it in NRS 629.031.

23 **Sec. 300.** NRS 444.330 is hereby amended to read as follows:

24 444.330 1. The Division has supervision over the sanitation,  
25 healthfulness, cleanliness and safety, as it pertains to the foregoing  
26 matters, of the following state institutions:

27 (a) Institutions and facilities of the Department of Corrections.

28 (b) Northern Nevada Adult Mental Health Services.

29 (c) Nevada Youth Training Center, Caliente Youth Center and  
30 any other state facility for the detention of children that is operated  
31 pursuant to title 5 of NRS.

32 (d) Nevada System of Higher Education.

33 *(e) Nevada System of Community Colleges.*

34 2. The State Board of Health may adopt regulations pertaining  
35 thereto as are necessary to promote properly the sanitation,  
36 healthfulness, cleanliness and, as it pertains to the foregoing matters,  
37 the safety of those institutions.

38 3. The Chief Medical Officer or an authorized agent of the  
39 Officer shall inspect those institutions at least once each calendar  
40 year and whenever he or she deems an inspection necessary to carry  
41 out the provisions of this section. The inspection of any state facility  
42 for the detention of children that is operated pursuant to title 5 of  
43 NRS must include, without limitation, an inspection of all areas  
44 where food is prepared and served, bathrooms, areas used for



1 sleeping, common areas and areas located outdoors that are used by  
2 children at the facility.

3 4. The Chief Medical Officer shall publish reports of the  
4 inspections of any state facility for the detention of children that is  
5 operated pursuant to title 5 of NRS and may publish reports of the  
6 inspections of other state institutions.

7 5. All persons charged with the duty of maintenance and  
8 operation of the institutions named in this section shall operate the  
9 institutions in conformity with the regulations adopted by the State  
10 Board of Health pursuant to subsection 2.

11 6. The Chief Medical Officer or an authorized agent of the  
12 Officer may, in carrying out the provisions of this section, enter  
13 upon any part of the premises of any of the institutions named in  
14 this section over which he or she has jurisdiction, to determine the  
15 sanitary conditions of the institutions and to determine whether the  
16 provisions of this section and the regulations of the State Board of  
17 Health pertaining thereto are being violated.

18 **Sec. 301.** NRS 445B.200 is hereby amended to read as  
19 follows:

20 445B.200 1. The State Environmental Commission is hereby  
21 created within the Department. The Commission consists of:

22 (a) The Director of the Department of Wildlife;

23 (b) The State Forester Firewarden;

24 (c) The State Engineer;

25 (d) The Director of the State Department of Agriculture;

26 (e) The Administrator of the Division of Minerals of the  
27 Commission on Mineral Resources;

28 (f) A member of the State Board of Health to be designated by  
29 that Board; and

30 (g) Five members appointed by the Governor:

31 (1) One of whom is a general engineering contractor or a  
32 general building contractor licensed pursuant to chapter 624 of  
33 NRS;

34 (2) One of whom possesses expertise in performing mining  
35 reclamation; and

36 (3) One of whom possesses experience and expertise in  
37 advocating issues relating to conservation.

38 2. The Governor shall appoint the Chair of the Commission  
39 from among the members of the Commission.

40 3. A majority of the members constitutes a quorum, and a  
41 majority of those present must concur in any decision.

42 4. Each member who is appointed by the Governor is entitled  
43 to receive a salary of not more than \$80, as fixed by the  
44 Commission, for each day's attendance at a meeting of the  
45 Commission.



1 5. While engaged in the business of the Commission, each  
2 member and employee of the Commission is entitled to receive the  
3 per diem allowance and travel expenses provided for state officers  
4 and employees generally.

5 6. Any person who receives or has received during the  
6 previous 2 years a significant portion of his or her income, as  
7 defined by any applicable state or federal law, directly or indirectly  
8 from one or more holders of or applicants for a permit required by  
9 NRS 445A.300 to 445A.730, inclusive, is disqualified from serving  
10 as a member of the Commission. The provisions of this subsection  
11 do not apply to any person who receives, or has received during the  
12 previous 2 years, a significant portion of his or her income from any  
13 department or agency of State Government which is a holder of or  
14 an applicant for a permit required by NRS 445A.300 to 445A.730,  
15 inclusive.

16 7. The Department shall provide technical advice, support and  
17 assistance to the Commission. All state officers, departments,  
18 commissions and agencies, including the Department of  
19 Transportation, the Department of Health and Human Services, the  
20 Nevada System of Higher Education, *the Nevada System of*  
21 *Community Colleges*, the State Public Works Board, the  
22 Department of Motor Vehicles, the Department of Public Safety, the  
23 Public Utilities Commission of Nevada, the Nevada Transportation  
24 Authority and the State Department of Agriculture may also provide  
25 technical advice, support and assistance to the Commission.

26 **Sec. 302.** NRS 451.450 is hereby amended to read as follows:

27 451.450 1. The Committee or its duly authorized agent shall  
28 take and receive the bodies delivered to it pursuant to the provisions  
29 of NRS 451.350 to 451.470, inclusive, and shall distribute such  
30 bodies proportionately and equitably, among schools, teaching  
31 hospitals in which there is a resident training program that requires  
32 cadaveric material for study, and such other person or entity as the  
33 Committee may determine to be eligible to receive such bodies.

34 2. The Committee shall charge and collect:

35 (a) From a university, state college, ~~[community college]~~ or  
36 medical school within the Nevada System of Higher Education, *a*  
37 *community college within the Nevada System of Community*  
38 *Colleges* and any other medical school in this State to which the  
39 Committee distributes a dead human body in accordance with  
40 subsection 1, a fee in an amount not to exceed the expenses of the  
41 Committee to obtain, handle and distribute the body delivered to it  
42 pursuant to the provisions of NRS 451.350 to 451.470, inclusive;  
43 and

44 (b) From any other person or entity to which the Committee  
45 distributes a dead human body in accordance with subsection 1:



1 (1) A fee in an amount not to exceed the expenses of the  
2 Committee to obtain, handle and distribute the body delivered to it  
3 pursuant to the provisions of NRS 451.350 to 451.470, inclusive;  
4 and

5 (2) An additional fee of \$200 for each body distributed to the  
6 person or entity which must be used by the Committee to carry out  
7 the provisions of NRS 451.350 to 451.470, inclusive.

8 3. A person or entity may not receive a dead body for the  
9 promotion of medical science unless the Committee has determined  
10 that the person or entity is eligible to receive the dead body. A  
11 person or entity who receives a dead body in violation of this  
12 subsection is guilty of a gross misdemeanor.

13 **Sec. 303.** NRS 453.3345 is hereby amended to read as  
14 follows:

15 453.3345 1. Unless a greater penalty is provided in NRS  
16 453.333 or 453.334, and except as otherwise provided in NRS  
17 193.169, any person who violates NRS 453.321 or 453.322:

18 (a) On the grounds of a public or private school, a playground,  
19 public park, public swimming pool, recreational center for youths or  
20 a video arcade;

21 (b) On a campus of the Nevada System of Higher Education;

22 (c) *On a campus of the Nevada System of Community*  
23 *Colleges;*

24 (d) Within 1,000 feet of the perimeter of such a school ground  
25 or campus, playground, park, pool, recreational center or arcade; or

26 ~~(d)~~ (e) Within 1,000 feet of a school bus stop from 1 hour  
27 before school begins until 1 hour after school ends during scheduled  
28 school days,

29 ↪ must be punished by imprisonment in the state prison for a term  
30 equal to and in addition to the term of imprisonment prescribed by  
31 statute for the crime. The sentence prescribed by this section runs  
32 consecutively with the sentence prescribed by statute for the crime.

33 2. This section does not create a separate offense but provides  
34 an additional penalty for the primary offense, whose imposition is  
35 contingent upon the finding of the prescribed fact.

36 3. For the purposes of this section:

37 (a) "Playground" means any outdoor facility, intended for  
38 recreation, open to the public and in any portion thereof containing  
39 one or more apparatus intended for the recreation of children, such  
40 as a sliding board, teeterboard, sandbox or swingset.

41 (b) "Recreational center for youths" means a recreational facility  
42 or gymnasium which regularly provides athletic, civic or cultural  
43 activities for persons under 18 years of age.

44 (c) "School bus" has the meaning ascribed to it in NRS 483.160.



(d) "Video arcade" means a facility legally accessible to persons under 18 years of age, intended primarily for the use of pinball and video machines for amusement and which contains a minimum of 10 such machines.

**Sec. 304.** NRS 453.3351 is hereby amended to read as follows:

453.3351 1. Unless a greater penalty is provided by law, and except as otherwise provided in NRS 193.169, any person who violates NRS 453.322 or 453.3385 where the violation included the manufacture of any material, compound, mixture or preparation which contains any quantity of methamphetamine:

(a) Within 500 feet of a residence, business, church, synagogue or other place of religious worship, public or private school, campus of the Nevada System of Higher Education, *campus of the Nevada System of Community Colleges*, playground, public park, public swimming pool or recreational center for youths; or

(b) In a manner which creates a great risk of death or substantial bodily harm to another person,

shall be punished by imprisonment in the state prison for a term equal to and in addition to the term of imprisonment prescribed by statute for the crime. The sentence prescribed by this section runs consecutively with the sentence prescribed by statute for the crime.

2. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact.

3. For the purposes of this section:

(a) "Playground" has the meaning ascribed to it in NRS 453.3345.

(b) "Recreational center for youths" has the meaning ascribed to it in NRS 453.3345.

(c) "Residence" means any house, room, apartment, tenement, manufactured home as defined in NRS 489.113, or mobile home as defined in NRS 489.120, that is designed or intended for occupancy.

**Sec. 305.** NRS 459.0095 is hereby amended to read as follows:

459.0095 The Executive Director may:

1. Provide information relating to radioactive waste to the Legislature, local governments and state agencies that may be affected by the disposal of radioactive waste in this State.

2. Consult branches and facilities of the Nevada System of Higher Education, *the Nevada System of Community Colleges* or other institutions of higher education on matters relating to radioactive waste.

3. Employ, within the limitations of legislative authorization, technical consultants, specialists, investigators and other



1 professional and clerical employees as are necessary to the  
2 performance of the duties of the Executive Director.

3 4. Make and execute contracts and all other instruments  
4 necessary for the exercise of the duties of the office.

5 5. Obtain equipment and supplies necessary to carry out the  
6 provisions of NRS 459.009 to 459.0098, inclusive.

7 **Sec. 306.** NRS 463.385 is hereby amended to read as follows:

8 463.385 1. In addition to any other license fees and taxes  
9 imposed by this chapter, there is hereby imposed upon each slot  
10 machine operated in this State an annual excise tax of \$250. If a slot  
11 machine is replaced by another, the replacement is not considered a  
12 different slot machine for the purpose of imposing this tax.

13 2. The Commission shall:

14 (a) Collect the tax annually on or before June 30, as a condition  
15 precedent to the issuance of a state gaming license to operate any  
16 slot machine for the ensuing fiscal year beginning July 1, from a  
17 licensee whose operation is continuing.

18 (b) Collect the tax in advance from a licensee who begins  
19 operation or puts additional slot machines into play during the fiscal  
20 year, prorated monthly after July 31.

21 (c) Include the proceeds of the tax in its reports of state gaming  
22 taxes collected.

23 3. Any other person, including, without limitation, an operator  
24 of an inter-casino linked system, who is authorized to receive a  
25 share of the revenue from any slot machine that is operated on the  
26 premises of a licensee is liable to the licensee for that person's  
27 proportionate share of the license fees paid by the licensee pursuant  
28 to this section and shall remit or credit the full proportionate share to  
29 the licensee on or before the dates set forth in subsection 2. A  
30 licensee is not liable to any other person authorized to receive a  
31 share of the licensee's revenue from any slot machine that is  
32 operated on the premises of a licensee for that person's  
33 proportionate share of the license fees to be remitted or credited to  
34 the licensee by that person pursuant to this section.

35 4. The Commission shall pay over the tax as collected to the  
36 State Treasurer to be deposited to the credit of the State Education  
37 Fund, and of the Capital Construction Fund for Higher Education  
38 and the Special Capital Construction Fund for Higher  
39 Education which are hereby created in the State Treasury as special  
40 revenue funds, in the amounts and to be expended only for the  
41 purposes specified in this section, or for any other purpose  
42 authorized by the Legislature if sufficient money is available in the  
43 Capital Construction Fund for Higher Education and the Special  
44 Capital Construction Fund for Higher Education on July 31 of each



1 year to pay the principal and interest due in that fiscal year on the  
2 bonds described in subsection 6.

3 5. During each fiscal year, the State Treasurer shall deposit the  
4 tax paid over to him or her by the Commission as follows:

5 (a) The first \$5,000,000 of the tax in the Capital Construction  
6 Fund for Higher Education;

7 (b) Twenty percent of the tax in the Special Capital Construction  
8 Fund for Higher Education; and

9 (c) The remainder of the tax in the State Education Fund.

10 6. There is hereby appropriated from the balance in the Special  
11 Capital Construction Fund for Higher Education on July 31 of each  
12 year the amount necessary to pay the principal and interest due in  
13 that fiscal year on the bonds issued pursuant to section 5 of chapter  
14 679, Statutes of Nevada 1979, as amended by chapter 585, Statutes  
15 of Nevada 1981, at page 1251, the bonds authorized to be issued by  
16 section 2 of chapter 643, Statutes of Nevada 1987, at page 1503, the  
17 bonds authorized to be issued by section 2 of chapter 614, Statutes  
18 of Nevada 1989, at page 1377, the bonds authorized to be issued by  
19 section 2 of chapter 718, Statutes of Nevada 1991, at page 2382, the  
20 bonds authorized to be issued by section 2 of chapter 629, Statutes  
21 of Nevada 1997, at page 3106, and the bonds authorized to be issued  
22 by section 2 of chapter 514, Statutes of Nevada 2013, at page 3391.  
23 If in any year the balance in that Fund is not sufficient for this  
24 purpose, the remainder necessary is hereby appropriated on July 31  
25 from the Capital Construction Fund for Higher Education. The  
26 balance remaining unappropriated in the Capital Construction Fund  
27 for Higher Education on August 1 of each year and all amounts  
28 received thereafter during the fiscal year must be transferred to the  
29 State General Fund for the support of higher education. If bonds  
30 described in this subsection are refunded and if the amount required  
31 to pay the principal of and interest on the refunding bonds in any  
32 fiscal year during the term of the bonds is less than the amount that  
33 would have been required in the same fiscal year to pay the  
34 principal of and the interest on the original bonds if they had not  
35 been refunded, there is appropriated to the Nevada System of Higher  
36 Education *or the Nevada System of Community Colleges, as*  
37 *applicable*, an amount sufficient to pay the principal of and interest  
38 on the original bonds, as if they had not been refunded. The amount  
39 required to pay the principal of and interest on the refunding bonds  
40 must be used for that purpose from the amount appropriated. The  
41 amount equal to the saving realized in that fiscal year from the  
42 refunding must be used by the Nevada System of Higher Education  
43 *or the Nevada System of Community Colleges, as applicable*, to  
44 defray, in whole or in part, the expenses of operation and



1 maintenance of the facilities acquired in part with the proceeds of  
2 the original bonds.

3 7. After the requirements of subsection 6 have been met for  
4 each fiscal year, when specific projects are authorized by the  
5 Legislature, money in the Capital Construction Fund for Higher  
6 Education and the Special Capital Construction Fund for Higher  
7 Education must be transferred by the State Controller and the State  
8 Treasurer to the State Public Works Board for the construction of  
9 capital improvement projects for the ~~[Nevada System of Higher  
10 Education, including, but not limited to, capital improvement  
11 projects for the community colleges of the]~~ Nevada System of  
12 Higher Education ~~[ ]~~ *or the Nevada System of Community  
13 Colleges, as applicable.* As used in this subsection, "construction"  
14 includes, but is not limited to, planning, designing, acquiring and  
15 developing a site, construction, reconstruction, furnishing,  
16 equipping, replacing, repairing, rehabilitating, expanding and  
17 remodeling. Any money remaining in either Fund at the end of a  
18 fiscal year does not revert to the State General Fund but remains in  
19 those Funds for authorized expenditure.

20 8. The money deposited in the State Education Fund under this  
21 section must be apportioned as provided in NRS 387.030 among the  
22 several school districts and charter schools of the State at the times  
23 and in the manner provided by law.

24 9. The Board of Regents of the University of Nevada *and the  
25 State Board for Community Colleges* may use any money in the  
26 Capital Construction Fund for Higher Education and the Special  
27 Capital Construction Fund for Higher Education for the payment of  
28 interest and amortization of principal on bonds and other securities,  
29 whether issued before, on or after July 1, 1979, to defray in whole or  
30 in part the costs of any capital project authorized by the Legislature.

31 **Sec. 307.** NRS 480.926 is hereby amended to read as follows:  
32 480.926 The Office shall:

- 33 1. Establish partnerships with:
  - 34 (a) Local governments;
  - 35 (b) The Nevada System of Higher Education; ~~[and]~~
  - 36 (c) *The Nevada System of Community Colleges; and*
  - 37 (d) Private entities, to the extent practicable,

38 ↪ to encourage the development of strategies to prepare for and  
39 mitigate risks to, and otherwise protect, the security of information  
40 systems that are operated or maintained by a public or private entity  
41 in this State.

42 2. Establish partnerships to assist and receive assistance from  
43 local governments and appropriate agencies of the Federal  
44 Government regarding the development of strategies to prepare for



1 and mitigate risks to, and otherwise protect, the security of  
2 information systems.

3 3. Consult with the Division of Emergency Management of the  
4 Department and the Division of Enterprise Information Technology  
5 Services of the Department of Administration regarding the  
6 development of strategies to prepare for and mitigate risks to, and  
7 otherwise protect, the security of information systems.

8 4. Coordinate with the Investigation Division of the  
9 Department regarding gathering intelligence on and initiating  
10 investigations of cyber threats and incidents.

11 **Sec. 308.** NRS 482.330 is hereby amended to read as follows:

12 482.330 1. Upon issuance of a dealer's, distributor's,  
13 manufacturer's or rebuilder's license certificate pursuant to NRS  
14 482.322, the Department shall furnish to the manufacturer,  
15 distributor, dealer or rebuilder one or more registration certificates  
16 and special plates for use on the vehicles described in the provisions  
17 of NRS 482.320. Each plate must have displayed upon it the  
18 identification number which is assigned to the dealer, distributor,  
19 manufacturer or rebuilder, and may at the discretion of the  
20 Department have a different letter or symbol on each plate or pair of  
21 plates. The manufacturer's, distributor's, dealer's or rebuilder's  
22 license plates may be used interchangeably on that vehicle.

23 2. The Department shall issue to each dealer a reasonable  
24 number of registration certificates and license plates.

25 3. The Department shall provide by regulation for the issuance  
26 of special license plates to dealers or rebuilders and for the number  
27 of those plates for use on vehicles loaned by those dealers or  
28 rebuilders to:

29 (a) Customers in the course of business.

30 (b) The State of Nevada.

31 (c) The Nevada System of Higher Education.

32 (d) *The Nevada System of Community Colleges.*

33 (e) A school district.

34 ~~(e)~~ (f) A county, city or town.

35 ~~(f)~~ (g) An organization that is exempt from taxation pursuant  
36 to the provisions of section 501(c)(3) of the Internal Revenue Code.

37 ➤ The regulations must prescribe what use may be made of the  
38 plates and the persons who may operate a motor vehicle with those  
39 plates.

40 4. Notwithstanding the provisions of subsection 3, a dealer  
41 may use not more than six special plates from the total number of  
42 plates issued pursuant to this section for personal use by the dealer  
43 or a member of the dealer's immediate family.



1     **Sec. 309.** NRS 482.3749 is hereby amended to read as  
2 follows:

3     482.3749 1. The Department shall, using any colors and  
4 designs that the Department deems appropriate, design, prepare and  
5 issue license plates which indicate status as a hall of fame athlete.  
6 The design of the license plates must include the words "hall of  
7 fame."

8     2. The Department shall issue license plates that indicate status  
9 as a hall of fame athlete for a passenger car or a light commercial  
10 vehicle upon application by a person who is entitled to license plates  
11 pursuant to NRS 482.265 and who otherwise complies with the  
12 requirements for registration and licensing pursuant to this chapter.  
13 A person may request that personalized prestige license plates  
14 issued pursuant to NRS 482.3667 be combined with license plates  
15 that indicate status as a hall of fame athlete if that person pays the  
16 fees for the personalized prestige license plates in addition to the  
17 fees for the license plates that indicate status as a hall of fame  
18 athlete.

19     3. An application for the issuance or renewal of license plates  
20 that indicate status as a hall of fame athlete is void unless it is  
21 accompanied by documentation which, in the determination of the  
22 Department, provides reasonable proof of identity and status as a  
23 hall of fame athlete.

24     4. In addition to all other applicable registration and license  
25 fees and governmental services taxes:

26     (a) A person who requests license plates that indicate status as a  
27 hall of fame athlete shall pay a fee to the Department of \$35.

28     (b) License plates that indicate status as a hall of fame athlete  
29 are renewable upon the payment to the Department of \$10.

30     5. If, during a registration period, the holder of license plates  
31 issued pursuant to the provisions of this section disposes of the  
32 vehicle to which the plates are affixed, the holder may retain the  
33 plates and:

34     (a) Affix them to another vehicle that meets the requirements of  
35 this section if the transfer and registration fees are paid as set forth  
36 in this chapter; or

37     (b) Within 30 days after removing the plates from the vehicle,  
38 return them to the Department.

39     6. As used in this section, "hall of fame athlete" means a  
40 current or former athlete who has been inducted into a hall of fame  
41 pertaining to the sport in which the athlete participates or  
42 participated, including, but not limited to:

43     (a) The National Baseball Hall of Fame, located in  
44 Cooperstown, New York.



1 (b) The Basketball Hall of Fame, located in Springfield,  
2 Massachusetts.

3 (c) The Pro Football Hall of Fame, located in Canton, Ohio.

4 (d) The Hockey Hall of Fame, located in Toronto, Ontario,  
5 Canada.

6 (e) The National Soccer Hall of Fame, located in Oneonta, New  
7 York.

8 (f) The International Tennis Hall of Fame, located in Newport,  
9 Rhode Island.

10 (g) The Pro Rodeo Hall of Fame, located in Colorado Springs,  
11 Colorado.

12 (h) Any hall of fame which has been established at a university  
13 ~~[ ] or state college [or community college]~~ within the Nevada  
14 System of Higher Education ~~[ ] or at a community college within~~  
15 *the Nevada System of Community Colleges.*

16 **Sec. 310.** NRS 482.3823 is hereby amended to read as  
17 follows:

18 482.3823 1. An educational institution may operate on the  
19 highways of this State an unregistered motor vehicle otherwise  
20 required to be registered pursuant to this chapter if there is displayed  
21 on the vehicle a special license plate assigned to the educational  
22 institution pursuant to subsection 2. Such operation is strictly  
23 limited to movement of the vehicle:

24 (a) From one educational institution to another educational  
25 institution;

26 (b) From the educational institution to an established place of  
27 business which specializes in particular automotive repairs; and

28 (c) Which is necessary to test the vehicle under practical  
29 operating conditions on the road.

30 2. Upon application by an educational institution, submission  
31 of such evidence of qualification as is determined necessary by the  
32 Director and payment of the applicable fee, the Department shall  
33 assign to the educational institution one or more sets of special  
34 license plates for use on educational vehicles. The Department shall  
35 charge and collect a fee of \$5 for each set of special license plates  
36 issued pursuant to this section. The plates are valid for 1 year. The  
37 fee for renewal is \$5.

38 3. Any unauthorized use of special license plates issued  
39 pursuant to this section is cause for the Department to revoke all sets  
40 of those plates issued to the educational institution. Unauthorized  
41 use of the plates includes:

42 (a) Display on a vehicle which is not an educational vehicle; and

43 (b) Movement of an educational vehicle in any manner not  
44 authorized in subsection 1.



1 4. Each special plate issued pursuant to this section must have  
2 displayed upon it suitable characters, as determined by the  
3 Department, to identify the vehicle as an educational vehicle. The  
4 special plates may be used interchangeably on educational vehicles  
5 by the educational institution to which the plates were issued.

6 5. As used in this section:

7 (a) "Educational institution" means:

8 (1) A public school as that term is defined in NRS 385.007;

9 ~~{or}~~

10 (2) *One of the branches or facilities within the Nevada*  
11 *System of Community Colleges; or*

12 (3) One of the branches or facilities within the Nevada  
13 System of Higher Education,

14 ↪ which offers a course of instruction in automotive repair and  
15 owns or controls an educational vehicle.

16 (b) "Educational vehicle" means any motor vehicle which is  
17 owned or controlled by an educational institution and used  
18 exclusively for the purposes of a course of instruction in automotive  
19 repair. The term does not include any motor vehicle:

20 (1) Used by the educational institution for any purpose not  
21 directly related to a course of instruction in automotive repair.

22 (2) Owned by a pupil, student or employee of the educational  
23 institution.

24 **Sec. 311.** NRS 503.452 is hereby amended to read as follows:

25 503.452 1. Except as otherwise provided in subsections 2 and  
26 3, each trap, snare or similar device used by a person in the taking of  
27 wild mammals must be registered with the Department before it is  
28 used. Each registered trap, snare or similar device must bear a  
29 number which is assigned by the Department and is clearly stamped  
30 on the trap, snare or similar device or on a metal tag that is attached  
31 to the trap, snare or similar device. The registration of a trap, snare  
32 or similar device is valid until the trap, snare or similar device is  
33 sold or ownership of the trap, snare or similar device is otherwise  
34 transferred. For each trap, snare or similar device registered with the  
35 Department, the person registering the trap, snare or similar device  
36 must pay a registration fee of \$5.

37 2. Except as otherwise provided in subsection 3, if a trap, snare  
38 or similar device is not registered with the Department pursuant to  
39 subsection 1, before it can be used in the taking of wild animals, it  
40 must have the name and address of the person who owns the trap,  
41 snare or similar device:

42 (a) Clearly stamped upon the trap, snare or similar device; or

43 (b) On a metal tag that is attached to the trap, snare or similar  
44 device.



1 3. The provisions of subsections 1 and 2 do not apply to a trap,  
2 snare or similar device used:

3 (a) Exclusively on private property which is posted or fenced in  
4 accordance with the provisions of NRS 207.200 by the owner or  
5 occupant of the property or with the permission of the owner or  
6 occupant;

7 (b) For the control of rodents by an institution of the *Nevada*  
8 *System of Community Colleges or the* Nevada System of Higher  
9 Education;

10 (c) By any federal, state or local governmental agency; or

11 (d) For the taking of wild mammals for scientific or educational  
12 purposes under a permit issued by the Department pursuant to  
13 NRS 503.650.

14 4. It is unlawful:

15 (a) For a person to whom a trap, snare or similar device is  
16 registered to allow another person to possess or use the trap, snare or  
17 similar device without providing to that person written authorization  
18 to possess or use the trap, snare or similar device.

19 (b) For a person to possess or use a trap, snare or similar device  
20 registered to another person without obtaining the written  
21 authorization required pursuant to paragraph (a). If a person obtains  
22 written authorization to possess or use a trap, snare or similar device  
23 pursuant to paragraph (a), the person shall ensure that the written  
24 authorization, together with his or her trapping license, is in his or  
25 her possession during any period in which he or she uses the trap,  
26 snare or similar device to take fur-bearing mammals.

27 5. A person to whom a trap, snare or similar device is  
28 registered pursuant to this section shall report any theft of the trap,  
29 snare or similar device to the Department as soon as it is practical to  
30 do so after the person discovers the theft.

31 6. Any information in the possession of the Department  
32 concerning the registration of a trap, snare or similar device is  
33 confidential and the Department shall not disclose that information  
34 unless required to do so by law or court order.

35 7. If a trap, snare or similar device has been used exclusively  
36 on private property pursuant to paragraph (a) of subsection 3, before  
37 the trap, snare or similar device is used on any public land in this  
38 State, the owner of the trap, snare or similar device must:

39 (a) Register the trap, snare or similar device pursuant to  
40 subsection 1; or

41 (b) Pursuant to subsection 2, have his or her name and address:

42 (1) Clearly stamped on the trap, snare or similar device; or

43 (2) On a metal tag that is attached to the trap, snare or similar  
44 device.



1       **Sec. 312.** NRS 504.165 is hereby amended to read as follows:  
2       504.165 1. The Commission shall adopt regulations  
3 governing the disbursement of money to:

4       (a) Prevent or mitigate damage to private property and privately  
5 maintained improvements, including, without limitation, fences;

6       (b) Prevent or mitigate damage to fences on public lands;

7       (c) Construct fences around sources of water on private lands or  
8 public lands where there has been damage to the area near such  
9 sources of water; and

10       (d) Compensate persons for grazing reductions and the loss of  
11 stored and standing crops,

12       ↳ caused by elk or game mammals not native to this State.

13       2. The regulations must contain:

14       (a) Requirements for the eligibility of those persons claiming  
15 damage to private property, privately maintained improvements,  
16 fences on public lands or areas near sources of water on public lands  
17 to receive money or materials from the Department, including:

18               (1) A requirement that such a person enter into a cooperative  
19 agreement with the Director for purposes related to this title; and

20               (2) A requirement that if the claim is for money or materials  
21 from the Department for the construction of a fence around a source  
22 of water on private land or public land, such a person must:

23                       (I) Conduct a physical inspection of the private land or  
24 public land upon which the fence is proposed to be constructed to  
25 determine the most effective manner in which to protect the source  
26 of water and to determine the most effective manner in which to  
27 provide access to a source of water for livestock and wildlife that is  
28 located outside the fence and within a reasonable distance from the  
29 fence;

30                       (II) Conduct the inspection described in sub-subparagraph  
31 (I) in consultation with the persons or entities which will be directly  
32 affected by the construction of the fence, including, without  
33 limitation, an owner of the private land on which the fence is  
34 proposed to be constructed, a governmental entity that manages the  
35 public land on which the fence is proposed to be constructed, a  
36 holder of a permit to graze livestock on the public land, if  
37 applicable, and a person who holds a water right which will be  
38 directly affected by the construction of the fence; and

39                       (III) Enter into a cooperative agreement with the persons  
40 and entities described in sub-subparagraph (II) for purposes related  
41 to the construction of the fence in accordance with the results of the  
42 inspection conducted pursuant to this subparagraph.

43       (b) Procedures for the formation of local panels to assess  
44 damage caused by elk or game mammals not native to this State and



1 to determine the value of a loss claimed if the person claiming the  
2 loss and the Department do not agree on the value of the loss.

3 (c) Procedures for the use on private property or public lands of  
4 materials purchased by the State to prevent damage caused by elk or  
5 game mammals not native to this State.

6 (d) Any other regulations necessary to carry out the provisions  
7 of this section and NRS 504.155.

8 3. The regulations must:

9 (a) Provide for the payment of money or other compensation to  
10 cover the costs of labor and materials necessary to:

11 (1) Prevent or mitigate damage to private property, privately  
12 maintained improvements and fences on public lands caused by elk  
13 or game mammals not native to this State; and

14 (2) Construct fences around sources of water on private or  
15 public lands if:

16 (I) Elk or game mammals not native to this State have  
17 caused damage to the area near such sources of water; and

18 (II) A source of water for livestock and wildlife is  
19 available outside such a fence and within a reasonable distance from  
20 such a fence or will be made available at such a location.

21 (b) Prohibit a person who has, within a particular calendar year,  
22 applied for or received a special incentive elk tag pursuant to NRS  
23 502.142 from applying, within the same calendar year, for  
24 compensation pursuant to this section for the same private land.

25 4. Money may not be disbursed to a claimant pursuant to this  
26 section unless the claimant shows by a preponderance of the  
27 evidence that the damage for which the claimant is seeking  
28 compensation was caused solely by elk or game mammals not  
29 native to this State.

30 5. As used in this section, "public lands" means all lands  
31 within the exterior boundaries of the State of Nevada except lands:

32 (a) To which title is held by any private person or entity;

33 (b) To which title is held by the State of Nevada, any of its local  
34 governments, *the Nevada System of Community Colleges* or the  
35 Nevada System of Higher Education;

36 (c) Which are located within congressionally authorized national  
37 parks, monuments, national forests or wildlife refuges, or which are  
38 lands acquired by purchase consented to by the Legislature;

39 (d) Which are controlled by the United States Department of  
40 Defense, Department of Energy or Bureau of Reclamation; or

41 (e) Which are held in trust for Indian purposes or are Indian  
42 reservations.

43 **Sec. 313.** NRS 543.550 is hereby amended to read as follows:

44 543.550 1. There is hereby granted to a district the right-of-  
45 way for the construction and maintenance of floodways, ditches,



1 waterways, conduits, canals, dikes, embankments, basins for  
2 retention or detention of water and protective works in, over and  
3 across public lands of the State of Nevada not otherwise disposed of  
4 or in use, but not in any case exceeding the length or width  
5 necessary for the construction of those works and adjuncts or for the  
6 protection thereof.

7 2. Whenever any selection of right-of-way for those works or  
8 adjuncts is made by the district, the board shall transmit to the  
9 Division of State Lands of the State Department of Conservation  
10 and Natural Resources and any other agency or entity of the state  
11 owning land in the area, including the Nevada System of Higher  
12 Education , *the Nevada System of Community Colleges* and the  
13 Colorado River Commission of Nevada, and to the county recorder  
14 of the county in which the selected lands are situated a plat of the  
15 lands so selected, giving the extent thereof and the uses for which  
16 they are claimed or desired, verified to be correct.

17 3. If the Division of State Lands of the State Department of  
18 Conservation and Natural Resources approves the selection so  
19 made, it must be endorsed upon the plat and a permit must be issued  
20 to use the rights-of-way and land.

21 **Sec. 314.** NRS 563.100 is hereby amended to read as follows:

22 563.100 1. The Nevada Junior Livestock Show Board shall  
23 each year conduct the Nevada Junior Livestock Show and the  
24 Nevada Youth Livestock and Dairy Show at places to be determined  
25 by the Board.

26 2. To enter any exhibition named in subsection 1, a person  
27 must:

28 (a) Be certified by the State 4-H Club Leader or the agriculture  
29 education program professional at the Department of Education; and

30 (b) Be under 19 years of age except that the Board, upon  
31 considering the requirements of a specific event involved may allow  
32 entry by a person 19 years of age or older who is registered as a  
33 regular student in an animal science course under the Nevada  
34 System of Higher Education  *or the Nevada System of  
35 Community Colleges.*

36 3. Entries of animals in any exhibition named in subsection 1  
37 are limited to those owned or controlled according to the  
38 requirements of the exhibition.

39 **Sec. 315.** NRS 597.245 is hereby amended to read as follows:

40 597.245 1. A person may operate an instructional wine-  
41 making facility if the person:

42 (a) Obtains a license for the facility pursuant to chapter 369 of  
43 NRS;

44 (b) Complies with the requirements of this section; and



1 (c) Complies with any other applicable governmental  
2 requirements for the operation of such a facility, including, without  
3 limitation, compliance with all applicable federal bonding,  
4 permitting and other requirements for the production, blending,  
5 treatment, storage and bottling of wine.

6 2. A person who is licensed to operate an instructional wine-  
7 making facility may:

8 (a) Engage in the process of wine making on the premises of the  
9 facility;

10 (b) Charge a fee to other persons of legal age for the purpose of  
11 providing those persons with instruction and the opportunity to  
12 participate directly in the process of wine making on the premises of  
13 the facility; and

14 (c) Serve wine produced on the premises of the facility by the  
15 glass for consumption on the premises of the facility.

16 3. Wine produced on the premises of an instructional wine-  
17 making facility must be:

18 (a) Used, consumed or disposed of on the premises of the  
19 facility; or

20 (b) Distributed from the facility to a person of legal age who has  
21 participated directly in the process of wine making on the premises  
22 of the facility for the person's own household or personal use. That  
23 person:

24 (1) May distribute the wine to any other person of legal age  
25 as a gift.

26 (2) Shall not remove from the facility:

27 (I) Any wine other than that which the person participated  
28 directly in the process of making on the premises of the facility.

29 (II) More than 60 gallons of wine during any period of 12  
30 months.

31 4. Except as otherwise permitted by this section, if a person  
32 knows or reasonably should know that wine was produced on the  
33 premises of an instructional wine-making facility, the person shall  
34 not:

35 (a) Directly or indirectly or through any other person, sell, offer  
36 to sell or solicit the purchase or sale of such wine at wholesale or  
37 retail; or

38 (b) Use such wine for any purpose other than for the person's  
39 own household or personal use.

40 5. A person who violates any provision of this section is guilty  
41 of a misdemeanor.

42 6. As used in this section:

43 (a) "Instructional wine-making facility" means any facility that,  
44 for a fee, provides a person of legal age with instruction and the



1 opportunity to participate directly in the process of wine making on  
2 the premises of the facility. The term does not include:

3 (1) A wine maker or winery that is licensed pursuant to  
4 chapter 369 of NRS.

5 (2) A *community college within the Nevada System of*  
6 *Community Colleges, a university* ~~or~~ *or state college* ~~or~~  
7 ~~community college that is part of~~ *within* the Nevada System of  
8 Higher Education or any other postsecondary educational institution  
9 that is licensed by a federal or state agency and is accredited by a  
10 nationally recognized educational accrediting association.

11 (b) "Process of wine making" means the usual and customary  
12 steps taken to produce wine. Such steps may include, without  
13 limitation:

14 (1) Growing, buying and importing agricultural products and  
15 ingredients.

16 (2) Selecting, preparing and processing agricultural products  
17 and ingredients.

18 (3) Barreling, fermenting, aging, filtering, bottling, labeling,  
19 racking, warehousing and storing.

20 (4) Importing bulk wine or juice from a bonded winery in  
21 another state, to be fermented into wine or, if already fermented, to  
22 be blended with other wine and aged in a suitable cellar.

23 **Sec. 316.** NRS 610.030 is hereby amended to read as follows:

24 610.030 There is hereby created the State Apprenticeship  
25 Council composed of:

26 1. The following voting members, appointed by the Governor  
27 upon recommendation of the Executive Director of the Office of  
28 Workforce Innovation:

29 (a) Two members who represent management and have, or have had,  
30 had, a defined role in a jointly administered apprenticeship program,  
31 one of whom must be from northern Nevada and one of whom must  
32 be from southern Nevada.

33 (b) Two members who represent labor and have, or have had, a  
34 defined role in a jointly administered apprenticeship program, one  
35 of whom must be from northern Nevada and one of whom must be  
36 from southern Nevada.

37 (c) Two members, one who represents management and one  
38 who represents labor, who have, or have had, a defined role or job in  
39 a statewide, jointly administered apprenticeship program.

40 (d) One member who is a representative of the general public.

41 2. The following nonvoting members:

42 (a) The Executive Director of the Office of Economic  
43 Development or his or her designee.

44 (b) The Superintendent of Public Instruction or his or her  
45 designee.



1 (c) One representative of a community college located in a  
2 county whose population is 700,000 or more, appointed by the  
3 ~~[Chancellor]~~ *Executive Director* of the ~~[Nevada System of Higher~~  
4 ~~Education.]~~ *State Board for Community Colleges.*

5 (d) One representative of a community college located in a  
6 county whose population is less than 700,000, appointed by the  
7 ~~[Chancellor]~~ *Executive Director* of the ~~[Nevada System of Higher~~  
8 ~~Education.]~~ *State Board for Community Colleges.*

9 **Sec. 317.** NRS 610.040 is hereby amended to read as follows:

10 610.040 1. Each voting member of the Council shall serve  
11 for a term of 3 years, so long as the member has the qualifications  
12 required by NRS 610.030. A member of the Council who no longer  
13 has the qualifications specified in NRS 610.030 under which the  
14 member was appointed shall continue to serve on the Council until  
15 the member's successor is appointed. A voting member may not  
16 serve more than four terms.

17 2. The voting members of the Council serve at the pleasure of  
18 the Governor.

19 3. The nonvoting members of the Council appointed pursuant  
20 to paragraphs (c) and (d) of subsection 2 of NRS 610.030 serve at  
21 the pleasure of the ~~[Chancellor]~~ *Executive Director* of the ~~[Nevada~~  
22 ~~System of Higher Education.]~~ *State Board for Community*  
23 *Colleges.*

24 **Sec. 318.** NRS 612.265 is hereby amended to read as follows:

25 612.265 1. Except as otherwise provided in this section and  
26 NRS 239.0115, 607.217 and 612.642, information obtained from  
27 any employing unit or person pursuant to the administration of this  
28 chapter and any determination as to the benefit rights of any person  
29 is confidential and may not be disclosed or be open to public  
30 inspection in any manner which would reveal the person's or  
31 employing unit's identity.

32 2. Any claimant or a legal representative of a claimant is  
33 entitled to information from the records of the Division, to the  
34 extent necessary for the proper presentation of the claimant's claim  
35 in any proceeding pursuant to this chapter. A claimant or an  
36 employing unit is not entitled to information from the records of the  
37 Division for any other purpose.

38 3. The Administrator may, in accordance with a cooperative  
39 agreement among all participants in the statewide longitudinal data  
40 system developed pursuant to NRS 400.037 and administered  
41 pursuant to NRS 223.820, make the information obtained by the  
42 Division available to:

43 (a) The Board of Regents of the University of Nevada for the  
44 purpose of complying with the provisions of subsection 4 of NRS  
45 396.531; ~~[and]~~



1 (b) *The State Board for Community Colleges for the purpose*  
2 *of complying with the provisions of subsection 4 of section 57 of*  
3 *this act; and*

4 (c) The Director of the Department of Employment, Training  
5 and Rehabilitation for the purpose of complying with the provisions  
6 of paragraph (d) of subsection 1 of NRS 232.920.

7 4. Subject to such restrictions as the Administrator may by  
8 regulation prescribe, the information obtained by the Division may  
9 be made available to:

10 (a) Any agency of this or any other state or any federal agency  
11 charged with the administration or enforcement of laws relating to  
12 unemployment compensation, public assistance, workers'  
13 compensation or labor and industrial relations, or the maintenance  
14 of a system of public employment offices;

15 (b) Any state or local agency for the enforcement of child  
16 support;

17 (c) The Internal Revenue Service of the Department of the  
18 Treasury;

19 (d) The Department of Taxation;

20 (e) The State Contractors' Board in the performance of its duties  
21 to enforce the provisions of chapter 624 of NRS; and

22 (f) The Secretary of State to operate the state business portal  
23 established pursuant to chapter 75A of NRS for the purposes of  
24 verifying that data submitted via the portal has satisfied the  
25 necessary requirements established by the Division, and as  
26 necessary to maintain the technical integrity and functionality of the  
27 state business portal established pursuant to chapter 75A of NRS.

28 ➔ Information obtained in connection with the administration of the  
29 Division may be made available to persons or agencies for purposes  
30 appropriate to the operation of a public employment service or a  
31 public assistance program.

32 5. Upon written request made by the State Controller or a  
33 public officer of a local government, the Administrator shall furnish  
34 from the records of the Division the name, address and place of  
35 employment of any person listed in the records of employment of  
36 the Division. The request may be made electronically and must set  
37 forth the social security number of the person about whom the  
38 request is made and contain a statement signed by the proper  
39 authority of the State Controller or local government certifying that  
40 the request is made to allow the proper authority to enforce a law to  
41 recover a debt or obligation assigned to the State Controller for  
42 collection or owed to the local government, as applicable. Except as  
43 otherwise provided in NRS 239.0115, the information obtained by  
44 the State Controller or local government is confidential and may not  
45 be used or disclosed for any purpose other than the collection of a



1 debt or obligation assigned to the State Controller for collection or  
2 owed to that local government. The Administrator may charge a  
3 reasonable fee for the cost of providing the requested information.

4 6. The Administrator may publish or otherwise provide  
5 information on the names of employers, their addresses, their type  
6 or class of business or industry, and the approximate number of  
7 employees employed by each such employer, if the information  
8 released will assist unemployed persons to obtain employment or  
9 will be generally useful in developing and diversifying the economic  
10 interests of this State. Upon request by a state agency which is able  
11 to demonstrate that its intended use of the information will benefit  
12 the residents of this State, the Administrator may, in addition to the  
13 information listed in this subsection, disclose the number of  
14 employees employed by each employer and the total wages paid by  
15 each employer. The Administrator may charge a fee to cover the  
16 actual costs of any administrative expenses relating to the disclosure  
17 of this information to a state agency. The Administrator may require  
18 the state agency to certify in writing that the agency will take all  
19 actions necessary to maintain the confidentiality of the information  
20 and prevent its unauthorized disclosure.

21 7. Upon request therefor, the Administrator shall furnish to any  
22 agency of the United States charged with the administration of  
23 public works or assistance through public employment, and may  
24 furnish to any state agency similarly charged, the name, address,  
25 ordinary occupation and employment status of each recipient of  
26 benefits and the recipient's rights to further benefits pursuant to this  
27 chapter.

28 8. To further a current criminal investigation, the chief  
29 executive officer of any law enforcement agency of this State may  
30 submit a written request to the Administrator that the Administrator  
31 furnish, from the records of the Division, the name, address and  
32 place of employment of any person listed in the records of  
33 employment of the Division. The request must set forth the social  
34 security number of the person about whom the request is made and  
35 contain a statement signed by the chief executive officer certifying  
36 that the request is made to further a criminal investigation currently  
37 being conducted by the agency. Upon receipt of such a request, the  
38 Administrator shall furnish the information requested. The  
39 Administrator may charge a fee to cover the actual costs of any  
40 related administrative expenses.

41 9. In addition to the provisions of subsection 6, the  
42 Administrator shall provide lists containing the names and addresses of  
43 employers, and information regarding the wages paid by each  
44 employer to the Department of Taxation, upon request, for use in  
45 verifying returns for the taxes imposed pursuant to chapters 363A,



1 363B and 363C of NRS. The Administrator may charge a fee to  
2 cover the actual costs of any related administrative expenses.

3 10. Upon the request of any district judge or jury commissioner  
4 of the judicial district in which the county is located, the  
5 Administrator shall, in accordance with other agreements entered  
6 into with other district courts and in compliance with 20 C.F.R. Part  
7 603, and any other applicable federal laws and regulations  
8 governing the Division, furnish the name, address and date of birth  
9 of persons who receive benefits in any county, for use in the  
10 selection of trial jurors pursuant to NRS 6.045. The court or jury  
11 commissioner who requests the list of such persons shall reimburse  
12 the Division for the reasonable cost of providing the requested  
13 information.

14 11. The Division of Industrial Relations of the Department of  
15 Business and Industry shall periodically submit to the  
16 Administrator, from information in the index of claims established  
17 pursuant to NRS 616B.018, a list containing the name of each  
18 person who received benefits pursuant to chapters 616A to 616D,  
19 inclusive, or chapter 617 of NRS. Upon receipt of that information,  
20 the Administrator shall compare the information so provided with  
21 the records of the Employment Security Division regarding persons  
22 claiming benefits pursuant to this chapter for the same period. The  
23 information submitted by the Division of Industrial Relations must  
24 be in a form determined by the Administrator and must contain the  
25 social security number of each such person. If it appears from the  
26 information submitted that a person is simultaneously claiming  
27 benefits under this chapter and under chapters 616A to 616D,  
28 inclusive, or chapter 617 of NRS, the Administrator shall notify the  
29 Attorney General or any other appropriate law enforcement agency.

30 12. The Administrator may request the Comptroller of the  
31 Currency of the United States to cause an examination of the  
32 correctness of any return or report of any national banking  
33 association rendered pursuant to the provisions of this chapter, and  
34 may in connection with the request transmit any such report or  
35 return to the Comptroller of the Currency of the United States as  
36 provided in section 3305(c) of the Internal Revenue Code of 1954.

37 13. The Administrator, any employee or other person acting on  
38 behalf of the Administrator, or any employee or other person acting  
39 on behalf of an agency or entity allowed to access information  
40 obtained from any employing unit or person in the administration of  
41 this chapter, or any person who has obtained a list of applicants for  
42 work, or of claimants or recipients of benefits pursuant to this  
43 chapter, is guilty of a gross misdemeanor if he or she:

44 (a) Uses or permits the use of the list for any political purpose;



1 (b) Uses or permits the use of the list for any purpose other than  
2 one authorized by the Administrator or by law; or

3 (c) Fails to protect and prevent the unauthorized use or  
4 dissemination of information derived from the list.

5 14. All letters, reports or communications of any kind, oral or  
6 written, from the employer or employee to each other or to the  
7 Division or any of its agents, representatives or employees are  
8 privileged and must not be the subject matter or basis for any  
9 lawsuit if the letter, report or communication is written, sent,  
10 delivered or prepared pursuant to the requirements of this chapter.

11 **Sec. 319.** NRS 616A.190 is hereby amended to read as  
12 follows:

13 616A.190 Members of state, county and local departments,  
14 boards, commissions, agencies or bureaus, whether elected or  
15 appointed, who serve without compensation or who receive less  
16 than \$250 per month compensation, the members of the State Board  
17 of Education, adjunct professors of the Nevada System of Higher  
18 Education, ~~and~~ the members of the Board of Regents of the  
19 University of Nevada, *the members of the State Board for*  
20 *Community Colleges and the members of the boards of trustees of*  
21 *the community colleges within the Nevada System of Community*  
22 *Colleges* while engaged in their designated duties as members and  
23 adjunct professors, shall be deemed, for the purpose of chapters  
24 616A to 616D, inclusive, of NRS, employees receiving a wage of  
25 \$250 per month and, in the event of injury while performing their  
26 designated duties, are entitled to the benefits of those chapters.

27 **Sec. 320.** NRS 617.135 is hereby amended to read as follows:

28 617.135 "Police officer" includes:

29 1. A sheriff, deputy sheriff, officer of a metropolitan police  
30 department or city police officer;

31 2. A chief, inspector, supervisor, commercial officer or trooper  
32 of the Nevada Highway Patrol Division of the Department of Public  
33 Safety;

34 3. A chief, investigator or agent of the Investigation Division  
35 of the Department of Public Safety;

36 4. A chief, supervisor, investigator or training officer of the  
37 Training Division of the Department of Public Safety;

38 5. A chief or investigator of an office of the Department of  
39 Public Safety that conducts internal investigations of employees of  
40 the Department of Public Safety or investigates other issues relating  
41 to the professional responsibility of those employees;

42 6. A chief or investigator of the Department of Public Safety  
43 whose duties include, without limitation:

44 (a) The execution, administration or enforcement of the  
45 provisions of chapter 179A of NRS; and



1 (b) The provision of technology support services to the Director  
2 and the divisions of the Department of Public Safety;

3 7. An officer or investigator of the Section for the Control of  
4 Emissions From Vehicles and the Enforcement of Matters Related  
5 to the Use of Special Fuel of the Department of Motor Vehicles;

6 8. An investigator of the Division of Compliance Enforcement  
7 of the Department of Motor Vehicles;

8 9. A member of the police department of the Nevada System of  
9 Higher Education;

10 10. *A member of the police department of the Nevada System*  
11 *of Community Colleges;*

12 11. A:

13 (a) Uniformed employee of; or

14 (b) Forensic specialist employed by,

15 → the Department of Corrections whose position requires regular  
16 and frequent contact with the offenders imprisoned and subjects the  
17 employee to recall in emergencies;

18 ~~H1-]~~ 12. A parole and probation officer of the Division of  
19 Parole and Probation of the Department of Public Safety;

20 ~~H2-]~~ 13. A forensic specialist or correctional officer employed  
21 by the Division of Public and Behavioral Health of the Department  
22 of Health and Human Services at facilities for mentally disordered  
23 offenders;

24 ~~H3-]~~ 14. The State Fire Marshal and his or her assistant and  
25 deputies;

26 ~~H4-]~~ 15. A game warden of the Department of Wildlife who  
27 has the powers of a peace officer pursuant to NRS 289.280;

28 ~~H5-]~~ 16. A ranger or employee of the Division of State Parks  
29 of the State Department of Conservation and Natural Resources who  
30 has the powers of a peace officer pursuant to NRS 289.260; and

31 ~~H6-]~~ 17. A bailiff or a deputy marshal of the district court or  
32 justice court whose duties require him or her to carry a weapon and  
33 to make arrests.

34 **Sec. 321.** NRS 632.2856 is hereby amended to read as  
35 follows:

36 632.2856 1. The training program required for certification  
37 as a nursing assistant must consist of 75 hours of instruction. The  
38 program must include no less than 60 hours of theory and learning  
39 skills in a laboratory setting.

40 2. Except as otherwise provided in this subsection, the  
41 instructor of the program must be a registered nurse with:

42 (a) Three years of nursing experience which includes direct care  
43 of patients and supervision and education of members of the staff;  
44 and



1 (b) Proof of successful completion of training for instructors  
2 which has been approved by the Board.

3 ➔ The Board may approve a licensed practical nurse as an instructor  
4 if the Board determines that requiring instruction by a registered  
5 nurse would create a hardship.

6 3. Except as otherwise provided in NRS 622.090, upon  
7 completion of the program, a nursing assistant trainee must pass a  
8 test in theory with an overall score of 80 percent and a test of skills  
9 on a pass or fail basis. The test of skills must be given by a  
10 registered nurse. If the nursing assistant trainee fails either of the  
11 tests, the nursing assistant trainee must repeat the training in the  
12 areas in which he or she was deficient before taking the certification  
13 examination.

14 4. In a program which is based in a facility, a nursing assistant  
15 trainee may only perform those tasks he or she has successfully  
16 completed in the training program, and must perform those tasks  
17 under the direct supervision of a registered nurse or a licensed  
18 practical nurse.

19 5. The Board shall adopt regulations not inconsistent with law:

20 (a) Specifying the scope of the training program and the  
21 required components of the program;

22 (b) Establishing standards for the approval of programs and  
23 instructors; and

24 (c) Designating the basic nursing services which a nursing  
25 assistant may provide upon certification.

26 6. Any medical facility, educational institution or other  
27 organization may provide a training program if the program meets  
28 the requirements set forth in this chapter and in the regulations of  
29 the Board, and is approved by the Board. Such a program must be  
30 administered through:

31 (a) The Nevada System of Higher Education;

32 (b) *The Nevada System of Community Colleges*;

33 (c) A program for career and technical education approved by  
34 the State Board of Education;

35 ~~(e)~~ (d) A public school in this State; or

36 ~~(d)~~ (e) Any other nationally recognized body or agency  
37 authorized by law to accredit or approve such programs.

38 7. An educational institution or agency that administers a  
39 training program shall:

40 (a) Develop or approve the curriculum for training provided in  
41 its service district;

42 (b) Manage the training program; and

43 (c) Work with medical and other facilities to carry out the  
44 requirements of paragraphs (a) and (b).



1       **Sec. 322.** NRS 639.238 is hereby amended to read as follows:

2       639.238 1. Prescriptions filled and on file in a pharmacy are  
3 not a public record. Except as otherwise provided in NRS 439.538  
4 and 639.2357, a pharmacist shall not divulge the contents of any  
5 prescription or provide a copy of any prescription, except to:

6       (a) The patient for whom the original prescription was issued;

7       (b) The practitioner who originally issued the prescription;

8       (c) A practitioner who is then treating the patient;

9       (d) A member, inspector or investigator of the Board or an  
10 inspector of the Food and Drug Administration or an agent of the  
11 Investigation Division of the Department of Public Safety;

12       (e) An agency of state government charged with the  
13 responsibility of providing medical care for the patient;

14       (f) An insurance carrier, on receipt of written authorization  
15 signed by the patient or his or her legal guardian, authorizing the  
16 release of such information;

17       (g) Any person authorized by an order of a district court;

18       (h) Any member, inspector or investigator of a professional  
19 licensing board which licenses a practitioner who orders  
20 prescriptions filled at the pharmacy;

21       (i) Other registered pharmacists for the limited purpose of and to  
22 the extent necessary for the exchange of information relating to  
23 persons who are suspected of:

24           (1) Misusing prescriptions to obtain excessive amounts of  
25 drugs; or

26           (2) Failing to use a drug in conformity with the directions for  
27 its use or taking a drug in combination with other drugs in a manner  
28 that could result in injury to that person;

29       (j) A peace officer employed by a local government for the  
30 limited purpose of and to the extent necessary:

31           (1) For the investigation of an alleged crime reported by an  
32 employee of the pharmacy where the crime was committed; or

33           (2) To carry out a search warrant or subpoena issued  
34 pursuant to a court order; or

35       (k) A county coroner, medical examiner or investigator  
36 employed by an office of a county coroner for the purpose of:

37           (1) Identifying a deceased person;

38           (2) Determining a cause of death; or

39           (3) Performing other duties authorized by law.

40       2. Any copy of a prescription for a controlled substance or a  
41 dangerous drug as defined in chapter 454 of NRS that is issued to a  
42 county coroner, medical examiner or investigator employed by an  
43 office of a county coroner must be limited to a copy of the  
44 prescription filled or on file for:



1 (a) The person whose name is on the container of the controlled  
2 substance or dangerous drug that is found on or near the body of a  
3 deceased person; or

4 (b) The deceased person whose cause of death is being  
5 determined.

6 3. Except as otherwise provided in NRS 639.2357, any copy of  
7 a prescription for a controlled substance or a dangerous drug as  
8 defined in chapter 454 of NRS, issued to a person authorized by this  
9 section to receive such a copy, must contain all of the information  
10 appearing on the original prescription and be clearly marked on its  
11 face "Copy, Not Refillable—For Reference Purposes Only." The  
12 copy must bear the name or initials of the registered pharmacist who  
13 prepared the copy.

14 4. If a copy of a prescription for any controlled substance or a  
15 dangerous drug as defined in chapter 454 of NRS is furnished to the  
16 customer, the original prescription must be voided and notations  
17 made thereon showing the date and the name of the person to whom  
18 the copy was furnished.

19 5. As used in this section, "peace officer" does not include:

20 (a) A member of the Police Department of the Nevada System  
21 of Higher Education.

22 (b) *A member of the Police Department of the Nevada System*  
23 *of Community Colleges.*

24 (c) A school police officer who is appointed or employed  
25 pursuant to NRS 391.281.

26 **Sec. 323.** NRS 645.343 is hereby amended to read as follows:

27 645.343 1. In addition to the other requirements contained in  
28 this chapter, an applicant for an original real estate salesperson's  
29 license must furnish proof satisfactory to the Real Estate Division  
30 that the applicant has successfully completed a course of instruction  
31 which consists of not less than 120 hours of instruction in the  
32 principles, practices, procedures, law and ethics of real estate, which  
33 course may be an extension or correspondence course offered by the  
34 Nevada System of Higher Education, *by the Nevada System of*  
35 *Community Colleges*, by any other accredited college or university  
36 or by any other college or school approved by the Commission. The  
37 course of instruction must include:

38 (a) The subject of disclosure of required information in real  
39 estate transactions, including instruction on methods a seller may  
40 use to obtain the required information;

41 (b) Not less than 15 hours of instruction in the preparation of  
42 contracts in real estate transactions to the extent allowed in the  
43 capacity of a licensee; and

44 (c) Not less than 15 hours of instruction on agency.



1 2. An applicant for an original real estate broker's or broker-  
2 salesperson's license must furnish proof satisfactory to the Real  
3 Estate Division that the applicant has successfully completed:

4 (a) Three semester units or an equivalent number of quarter  
5 units in real estate law, including at least 18 classroom hours of the  
6 real estate law of Nevada;

7 (b) Three semester units or an equivalent number of quarter  
8 units in the principles of real estate;

9 (c) Nine semester units or the equivalent in quarter units of  
10 college level courses in real estate appraisal and business or  
11 economics;

12 (d) Nine semester units or the equivalent in quarter units of  
13 college level courses in real estate, business or economics;

14 (e) Three semester units or an equivalent number of quarter  
15 units in broker management;

16 (f) Not less than one semester unit or an equivalent number of  
17 quarter units of instruction in the preparation of contracts in real  
18 estate transactions to the extent allowed in the capacity of a licensee;  
19 and

20 (g) Not less than one semester unit or an equivalent number of  
21 quarter units of instruction on agency.

22 3. On and after January 1, 1986, in addition to other  
23 requirements contained in this chapter, an applicant for an original  
24 real estate broker's or broker-salesperson's license must furnish  
25 proof satisfactory to the Real Estate Division that the applicant has  
26 completed 64 semester units or the equivalent in quarter units of  
27 college level courses. This educational requirement includes and is  
28 not in addition to the requirements listed in subsection 2.

29 4. For the purposes of this section, each person who holds a  
30 license as a real estate broker, broker-salesperson or salesperson, or  
31 an equivalent license, issued by a state or territory of the United  
32 States, or the District of Columbia, is entitled to receive credit for  
33 the equivalent of 16 semester units of college level courses for each  
34 2 years of active experience that, during the immediately preceding  
35 10 years, the person has obtained while he or she has held such a  
36 license, not to exceed 8 years of active experience. This credit may  
37 not be applied against the requirement in subsection 2 for three  
38 semester units or an equivalent number of quarter units in broker  
39 management or 18 classroom hours of the real estate law of Nevada.

40 5. An applicant for a broker's license pursuant to NRS 645.350  
41 must meet the educational prerequisites applicable on the date his or  
42 her application is received by the Real Estate Division.

43 6. As used in this section, "college level courses" are courses  
44 offered by any accredited college or university or by any other  
45 institution which meet the standards of education established by the



1 Commission. The Commission may adopt regulations setting forth  
2 standards of education which are equivalent to the college level  
3 courses outlined in this subsection. The regulations may take into  
4 account the standard of instructors, the scope and content of the  
5 instruction, hours of instruction and such other criteria as the  
6 Commission requires.

7 **Sec. 324.** NRS 645.830 is hereby amended to read as follows:

8 645.830 1. The following fees must be charged by and paid  
9 to the Division:

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For each original real estate broker's, broker-	
salesperson's or corporate broker's license.....	\$105
For each original real estate salesperson's license .....	85
For each original branch office license .....	120
For real estate education, research and recovery to	
be paid at the time an application for an	
original license is filed .....	40
For real estate education, research and recovery to	
be paid at the time an application for renewal	
of a license is filed.....	40
For each renewal of a real estate broker's, broker-	
salesperson's or corporate broker's license.....	180
For each renewal of a real estate salesperson's	
license.....	140
For each renewal of a real estate branch office	
license.....	110
For each penalty for late filing of a renewal for a	
broker's, broker-salesperson's or corporate	
broker's license .....	95
For each penalty for late filing of a renewal for a	
salesperson's license .....	75
For each change of name or address.....	20
For each transfer of a real estate salesperson's or	
broker-salesperson's license and change of	
association or employment.....	20
For each duplicate license where the original	
license is lost or destroyed, and an affidavit is	
made thereof.....	20
For each change of broker status from broker to	
broker-salesperson.....	20
For each change of broker status from broker-	
salesperson to broker.....	40
For each reinstatement to active status of an	
inactive real estate broker's, broker-	
salesperson's or salesperson's license.....	20



1 For each reinstatement of a real estate broker's  
2 license when the licensee fails to give  
3 immediate written notice to the Division of a  
4 change of name or business location..... \$30  
5 For each reinstatement of a real estate  
6 salesperson's or broker-salesperson's license  
7 when he or she fails to notify the Division of a  
8 change of broker within 30 days of termination  
9 by previous broker..... 30  
10 For each original registration of an owner-  
11 developer..... 125  
12 For each annual renewal of a registration of an  
13 owner-developer..... 125  
14 For each enlargement of the area of an owner-  
15 developer's registration..... 50  
16 For each cooperative certificate issued to an out-  
17 of-state broker licensee for 1 year or fraction  
18 thereof ..... 150  
19 For each original accreditation of a course of  
20 continuing education ..... 100  
21 For each renewal of accreditation of a course of  
22 continuing education ..... 50  
23 For each annual approval of a course of  
24 instruction offered in preparation for an  
25 original license or permit..... 100  
26

27 2. The fees prescribed by this section for courses of instruction  
28 offered in preparation for an original license or permit or for courses  
29 of continuing education do not apply to:

30 (a) Any university ~~[,] or~~ state college ~~for community college of~~  
31 *within* the Nevada System of Higher Education.

32 (b) *Any community college within the Nevada System of*  
33 *Community Colleges.*

34 (c) Any agency of the State.

35 ~~[(e)]~~ (d) Any regulatory agency of the Federal Government.

36 3. The Commission shall adopt regulations which establish the  
37 fees to be charged and collected by the Division to pay the costs of  
38 any investigation of a person's background.

39 **Sec. 325.** NRS 645A.021 is hereby amended to read as  
40 follows:

41 645A.021 1. In addition to any other requirement, an  
42 applicant for an original license as an escrow agent or agency must  
43 furnish proof satisfactory to the Commissioner of the successful  
44 completion of a course of instruction in the principles, practices,  
45 procedures, law and ethics of escrows, which course may be an



1 extension or correspondence course offered by the Nevada System  
2 of Higher Education, *by the Nevada System of Community*  
3 *Colleges*, by any other accredited college or university or by any  
4 other college or school approved by the Commissioner.

5 2. An applicant for a license as an escrow agent or agency  
6 pursuant to NRS 645A.020 must meet the educational prerequisites  
7 required pursuant to this section not later than the date on which his  
8 or her application is received by the Office of the Commissioner.

9 3. The Commissioner shall adopt regulations setting forth  
10 standards for the educational prerequisites required pursuant to this  
11 section. The regulations must address standards for instructors, the  
12 scope and content of the instruction, required hours of instruction  
13 and such other criteria as the Commissioner considers necessary.

14 **Sec. 326.** NRS 701B.312 is hereby amended to read as  
15 follows:

16 701B.312 “Institution of higher education” means:

17 1. A university ~~[.]~~ or college ~~for community college~~ which is  
18 privately owned or which is part of the Nevada System of Higher  
19 Education;

20 2. *A community college which is privately owned or which is*  
21 *part of the Nevada System of Community Colleges;* or

22 ~~[2.]~~ 3. A postsecondary educational institution, as defined in  
23 NRS 394.099, or any other institution of higher education.

24 **Sec. 327.** NRS 701B.460 is hereby amended to read as  
25 follows:

26 701B.460 “Institution of higher education” means:

27 1. A university ~~[.]~~ or college ~~for community college~~ which is  
28 privately owned or which is part of the Nevada System of Higher  
29 Education;

30 2. *A community college which is privately owned or which is*  
31 *part of the Nevada System of Community Colleges;* or

32 ~~[2.]~~ 3. A postsecondary educational institution, as defined in  
33 NRS 394.099, or any other institution of higher education.

34 **Sec. 328.** The provisions of subsection 1 of NRS 218D.380 do  
35 not apply to any provision of this act which adds or revises a  
36 requirement to submit a report to the Legislature.

37 **Sec. 329.** As soon as practicable on or after July 1, 2022, the  
38 Governor shall:

39 1. Appoint the members of the State Board for Community  
40 Colleges created by section 7 of this act. In appointing such  
41 members, the Governor shall, by lot, select:

42 (a) Four members to serve an initial term of 2 years; and

43 (b) Five members to serve an initial term of 3 years.



1 2. Appoint the voting members of the board of trustees for the  
2 College of Southern Nevada created pursuant to section 74 of this  
3 act. In appointing the members, the Governor shall, by lot, select:

4 (a) Three members to serve an initial term of 2 years; and

5 (b) Four members to serve an initial term of 3 years.

6 3. Appoint the voting members of the board of trustees for  
7 Great Basin College created pursuant to section 74 of this act. In  
8 appointing the members, the Governor shall, by lot, select:

9 (a) Three members to serve an initial term of 2 years; and

10 (b) Four members to serve an initial term of 3 years.

11 4. Appoint the voting members of the board of trustees for  
12 Truckee Meadows Community College created pursuant to section  
13 74 of this act. In appointing the members, the Governor shall, by lot,  
14 select:

15 (a) Three members to serve an initial term of 2 years; and

16 (b) Four members to serve an initial term of 3 years.

17 5. Appoint the voting members of the board of trustees for  
18 Western Nevada College created pursuant to section 74 of this act.  
19 In appointing the members, the Governor shall, by lot, select:

20 (a) Three members to serve an initial term of 2 years; and

21 (b) Four members to serve an initial term of 3 years.

22 **Sec. 330.** As soon as practicable on or after July 1, 2022:

23 1. The Governor shall appoint:

24 (a) To the State Board of Education, the member required to be  
25 appointed by NRS 385.021, as amended by section 82 of this act.

26 (b) To the Commission on Educational Technology, the member  
27 required to be appointed by NRS 388.790, as amended by section 97  
28 of this act.

29 (c) To the Commission on Professional Standards in Education,  
30 the member required to be appointed by NRS 391.011, as amended  
31 by section 118 of this act.

32 (d) To the Board of the Public Employees' Benefits Program,  
33 the member required to be appointed by NRS 287.041, as amended  
34 by section 227 of this act.

35 (e) To the Committee to Administer the Public Employees'  
36 Deferred Compensation Program, the member required to be  
37 appointed by NRS 287.325, as amended by section 232 of this act.

38 (f) To the Nevada Early Childhood Advisory Council, the  
39 member required to be appointed by NRS 432A.076, as amended by  
40 section 292 of this act.

41 2. The Chief Justice of the Supreme Court shall appoint to the  
42 committee created pursuant to NRS 1.530, the member required to  
43 be appointed pursuant to that section, as amended by section 157 of  
44 this act.



1 3. The Administrator of the Division of Public and Behavioral  
2 Health of the Department of Health and Human Services shall  
3 appoint to the Advisory Council on the State Program for Wellness  
4 and the Prevention of Chronic Disease, the member required to be  
5 appointed by NRS 439.518, as amended by section 297 of this act.

6 **Sec. 331.** As soon as practicable on or after July 1, 2022, the  
7 Governor shall appoint the members of the Articulation and  
8 Transfer Board created by section 151 of this act. In appointing such  
9 members, the Governor shall, by lot, select:

10 1. Eight members to serve an initial term of 2 years; and

11 2. Seven members to serve an initial term of 3 years.

12 **Sec. 332.** Any contract, lease or other agreement entered into  
13 before July 1, 2022, and in effect on or after July 1, 2022, by the  
14 Nevada System of Higher Education or the Board of Regents of the  
15 Nevada System of Higher Education relating to the operation of or  
16 provision of services by or to the College of Southern Nevada, Great  
17 Basin College, Truckee Meadows Community College or Western  
18 Nevada College shall be deemed to be a contract, lease or other  
19 agreement entered into by the board of trustees of the respective  
20 community college created pursuant to section 74 of this act.

21 **Sec. 333.** NRS 353B.001, 353B.004, 396.311, 396.315,  
22 396.517, 400.010 and 400.020 are hereby repealed.

23 **Sec. 334.** 1. This act becomes effective:

24 (a) Upon passage and approval for the purposes of adopting  
25 regulations and performing any other preparatory administrative  
26 tasks necessary to carry out the provisions of this act; and

27 (b) On July 1, 2022, for all other purposes.

28 2. Section 274 of this act expires by limitation on  
29 June 30, 2023.

30 3. Section 327 of this act expires by limitation on  
31 December 31, 2025.

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## LEADLINES OF REPEALED SECTIONS

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**353B.001 Definitions.**

**353B.004 "System" defined.**

**396.311 Community College: System of probation for professional employees.**

**396.315 Community College: System for dismissal of professional employees.**

**396.517 Program to educate and train persons for work in nursing home.**



- 400.010 Definitions.
- 400.020 “System” defined.

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