NEVADA LEGISLATURE

SEVENTY-NINTH SESSION
2017

ALSO INCLUDED

TWENTY-NINTH SPECIAL SESSION
DECEMBER 16–19, 2015

THIRTIETH SPECIAL SESSION
OCTOBER 10–14, 2016

SUMMARY OF LEGISLATION

PREPARED BY
RESEARCH DIVISION
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INTRODUCTION

The 79th (2017) Regular Session of the Nevada Legislature considered 1,077 new bills—522 from the Assembly and 555 from the Senate. Additionally, 1 initiative petition was considered, and 7 vetoed bills were returned for consideration from the 78th (2015) Regular Session. Of these bills and initiative petition, 649 bills were approved. The Governor vetoed 41 bills, 26 of which were vetoed during session but not overridden. The other 15 vetoed bills will be returned to the 80th (2019) Session for possible veto overrides. The Governor signed all of the remaining bills; therefore, 608 bills became law. The 2017 Session adjourned sine die on June 6.

Prior to the 2017 Regular Session, two special sessions were held—one in 2015 and one in 2016. The 29th Special Session in 2015 was called to provide incentives for certain businesses to locate to Nevada in alignment with the State's economic development plan (Faraday Future), revise provisions concerning workforce development programs, and address associated water rights applications and water service. The 30th Special Session in 2016 was held to finance the expansion and renovation of the Las Vegas Convention Center, provide a method to finance the construction and operation of a National Football League stadium project or a college football stadium project in Clark County, and authorize the Clark County Board of Commissioners to increase the sales and use tax in order to employ and equip additional law enforcement officers.

The *Summary of Legislation* reviews each of the bills and joint and concurrent resolutions passed during the 79th Regular and 29th and 30th Special Sessions. These summaries do not constitute legal analyses and are not intended for use by the legal community in place of the actual statutes. The chapter or file number following each bill or resolution refers to the location of the bill or resolution in the *Statutes of Nevada 2017*. The *Statutes of Nevada* are a compilation of all legislation passed by the Nevada Legislature during a particular legislative session.

Unless otherwise noted, the measures passed during the 79th Regular Session are effective on October 1, 2017.

Occasionally, descriptions of "current" or "existing" law are used to illustrate the changes resulting from a bill. These descriptions refer to the law in effect prior to the passage of new legislation. In many cases, the "current" law so referenced already will have been changed at the time of this document's publication. Furthermore, numerous measures are included in more than one chapter of this document.

Thorough coverage of appropriations acts is available in a document titled *Nevada Legislative Appropriations Report*, prepared by the Fiscal Analysis Division of the Legislative Counsel Bureau.

Please see the "Numeric Index" for a complete list of legislation or consult the "Table of Contents" and "Subject Index" for reference to legislation enacted within selected major or specific topic areas. For a comprehensive index to all legislative measures considered during the 2017 Session, please consult the *Index and Tables* for the 79th Legislative Session.

Research Division
Legislative Counsel Bureau
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APPROPRIATIONS AND AUTHORIZATIONS

Capital Improvement Budget Bills

S.B. 546 (Chapter 606)

Senate Bill 546 provides for the implementation of the State's Capital Improvement Program (CIP) for the 2017-2019 Biennium. The bill contains funding of approximately $354.1 million for new construction, renovation, advance planning, equipment maintenance, and ongoing and deferred maintenance projects.

During the 2017-2019 Biennium, the CIP is supported by the following major funding sources:

- $201.4 million in general obligation bonds;
- $48.3 million in agency and donor funds to support Nevada System of Higher Education, Department of Tourism and Cultural Affairs, Department of Wildlife, and Department of Administration projects;
- $48 million in State General Fund appropriations;
- $36.5 million in federal funds for Office of the Military projects;
- $12.1 million in excess funding reallocated from projects approved in prior Capital Improvement Programs;
- $4.3 million in State Highway Funds for Department of Motor Vehicles and Department of Public Safety projects; and
- $3.5 million in slot tax funding from the Special Higher Education Capital Construction Fund.

Senate Bill 546 provides approximately $229.1 million to support 11 construction projects. Notable projects include:

- $84.7 million to construct a new Engineering Building at the University of Nevada, Reno;
- $42 million to construct a new Department of Motor Vehicles facility in Reno, Nevada;
- $37.1 million to construct a new National Guard Readiness Center in North Las Vegas;
- $36 million to advance the construction of the new Northern Nevada Veterans Home in Sparks, Nevada; and
- $11.3 million to support the Northern Nevada Correctional Center Americans with Disabilities Act code compliance retrofit.

For the biennium, $97.4 million is designated for various maintenance projects for existing State facilities. In addition, $27.6 million is available for statewide projects including roofing repairs, advance planning and design projects, paving, fire and life safety, and accessibility projects. Maintenance projects totaling $44.7 million for the Department of Corrections will provide replacement doors and locks, HVAC systems, water systems, plumbing fixtures, air handling units, and shower and restroom renovations. An additional $15.9 million will address deferred maintenance projects, including central plant renovations, electrical, plumbing, and cooling systems, and a domestic and fire water system for the Department of Administration, and $15 million will support deferred maintenance projects for institutions of the Nevada System of High Education.

Finally, S.B. 546 establishes a 15.45 cent property tax levy for debt service in each year of the biennium for general obligation bonds issued to finance the CIP. The measure also includes an additional 1.55 cent property tax levy to be used exclusively for the repayment of bonds issued as a result of the approval of Question No. 1 by voters on the November 2002 ballot. Question No. 1 required the issuance of $200 million in bonds to protect, preserve, and obtain the benefits of the property and natural resources of the State. Thus, the total property tax levy of 17 cents remains unchanged from the levy approved for the 2015-2017 Biennium. The 2 cent levies above the historic 15 cent levy are not subject to the $3.64 local government property tax cap.

This bill is effective on June 16, 2017.

S.B. 553 (Chapter 601)

Senate Bill 553 provides funding to the State Public Works Division of the Department of Administration for capital improvement projects at the University of Nevada, Las Vegas (UNLV), as follows:

- $3.5 million for the Advance Planning UNLV College of Engineering, Academic, and Research Building project. Funding consists of an equal split of $1.75 million in State General Fund money and $1.75 million in other non-State funds; and

- $50 million for the Complete Planning and Begin Construction of a New Medical School Building, UNLV project. Funding consists of an equal split of $25 million in State General Fund money and $25 million in other non-State funds. The measure provides for the appropriation from the State General Fund to the Interim Finance Committee for allocation to the State Public Works Division upon confirmation that the non-State funds have been secured. A biannual report describing the status of the project, including fundraising efforts, is required to be transmitted to the Interim Finance Committee.

The measure clarifies that it is the intent of the Legislature that the amounts authorized be expended before the amounts appropriated. In addition, any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on June 15, 2017.

Education Budget Bills

S.B. 544 (Chapter 394)

Senate Bill 544 provides funding for K-12 public education for the 2017-2019 Biennium, apportions the State Distributive School Account (DSA) in the State General Fund, and authorizes certain expenditures for support of public education in the State for the 2017-2019 Biennium. The bill also appropriates money for purposes relating to basic support of school districts, the class-size reduction program, and other educational purposes. In addition, S.B. 544 temporarily diverts money from the State Supplemental School Support Account to the DSA for operating costs and other expenditures of school districts.

Specifically, S.B. 544 appropriates $3.170 billion ($2.374 billion from the State General Fund and $796.2 million from other sources) for support of elementary and secondary education in Nevada. This appropriation includes sufficient funding to meet enrollment projection increases of 1.05 percent in Fiscal Year (FY) 2017-2018 and 1.25 percent in FY 2018-2019, based upon FY 2016-2017 projected enrollment. In addition, enrollment is increased to reflect the addition of the remaining 0.40 student for full-day kindergarten in the funding formula. The measure increases the statewide average basic support per pupil from $5,774 in FY 2016-2017 to $5,897 in FY 2017-2018 and $5,967 in FY 2018-2019.

Beyond the basic per-pupil funding appropriated, special categorical funding has been set aside for several programs. Special education is funded in the amount of $386.5 million over the biennium. In addition, the measure authorizes expenditures of $4 million over the biennium for the State Board of Education to reimburse school districts and charter schools from the Contingency Account for Special Education Services for extraordinary expenses related to the education of students with disabilities.

Continued financial support of the State's class-size reduction program also is contained in S.B. 544. The bill appropriates $299.6 million to achieve student-to-teacher ratios of 17 to 1 in first and second grades and 20 to 1 in third grade. The measure continues the flexibility for certain school districts to carry out alternative programs for reducing the class-size ratios or to implement remedial programs that have been found to be effective in improving student academic achievement.

Senate Bill 544 also contains an appropriation of $154.3 million to the Other State Education Programs Account to fund various projects and programs, including special counseling services, library books, and National Board Certification for teachers and counselors. Other items funded by the Account include:

- $36.5 million for adult education programs;
- $25.1 million for career and technical education programs;
- $7.2 million for the Jobs for America's Graduates Program;

- $14.6 million to continue support for education programs that provide at least 150 minutes per week during the school year of differentiated educational activities to students identified as gifted and talented;

- $6.7 million for early childhood education programs;

- $10 million for a college and career readiness grant program to help high school students enroll in college courses to obtain dual enrollment credit and to create a competitive science, technology, engineering, and mathematics grant program;

- $5 million to improve underperforming schools though the Turnaround Grant program; and

- $41.1 million to continue the Read by Grade Three program, in support of early literacy in targeted schools.

Funding over the biennium also is continued for a number of education programs through the Account for Programs for Innovation and the Prevention of Remediation, including:

- $100 million for the Zoom schools program, which provides literacy supports for young English learners;

- $20 million for the Nevada Ready 21 Technology competitive grant program for statewide one-to-one computing in certain middle schools.

- $50 million for the Victory schools program to support literacy programs at Nevada's poorest underperforming schools;

- $21.4 million for a block grant program to hire contract social and mental health workers for certain schools;

- $5 million to fund incentive pay for newly hired teachers;

- $15.1 million for the Regional Professional Development Programs to train teachers and administrators; and

- $9.7 million for the Great Teaching and Leading Fund to invest in high-quality professional development, leadership development, and an improved teacher pipeline.

Senate Bill 544 also contains appropriations and authorizations of funding for the following programs during the biennium:

- $90,000 to provide bullying prevention grant funding to school districts;

- $5 million for the Teach Nevada Scholarship program, which awards scholarships to students who attend a university, college, or other provider of an approved alternative licensure program; and
- $5 million to reimburse teachers for out-of-pocket expenses incurred with the purchase of necessary school supplies.

Finally, S.B. 544 temporarily diverts $376.1 million from the State Supplemental School Support Account to the DSA for funding operating costs and other expenditures of school districts.

This measure is effective on July 1, 2017.

NOTE: See also Assembly Bill 447 (Chapter 344).
See also Senate Bill 390 (Chapter 544).

State Budget Bills

A.B. 517 (Chapter 395)

Assembly Bill 517 appropriates from the State General Fund and the State Highway Fund money for salary increases for nonclassified, classified, and unclassified State employees. Specifically, the bill includes funding for a 2 percent salary increase for Fiscal Year (FY) 2017-2018 and another 2 percent salary increase for FY 2018-2019. Additionally, the bill appropriates money for salary increases for State elected officials effective January 7, 2019, and establishes the maximum allowable salaries for State employees in the unclassified service.

Among its various other provisions, the bill authorizes the Department of Health and Human Services and the Department of Corrections to provide pay for unclassified medical positions and pharmacists to perform on-call responsibilities to ensure 24-hour coverage in psychiatric and medical facilities. The bill further authorizes the Nevada Gaming Control Board to continue the credential pay plan, which provides up to $5,000 annually for certain unclassified employees who possess a current Nevada certified public accountant certificate or a license to practice law or are in a qualifying position as electronic laboratory engineer and possess a Bachelor of Science or higher degree in engineering, electronic engineering, or computer science.

This bill is effective on July 1, 2017.

A.B. 518 (Chapter 396)

Assembly Bill 518 is the General Appropriations Act to support Nevada State government during the 2017-2019 Biennium. This measure makes appropriations from the State General Fund and the State Highway Fund for all State agencies and the Nevada System of Higher Education (NSHE). The bill provides for appropriations from the State General Fund of $2.44 billion in Fiscal Year (FY) 2017-2018 and $2.54 billion in FY 2018-2019, for a total

of $4.98 billion over the 2017-2019 Biennium. This amount represents an increase of approximately $544.2 million when compared to State General Fund appropriations approved by the 2015 Legislature for the 2015-2017 Biennium. The State Highway Fund appropriations total $141.13 million in FY 2017-2018 and $145.72 million in FY 2018-2019, for a total of $286.85 million over the 2017-2019 Biennium. This amount represents an increase of approximately $4.1 million from the previous biennium.

Assembly Bill 518, along with the Authorized Expenditures Act (S.B. 545), the State employee salary bill (A.B. 517), the school funding bill (S.B. 544), and the Capital Improvements Program bill (S.B. 546), is the product of deliberations by the Assembly Committee on Ways and Means and the Senate Committee on Finance. While not specified in the bill, many of the decisions concerning agency programs were discussed in greater detail by these committees as part of the budget process and as budget closing decisions. A summary of selected major program decisions linked to these appropriations follows.

Elected Officials

Office of Workforce Innovation (Office of the Governor)—The measure appropriates from the State General Fund $192,000 over the 2017-2019 Biennium to fund the newly established Office of Workforce Innovation. The Nevada P20 Workforce reporting budget also is transferred from the Department of Employment, Training and Rehabilitation to the Office of Workforce Innovation, including State General Fund appropriations of $1.7 million over the biennium.

Office of Nuclear Projects (Office of the Governor)—The bill appropriates $2.7 million from the State General Fund for the Office of Nuclear Projects. Of that amount, $1.3 million is approved to continue technical expert assistance regarding the legal and administrative proceedings relating to the establishment of a high-level nuclear waste repository at Yucca Mountain.

Special Appropriations (Office of the Governor)—The bill appropriates $275,000 in FY 2017-2018 to increase the Clark County School District's participation in federal nutrition programs, $25,000 in FY 2017-2018 to support the Civil Air Patrol, $70,000 in FY 2018-2019 to cover transition costs for elected constitutional officers, and $2.8 million over the biennium as loans to the Division of Enterprise Information Technology Services to enhance the State's cyber security resources and to increase bandwidth and connectivity to the State's wide area network.

Office of the Attorney General—The bill appropriates $13.8 million in State General Fund money for the Office of the Attorney General over the 2017-2019 Biennium. Of this amount, $3.8 million supports the Special Fund to continue legal activities regarding the establishment of a high-level nuclear waste repository at Yucca Mountain, $1.3 million continues the support of the Bureau of Consumer Protection, $1 million supports extradition activities, $850,000 supports the Crime Prevention budget, $110,000 is for the Grants Unit, and $6.7 million is for the Administrative Account.

The bill funds the State General Fund portion of the assessment charged to agencies using the services of the Attorney General's Office through each individual budget rather than a direct appropriation to the Attorney General's Administrative Account for the Attorney General Cost Allocation Plan. This change resulted in a reduction of State General Fund appropriations from the $26 million approved for the Administrative Fund over the 2015-2017 Biennium to $6.7 million approved for the 2017-2019 Biennium.

Office of the Secretary of State—The bill changes the funding source for the Securities Division's operating expenses from fees and recovery funds to State General Fund appropriations of $335,000 over the 2017-2019 Biennium. The bill also funds costs in the Help America Vote Act (HAVA) Election Reform budget with State General Fund appropriations of $2 million over the biennium, due to the exhaustion of federal HAVA funding.

Office of the State Controller—The bill appropriates $10.4 million in State General Fund support for the Office of the State Controller.

Judicial Branch—The bill appropriates a total of $78.7 million from the State General Fund for the Judicial Branch over the 2017-2019 Biennium, a 5.1 percent increase compared to the legislatively approved amount of $74.9 million over the 2015-2017 Biennium. Of that amount, $6.9 million supports specialty court programs, $590,000 is authorized to replace the document management system for the Supreme Court of Nevada, and $166,000 is to be used to replace the case management system for the Court of Appeals.

Finance and Administration

Grants Office (Department of Administration)—The bill approves the purchase of a new grants management system to integrate all electronic and paper grant reports and correspondence into one unified system and the addition of a new position to support the Nevada Advisory Council on Federal Assistance and Grants Office staff.

Education

K-12 Education—Funding for public schools is considered separately in the school funding bill (S.B. 544), which contains funding for basic support, class-size reduction, English learners, teacher and administrator training, teacher incentives, early childhood education, educational technology, career and technical education, adult education, contingency for special education services, teachers' school supplies reimbursement, Teach Nevada Scholarship, and other State education programs.

Assembly Bill 518 provides State General Fund support totaling $73.6 million over the 2017-2019 Biennium for the Department of Education, which includes $39.8 million to fund the administration of statewide assessments.

In addition, it provides State General Fund appropriations of $1.4 million in FY 2017-2018 and $1.5 million in FY 2018-2019 to establish college and career ready high school diplomas, whereby students receive career and/or college ready endorsements or certifications when graduating high school, and to fund a public awareness communication campaign to publicize these diplomas.

Nevada System of Higher Education—The bill authorizes revenue from all sources totaling $1.9 billion over the 2017-2019 Biennium for NSHE. Of the total revenues, $1.2 billion, or 64.5 percent, are State General Fund appropriations.

In addition, A.B. 518 continues funding the seven State-supported instructional budgets with the funding formula adopted during the 2013 and 2015 Sessions of the Legislature, and it continues distributing State General Fund appropriations based on the NSHE institutions' FY 2015-2016 Weighted Student Credit Hours. The bill funds Weighted Student Credit Hour caseload adjustments with State General Fund appropriations of $28.6 million in each year of the 2017-2019 Biennium. The bill provides Small Institution funding for Great Basin College and Western Nevada College and funding of the operations and maintenance of research space at the University of Nevada, Las Vegas and the University of Nevada, Reno.

The bill increases the Weighted Student Credit Hour weighting for career and technical education courses at the four community colleges and appropriates from the State General Fund $10 million in FY 2018-2019 for the purpose of increasing capacity at the seven instructional institutions and the Desert Research Institute.

Regarding the expansion of medical education, the bill continues the implementation of an allopathic medical school at the University of Nevada, Las Vegas, with total State General Fund appropriations of $52 million over the biennium.

The bill appropriates $10 million from the State General Fund over the biennium to provide need-based grants for eligible students enrolled in a State or community college within NSHE through the Silver State Opportunity Grant program.

Finally, the bill appropriates approximately $685,000 to be placed in the Interim Finance Committee's Contingency Account, to be allocated to the Desert Research Institute in either year of the biennium should the funding be needed to support the Nevada State Cloud Seeding program.

Commerce and Industry

State Department of Agriculture—The bill appropriates $400,000 from the State General Fund to support 50 percent of the costs for Agricultural Enforcement Officer positions and to establish the Livestock Enforcement budget. The bill also approves reestablishing the Elko Veterinary Laboratory and approves the Drought Monitoring Program as recommended by the Nevada Drought Forum and the Governor.

Nevada Gaming Control Board—The bill eliminates one classified position and three unclassified positions in the Nevada Gaming Control Board, which results in State General Fund savings of $718,000 over the biennium.

Department of Business and Industry—The bill provides State General Fund appropriations totaling $6.1 million and State Highway Fund appropriations totaling $5 million over the biennium for the Department of Business and Industry.

Real Estate Division (Department of Business and Industry)—The bill eliminates national mortgage settlement funds previously authorized to support six positions in the Real Estate Division and instead funds the positions with State General Fund appropriations totaling $709,000 over the 2017-2019 Biennium.

Office of Economic Development (Office of the Governor)—The bill provides State General Fund support of $34.3 million over the 2017-2019 Biennium for the Governor's Office of Economic Development. The bill includes State General Fund appropriations of $330,000 in each year of the biennium for continued support of the State's Unmanned Aerial Vehicle (UAV) program. The bill also continues State General Fund appropriations of $10 million over the biennium for the Knowledge Account, as well as $8 million over the biennium for the Workforce Innovations for a New Nevada (WINN) Account.

Division of Museums and History (Department of Tourism and Cultural Affairs)—The bill changes the funding split for the Division of Museums and History to 45 percent State General Fund appropriations and 55 percent room tax transfer revenue, and it increases State General Fund appropriations to the Division by $250,000 in each year of the 2017-2019 Biennium to support a pilot school bus program to increase student visitation to Nevada State museums.

Human Services

Aging and Disability Services Division (Department of Health and Human Services [DHHS])—The bill provides $674.1 million to support the Aging and Disability Services Division, including $336.2 million in State General Fund appropriations over the 2017-2019 Biennium.

The measure authorizes an increase to the monthly caseload for the Autism Treatment Assistance Program as well as the conversion of 25 contracted case managers to State positions and 2 new supervisory positions.

In addition, the bill provides State General Fund appropriations of $3.4 million over the biennium to support home-delivered meals programs for seniors. The bill also authorizes State General Fund appropriations totaling $586,000 over the biennium to support seven new positions to increase caseloads and reduce wait lists in the Home and Community Based Waiver for the Frail Elderly and the Waiver for Persons with Physical Disabilities.

The bill authorizes $3.3 million in State General Fund appropriations to provide monthly cash assistance to low-income families who care for relatives with profound or severe mental disabilities in their homes or have children under six years of age with developmental delays.

The bill makes additional State General Fund appropriations of $51.8 million to support 40 new positions and the Residential Support, Family Support/Respite, and Jobs and Day Training programs.

Finally, the bill authorizes $12.2 million in additional State General Fund appropriations to retain the current Early Intervention Services delivery model through the biennium.

Division of Health Care Financing and Policy (DHHS)—The bill provides State General Fund appropriations totaling $1.42 billion over the 2017-2019 Biennium for the Division of Health Care Financing and Policy. The funding supports the Medicaid average monthly caseload, projected to be approximately 663,000 in FY 2017-2018 and 679,000 in FY 2018-2019, and the Check Up average monthly caseload, projected to be approximately 28,000 in FY 2017-2018 and 29,300 in FY 2018-2019.

The bill makes several discretionary rate increases for the Medicaid and Check Up programs, including an increase of 15 percent for assisted living services, 10 percent for skilled nursing facilities and hospital swing beds, and 15 percent for certain pediatric surgical specialties, and an increase for adult day health care services of 5.4 percent for community providers and 28.8 percent for services provided by other divisions within the Department of Health and Human Services. In addition, the bill authorizes federally required expanded coverage for home health and durable medical equipment and optional coverage for gender reassignment surgery for individuals diagnosed with gender dysphoria. It includes registered dietitians as independent practitioners and expands podiatry services to adult Medicaid recipients.

The bill provides $4 million in State General Fund appropriations over the biennium to increase waiver slots for the State's three approved Medicaid waiver programs in order to serve the anticipated caseloads and reduce waiting list times to fewer than 90 days.

The bill implements a number of cost savings measures for the Medicaid and Check Up programs, generating State General Fund savings of $83.1 million over the biennium. The cost saving measures include transitioning recipients out of long-term care and into community-based care when appropriate, eliminating duplicative nursing services, requiring a prior authorization for certain hospice recipients, reducing hours for certain targeted case management and basic skills training, and eliminating a covered diagnosis for orthodontic services.

Finally, the bill authorizes rate adjustments for non-emergency transportation services, durable medical equipment, basic skills training, ambulatory surgical centers, and laboratory services; it also provides certain funding reductions.

Division of Public and Behavioral Health (DHHS)—The bill eliminates disallowed Medicaid safety net pass-through revenues totaling $22.7 million throughout the behavioral health budgets, and it approves replacing the funding with an equal amount of State General Fund appropriations. The bill also eliminates the transfer of $4.8 million in tobacco settlement funds to the Division of Public and Behavioral Health, and it replaces the funding with State General Fund appropriations in order to maintain service capacity.

The bill authorizes a reduction of $4.3 million in State General Fund appropriations over the biennium for the Counseling Assessment and Referral Program and reduces medication clinic and pharmacy services to meet current caseload needs. In addition, it authorizes a part-time satellite office for services in Henderson, Nevada, for a total increase in State General Fund appropriations of $4.5 million over the biennium.

The bill also authorizes the closure of a civil psychiatric inpatient unit at Rawson-Neal Psychiatric Hospital, reducing State General Fund appropriations by $7.5 million over the biennium. In addition, it provides State General Fund appropriations totaling $10.7 million over the biennium to fully staff the Rawson-Neal forensic unit and meet projected caseload increases for forensic outpatient services, Justice Involved Diversion programs, and Mobile Crisis Services.

Division of Welfare and Supportive Services (DHHS)—The bill provides State General Fund appropriations of $170.5 million over the 2017-2019 Biennium for the Division of Welfare and Supportive Services (DWSS). The bill provides State General Fund appropriations of $157,000 over the biennium for six new positions in the DWSS Administration budget. State General Fund appropriations totaling $49.2 million over the biennium were approved for the Temporary Assistance to Needy Families (TANF) budget, primarily to support projected TANF caseloads of approximately 25,000 cases per year.

Division of Child and Family Services (DHHS)—The bill makes State General Fund appropriations of $265.8 million over the 2017-2019 Biennium for the Division of Child and Family Services. Funding supports projected caseload increases in foster care and adoption subsidies.

The bill funds juvenile justice system improvements with State General Fund appropriations of $1.5 million over the biennium. Additionally, the bill provides funding for video surveillance system improvements for Prison Rape Elimination Act compliance at the State's three juvenile justice facilities with State General Fund appropriations of $494,000 in FY 2017-2018.

Department of Employment, Training and Rehabilitation—The bill provides State General Fund appropriations totaling $10.1 million over the 2017-2019 Biennium for the Department of Employment, Training and Rehabilitation.

Public Safety

Department of Corrections—The bill provides State General Fund support totaling $584.3 million over the 2017-2019 Biennium for Nevada's Department of Corrections (NDOC). The funding provides housing for an average of 14,000 inmates in each year of the biennium. The bill also provides State General Fund appropriations of $1.8 million over the biennium to fund the purchase of body and stationary cameras for seven of NDOC institutions. Additionally, the bill provides State General Fund appropriations of $11.4 million over the biennium to fund the transfer of 200 inmates out of state to a privately contracted facility due to a projected bed shortage.

Department of Motor Vehicles—The bill provides State Highway Fund appropriations of $136.2 million over the 2017-2019 Biennium to support the operations of the Department of Motor Vehicles (DMV). Included in this amount are State Highway Fund appropriations of $37.3 million to continue the Department's system modernization project replacing the Department's current COBOL mainframe computer system and to fund six new positions.

The bill approves a State Highway Fund appropriation of $561,000 in FY 2018-2019 that could be utilized by the Department to establish a new DMV express office in the Reno-Sparks area with the approval of the Interim Finance Committee once the agency has completed its pilot project.

Department of Public Safety—The bill appropriates to the Department of Public Safety (DPS) $475.4 million over the 2017-2019 Biennium, including $127.1 million in State General Fund money and $145.7 million in State Highway Fund appropriations.

Office of Cyber Defense (DPS)—The bill appropriates from the State General Fund $876,000 over the 2017-2019 Biennium to fund the Office of Cyber Defense.

Training Division (DPS)—To support the continuation of a law enforcement basic training academy in southern Nevada, the bill provides State General Fund appropriations of $771,000 and State Highway Fund appropriations of $1.1 million over the biennium.

Division of Parole and Probation (DPS)—The bill adds 32 non-sworn positions, supported with State General Fund appropriations of $1.2 million over the 2017-2019 Biennium, to provide court and related services and pre-sentence investigation activities.

The bill also adds 28 sworn positions over the biennium, supported by State General Fund appropriations of $5.7 million, to reflect the staffing needs associated with the reduced staffing ratios.

Additionally, the bill provides State General Fund appropriations of $2.7 million over the biennium to add eight full-time positions for offender intervention and incarceration alternatives, implementing a new risk assessment tool, training for staff, and establishing Day Report Centers.

Further, the bill makes State General Fund appropriations of $3.4 million over the biennium to support a pilot reentry program, a State-funded electronic monitoring program, a State-funded transitional housing program, and the addition of 14 new positions.

Infrastructure

Tahoe Regional Planning Agency—For the Tahoe Regional Planning Agency, the bill provides State General Fund appropriations totaling $3.6 million over the 2017-2019 Biennium. Of this amount, State General Fund appropriations of $250,000 in each year of the biennium are for Nevada's share of the costs to develop and implement updated Lake Tahoe Shoreline Ordinances.

State Department of Conservation and Natural Resources—For the State Department of Conservation and Natural Resources, the bill makes State General Fund appropriations totaling $72.9 million over the 2017-2019 Biennium, including funding for the Governor's Explore Your Nevada Initiative for the Division of State Parks to support the new Walker River State Recreation Area, Tule Springs State Park, and the bi-state Van Sickle State Park, including 14 new positions and one-time start-up costs. The funding also supports 13 new positions for existing parks and programs.

To implement recommendations of the Governor's Nevada Drought Forum for the Division of Water Resources, the bill provides State General Fund appropriations of $1.1 million over the biennium for five new positions.

Additionally, the bill replaces 100 percent of the fees collected and deposited to the Division of Water Resources' budget with State General Fund appropriations totaling $3.4 million in each year of the biennium.

The bill also provides State General Fund appropriations of approximately $668,000 over the biennium for 1 new full-time position and 12 seasonal positions for the Division of Forestry to support the Governor's Drought Initiative.

Finally, the bill makes State General Fund appropriations of $155,000 over the biennium for one new position for the Division of State Lands.

Special Purpose Agencies

Public Employees' Benefits Program—The bill aligns the monthly premium paid by a non-State, non-Medicare retiree with a similarly participating (same plan and tier) State non-Medicare retiree effective July 1, 2017, and it provides State General Fund appropriations of $4.2 million over the 2017-2019 Biennium to phase in increased local government support of non-State, non-Medicare retirees.

Office of the Military—The bill authorizes State General Fund support for the Office of the Military totaling $7.8 million for the biennium. The bill provides State General Fund appropriations of approximately $167,000 over the biennium for one new Facility Manager position.

Office of Veterans Services—The bill provides State General Fund support totaling $9.3 million for the 2017-2019 Biennium. The bill approves two new positions to assist veterans in applying for federal benefits. In addition, it approves $5.6 million in State General Fund appropriations for the creation of a new budget, along with four new positions, to begin planning for staff and implementing operations of a 96-bed skilled nursing care facility for veterans in Sparks.

This bill is effective on June 5, 2017, for the purpose of appropriating remaining funds and on July 1, 2017, for all other purposes.

S.B. 545 (Chapter 397)

Senate Bill 545 is the Authorized Expenditures Act and grants authority for specific State agencies to collect and expend appropriations from the State General Fund and other sources, including certain tobacco Master Settlement Agreement funds. The total expenditure authorized by this bill for ongoing operations is $16.2 billion over the 2017-2019 Biennium. Additionally, due to specific statutory language for these agencies, S.B. 545 includes authority for the Nevada Gaming Control Board and the Nevada Gaming Commission to expend $60.9 million from the State General Fund over the biennium. Similarly, the bill includes authority for Nevada's Department of Transportation to expend $650.1 million from the State Highway Fund over the biennium.

Senate Bill 545, along with the General Appropriations Act (A.B. 518), the State employee salary bill (A.B. 517), the school funding bill (S.B. 544), and the capital improvements program bill (S.B. 546), is the product of deliberations by the Assembly Committee on Ways and Means and the Senate Committee on Finance. While not specified in S.B. 545, many of the specific decisions concerning agency programs were discussed in great detail by these committees as part of the budget review process and as budget closing decisions. A summary of selected major program decisions linked to these authorized expenditures follows.

Elected Officials

Office of Energy (Office of the Governor)—The bill authorizes $2.5 million of Renewable Energy Abatement Tax revenue in each year of the 2017-2019 Biennium to continue the Direct Energy Assistance Loan (DEAL) program, the Home Energy Retrofit Opportunity for Seniors (HEROS) program, and the Performance Contract Audit Assistance program. The bill also includes $1 million of Renewable Energy Abatement Tax revenue in Fiscal Year (FY) 2017-2018 to assist Nevada in securing the federal Frontier Observatory for Research in Geothermal Energy (FORGE) project.

Office of the Attorney General—The bill authorizes the use of National Mortgage Settlement funds of $12.8 million over the 2017-2019 Biennium to continue funding the Housing Call Center, Financial Guidance Center, and Legal Services contracts for the Home Again program, as well as the Criminal Mortgage Fraud unit, the Financial Fraud unit, and transfers to nonprofit legal entities to provide guardianship abuse assistance to Nevada consumers.

The bill also includes approval for $5.5 million in settlement funds to establish a new State Settlements budget and approves a $1.3 million transfer in settlement funds to the Department of Business and Industry to support the Consumer Affairs Unit and $205,000 over the biennium for the Confidential Address Program, which was transferred from the Attorney General's Office to the Division of Child and Family Services, Department of Health and Human Services, pursuant to S.B. 25. A reserve balance of $4 million remains in the new State Settlement budget.

Office of the State Treasurer—The measure authorizes $3.6 million of Endowment Account funds over the 2017-2019 Biennium to fund $50 deposits into College Kick Start accounts for public school kindergarten students.

Judicial Branch—The bill replaces State General Fund appropriations to the Judicial Branch of $575,000 in each year of the 2017-2019 Biennium with fees from misdemeanor and felony convictions of driving under the influence to serve participants in specialty court programs.

Finance and Administration

Director's Office (Department of Administration [DOA])—The bill authorizes $209,000 for the licensing of an information technology cloud-based e-mail solution for DOA employees.

Administrative Services Division (DOA)—The bill eliminates three vacant Accounting Assistant positions and adds a new Administrative Services Officer position within the Administrative Services Division.

Purchasing Division (DOA)—The bill provides for expenditures of $1.5 million to the Purchasing Division over the 2017-2019 Biennium to implement a new E-Procurement system funded by a new vendor administrative fee.

Division of Human Resource Management (DOA)—Written employment tests and two filled positions were eliminated from the Division of Human Resource Management, generating savings totaling $350,000 over the 2017-2019 Biennium.

Division of Enterprise Information Technology Services (DOA)—The bill includes authorization to use $98.1 million in revenues for the Division of Enterprise Information Technology Services (EITS) for the 2017-2019 Biennium. The bill provides for the intra-division transfer of 21 positions in five EITS budgets to better align employee duties with budgets and to improve customer service. The bill authorizes $6.9 million, including a $2 million loan from the State General Fund, for bandwidth enhancements. A sum of

$3.4 million is allocated for cybersecurity initiatives to enhance the State's ability to detect, prevent, and respond to cyber attacks, and includes a $804,000 interest-free State General Fund loan to the Division. In addition, the bill adds a total of 9.51 new full-time equivalent positions to address an increasing workload and new technology and to improve customer service.

State Public Works Division (DOA)—The bill authorizes for the State public Works Division $1.5 million in the 2017-2019 Biennium to fund deferred maintenance projects throughout the State. Inspection fees totaling $2.2 million were approved to fund three new project management and eight construction inspection positions resulting from the workload increase in the State's Capital Improvement Program.

Department of Taxation—The bill funds 16 new positions for the Department of Taxation and provides funding for local government to carry out the provisions of the Regulation and Taxation of the Marijuana Act and the transfer of the net proceeds to the Distributive School Account (DSA).

In addition, with the transfer of the Medical Marijuana Establishment program to the Department of Taxation, this bill aligns the operational and revenue structures of both the medical and recreational marijuana programs, including an increase to the excise tax on medical marijuana from 2 percent to 15 percent upon each wholesale sale of marijuana by a cultivation facility, consistent with the 15 percent excise tax on the wholesale sale of recreational marijuana.

Finally, the proceeds of the excise tax on medical marijuana distributed to the DSA are made consistent with recreational marijuana, in that the amount distributed is determined after the costs of the Department and the local governments are accounted for, instead of as currently required by statute (75 percent of the proceeds of the excise taxes on medical marijuana establishments to the DSA in the State General Fund and 25 percent to pay the costs of the Division of Public and Behavioral Health, Department of Health and Human Services, in carrying out the laws of this State relating to medical marijuana establishments).

The marijuana programs for both recreational and medical marijuana, under the Department, are funded with revenues from application and license fees and the 15 percent excise tax on marijuana wholesale sales totaling $72.8 million over the 2017-2019 Biennium, of which $48.7 million is projected to transfer to the DSA.

Education

Department of Education—Funding for public schools was considered separately in the school funding bill (S.B. 544), which contains funding for basic support, class-size reduction, English learners, teacher and administrator training, teacher incentives, early childhood education, educational technology, career and technical education, adult education, contingency for special education services, teachers' school supplies reimbursement, Teach Nevada Scholarship, and other State education programs.

Senate Bill 545 authorizes a total of $558.1 million in federal revenue authority for the Department of Education over the 2017-2019 Biennium. Federal funds will be utilized to continue Title I programs, to enhance teacher quality and State assessments, to continue career and technical education programs, and for the support of teaching students with disabilities.

The bill also authorizes reserve reductions of $815,000 over the biennium to continue the implementation of a new educator licensure system and fund the maintenance costs associated with this system in the Educator Licensure budget.

State Public Charter School Authority—The bill includes authorization for reserve reductions in the State Public Charter School Authority budgets totaling $950,000 over the 2017-2019 Biennium to fund four new positions to support the Authority's charter authorizer responsibilities.

Nevada System of Higher Education—The bill authorizes revenue from all sources totaling $1.9 billion for the 2017-2019 Biennium to support the Nevada System of Higher Education. Non-State General Fund revenues total $673.1 million, or 35.5 percent of total funding, and include student registration fees, nonresident tuition, student application fees, federal and county revenues, operating capital investment income, and an interagency transfer of funds from the Governor's Office of Workforce Innovation.

The bill continues the policy adopted by the 2013 and 2015 Legislatures that non-State General Fund revenues should not offset the amount of State General Fund appropriations for State supported operating budgets for the Nevada System of Higher Education. Finally, the bill continues the policy adopted by the 2015 Legislature that allows institutions to expend any increases in nonresident tuition, registration fees, and miscellaneous student fee revenues above budgeted authority, without having to receive approval from the Interim Finance Committee.

Commerce and Industry

State Department of Agriculture—Total authorizations to the State Department of Agricultural increased by 38.2 percent, or $123.2 million, when compared to the legislatively approved amount for the 2015-2017 Biennium, primarily due to an increase in federal program funding for nutrition education and commodity food programs.

Investigations Division (Nevada Gaming Control Board)—Seven vacant unclassified positions were eliminated in the Investigations Division, resulting in a $1.3 million reduction in the transfer of investigation fees over the 2017-2019 Biennium.

Department of Business and Industry—The bill authorizes $289.8 million in funding over the 2017-2019 Biennium for the Department of Business and Industry (B&I).

Administration (B&I)—The bill transfers settlement funds from the Office of the Attorney General totaling $1.3 million over the 2017-2019 Biennium to support 6.5 full-time equivalent positions to retain the Consumer Affairs Unit.

Housing Division (B&I)—With the merger of the Manufactured Housing Division with the Housing Division, this bill establishes a new Housing Inspection and Compliance budget and adds one new unclassified Affordable Housing Advocate position to provide advocacy services on behalf of Nevada residents regarding housing issues. The bill also authorizes two new low-income federal grants totaling $3.4 million in each year of the biennium.

Nevada Athletic Commission (B&I)—The bill supports an expanded drug-testing program of unarmed combatants funded with a reduction to reserves of $310,000 per year.

Taxicab Authority (B&I)—To address declining taxicab trip charge revenues, the bill eliminates 15 positions, a 21.7 percent reduction in the Authority's staffing, for savings of $2.5 million over the 2017-2019 Biennium.

Nevada Transportation Authority (B&I)—To provide additional staff to regulate transportation network companies, the bill adds nine new positions within the Nevada Transportation Authority funded with transportation network company assessments totaling $1.7 million over the 2017-2019 Biennium.

Division of Mortgage Lending (B&I)—The bill authorizes a reserve reduction of $465,000 over the 2017-2019 Biennium to add three new Mortgage Lending Examiner positions to assist in performing additional examinations of mortgage servicer licensees and to address a backlog in mortgage lending examinations.

Office of Economic Development (Office of the Governor)—The bill authorizes revenues of $36.5 million for the Governor's Office of Economic Development, which includes $7 million for the State Small Business Credit Initiative program and $5.2 million for the Rural Community Development program.

Department of Tourism and Cultural Affairs—The bill authorizes for the Department of Tourism and Cultural Affairs room tax revenues of $25 million in FY 2017-2018 and $25.7 million in FY 2018-2019 reflecting significant increases from FY 2015-2016 actual receipts of $22.6 million.

Health and Human Services

Director's Office (Department of Health and Human Services [DHHS])—The bill authorizes the Healthy Nevada Fund spending plan for the Grants Management Unit, which allocates tobacco settlement funds totaling $16.7 million over the 2017-2019 Biennium, including:

- $1 million for a new Health Center Incubator project;
- $4 million for food security;
- $760,000 for suicide prevention;

- $300,000 for immunizations;
- $1.22 million for the Nevada 2-1-1 System;
- $2.7 million for Differential Response;
- $2.73 million for family resource centers;
- $3.02 million for disability grants; and
- $949,000 for administrative costs.

The bill also authorizes $28.3 million in federal Title XX funds over the biennium to provide grants to State agencies and nonprofit organizations to support health and social service programs, and it approves $950,000 over the biennium in Temporary Assistance for Needy Families (TANF) reserve funds for statewide Hunger One-Stop Shops.

Aging and Disability Services Division (DHHS)—The bill authorizes non-State General Fund revenues totaling $338 million over the biennium. In addition, it replaces $2 million in tobacco settlement funds with TANF funds over the 2017-2019 Biennium to provide monthly cash assistance to low-income families who care for relatives with profound or severe mental disabilities in their homes or have children under six years of age with developmental delays. Further, it increases the monthly caseload for the Autism Treatment Assistance Program from an average of 642 children in FY 2015-2016 to an average of 819 children in FY 2018-2019.

Finally, $99 million in additional funding is authorized for 40 new positions and for Residential Support, Family Support/Respite, and Jobs and Day Training.

Division of Health Care Financing and Policy (DHHS)—The bill authorizes non-State General Fund revenues totaling $6.9 billion over the biennium for the Division of Health Care Financing and Policy. The funding supports the Medicaid program monthly caseload projected at approximately 663,000 in FY 2017-2018 and 679,000 in FY 2018-2019.

The bill makes several discretionary rate increases for the Medicaid and Check Up programs, including an increase of 15 percent for assisted living services, 10 percent for skilled nursing facilities and hospital swing beds, and 15 percent for certain pediatric surgical specialties, and an increase for adult day health care services of 5.4 percent for community providers and 28.8 percent for services provided by other divisions within DHHS. In addition, it authorizes federally required expanded coverage for home health and durable medical equipment and optional coverage for gender reassignment surgery for individuals diagnosed with gender dysphoria.

Finally, the bill authorizes various cost-savings measures for Medicaid and Check Up, totaling $213 million, including $129.9 million in non-State General Fund savings, over the biennium.

Division of Public and Behavioral Health (DHHS)—The bill provides total funding of $741.6 million over the 2017-2019 Biennium for the Division of Public and Behavioral Health, of which $457.8 million is authorized in non-State General Fund revenue sources. Based on revised AIDS Drug Assistance rebate revenue projections, the bill provides an increase of $7.2 million per year for the Communicable Diseases budget, and it transfers the Medical Marijuana Establishments program, including 12 positions and $7.3 million in funding, to the Department of Taxation.

Division of Welfare and Supportive Services (DHHS)—The bill authorizes revenue of $515.8 million over the biennium for the Division of Welfare and Supportive Services. The bill also includes federal TANF savings of approximately $6 million over the biennium resulting from projected caseload decreases. The TANF transfers, totaling $2.7 million, are authorized over the biennium to support programs within DHHS.

The bill also provides authorization of $3.8 million in federal funding to support a federal recommendation to reimburse child care centers rated by the Quality Rating Improvement System (QRIS) up to the 75th percentile of a market rate survey. An additional $1.1 million is authorized to address the wait list of child care centers that have not received a QRIS rating.

Division of Child and Family Services (DHHS)—The bill approves non-State General Fund revenues totaling $291.7 million over the 2017-2019 Biennium for the Division of Child and Family Services. These revenues include federal grants and county assessments, which support projected caseload increases in foster care and adoption subsidies, child protective services, and juvenile justice services.

The bill also authorizes increased federal Title IV-E revenues of $3.4 million for existing mandated statewide care training for social workers for the biennium, for a total of $5 million.

Department of Employment, Training and Rehabilitation—The bill authorizes total non-State General Fund revenues of $340 million over the 2017-2019 Biennium for the Department of Employment, Training and Rehabilitation (DETR).

Employment Security Division (DETR)—The bill provides for the transfer of the Commission on Postsecondary Education to the Employment Security Division, including four positions and non-State General Fund revenues totaling $200,000 over the biennium. In addition, it eliminates 20 full-time positions beginning July 1, 2017, generating savings of $2.7 million over the biennium.

Public Safety

Department of Motor Vehicles—The bill includes funding of $301,000 over the 2017-2019 Biennium for bond service payments associated with the Motor Vehicle Pollution Control budget's share of the new Department of Motor Vehicles field office in South Reno.

Department of Public Safety—The bill authorizes funding of $475.4 million over the biennium for the Department of Public Safety (DPS), of which $202.7 million is authorized in non-State General Fund and non-State Highway Fund revenue sources.

Nevada Highway Patrol (DPS)—The bill authorizes for Nevada Highway Patrol grant funding of $472,000 over the 2017-2019 Biennium to support access charges for body worn cameras. In an effort to reduce teen motor vehicle crashes and support the expansion of the Driving Responsibly Includes Vehicle Education (DRIVE) Program, the bill includes grant funding of $133,000 over the biennium.

Highway Safety Grants Account (DPS)—The bill authorizes federal funding of $673,000 over the 2017-2019 Biennium to support the addition of three new DPS Officer positions for federal Motor Carrier Safety Assistance Program activities.

Division of Parole and Probation (DPS)—The bill includes the addition of 31 non-sworn positions in FY 2017-2018 and one additional non-sworn position in FY 2018-2019 to provide court-related services and pre-sentence investigations and to adjust Parole and Probation Specialist staffing ratios, resulting in additional funding of $3.9 million over the 2017-2019 Biennium, including an increase in county reimbursements of $2.7 million.

Division of Emergency Management (DPS)—The bill provides for the Division of Emergency Management federal funds of $152,000 over the biennium to add an Interoperability Coordinator position to provide a single point of contact of interoperability emergency communications to the State of Nevada.

Criminal History Repository (DPS)—The bill authorizes reserve funding of $4.3 million over the 2017-2019 Biennium for the third phase of the Nevada Criminal Justice Information System Modernization Project. The bill also provides reserve funding of $114,000 in FY 2017-2018 to support eight additional months of the Disposition Backfill Project.

General Services Division (DPS)—The bill provides for the decommission of the Elko Communications Center, eliminating four and transferring five Public Safety Dispatch positions to the Carson City Communications Center and reducing cost allocation reimbursements by $663,000 over the 2017-2019 Biennium. The bill also transfers the Warrants Unit to the Nevada Highway Patrol budget and reduces cost allocation transfers of $1.2 million over the biennium.

Infrastructure

State Department of Conservation and Natural Resources—For the State Department of Conservation and Natural Resources, the bill authorizes total funding of $194 million over the 2017-2019 Biennium.

The bill allows funds in the Account to Restore the Sagebrush Ecosystem remaining at the end of FY 2016-2017 to carry forward to FY 2017-2018 and specifies that remaining funds do not revert to the State General Fund. Further, the bill establishes revenue and expenditure authority for the Account to Restore the Sagebrush Ecosystem budget totaling $2 million over the biennium.

The bill makes budgetary changes to the Off-Highway Vehicle Program, which include consolidating funding for the Off-Highway Vehicle grants into one category, establishing a 90-day reserve, and funding for board and commission pay.

Department of Wildlife—The bill authorizes funding to modify the Department of Wildlife's information systems to implement license simplification measures contained in S.B. 511. The bill also authorizes Sportsmen Revenue totaling $69,000 to replace the Department's current e-mail and outreach marketing system, and $40,000 for equipment, travel, and training to establish a Wildlife Human Attack Response Team (WHART) within the Department.

Additionally, the bill authorizes $50,000 in each year of the 2017-2019 Biennium to create a comprehensive, centralized, Web-accessible database to allow better access to the Department's science-based data.

Department of Transportation—For the Department of Transportation, the bill authorizes funding of $678.2 million in FY 2017-2018 and $669.5 million in FY 2018-2019, including $419.8 million in FY 2017-2018 and $416.2 million in FY 2018-2019 to support highway and other capital construction projects. The bill adds 19 new positions for the Department, including 10 positions to establish a new maintenance crew in southern Nevada and a new maintenance crew in northwestern Nevada. The bill also provides for the sale of highway revenue bonds of $180 million in FY 2017-2018 to complete the construction of Project NEON in Las Vegas.

Special Purpose Agencies

Public Employees' Benefits Program—The bill authorizes a total of $476.1 million in FY 2017-2018 and $476.9 million in FY 2018-2019 for the Public Employees' Benefits Program. With the exception of modifying enhanced Health Savings Account/Health Reimbursement Arrangement contributions to be tied to the completion of preventive services, the plan design for the 2017-2019 Biennium did not change significantly from the FY 2016-2017 plan year. The State's contribution for active employee group insurance is $743 per month for FY 2017-2018 and $740.92 per month for FY 2018-2019. The State's base subsidy for non-Medicare retiree health insurance is $445.03 in FY 2017-2018 and $451.23 in FY 2018-2019. For Medicare retirees, the base subsidy will be $12 per month per year of service credit.

Office of the Military—The bill amends the Office of the Military's budget to eliminate 37 State Army Military Security Officer positions, and it authorizes federal funds of $1.2 million for contract security each year of the 2017-2019 Biennium and $370,000 per year for additional contract costs that may be needed for increased security threats or for physical security improvements at bases throughout the State.

Department of Veterans Services—The bill authorizes funding of $55 million over the 2017-2019 Biennium for the Department of Veterans Services, which is 0.8 percent fewer than the amount authorized in the 2015-2017 Biennium. Additionally, the bill transfers $2 million from the Southern Nevada Veterans Home to the new Northern Nevada Veterans Home in Sparks, Nevada, which has an anticipated completion date of December 2018.

Silver State Health Insurance Exchange—The bill authorizes revenues of $54.3 million over the 2017-2019 Biennium. It authorizes funding of $6.2 million in FY 2017-2018 and $9.3 million in FY 2018-2019 to remain on the Healthcare.gov technology platform.

This measure is effective on July 1, 2017.

Other Appropriations and Authorizations

A.B. 94 (Chapter 430)

Assembly Bill 94 makes permanent the NV Grow Program, which was established as a pilot program to provide certain informational and technical assistance to existing small businesses in this State that are expanding or ready to expand. It also recognizes the Small Business Development Center in Clark County as an additional participant in the Program and requires cooperation with the geographic information system specialist. This measure requires the Small Business Development Centers in Clark and Washoe Counties to select the lead counselor and manage the NV Grow Program jointly, expands the goal of the Program from serving 10 businesses annually to 15, and reduces the minimum revenue threshold for participation in the Program to businesses that generate at least $50,000 per year.

Assembly Bill 94 also appropriates $350,000 from the State General Fund to the Nevada System of Higher Education, with $225,000 to be used by the Nevada Small Business Development Centers to assist and carry out the Program and $125,000 to be used by the College of Southern Nevada to hire a geographic information specialist to assist small businesses participating in the Program. Any remaining balance must be reverted to the State General Fund on or before September 20, 2019.

Provisions of this bill relating to the appropriation of money are effective on July 1, 2017. All other provisions are effective on June 8, 2017.

A.B. 97 (Chapter 431)

Assembly Bill 97 requires a law enforcement agency to submit a sexual assault forensic evidence (SAFE) kit to the applicable forensic laboratory responsible for conducting a genetic marker analysis within 30 days after receiving the kit. This requirement does not apply to certain noninvestigatory SAFE kits. Each forensic laboratory that receives a SAFE kit must test the kit within 120 days of receiving it and then, upon completion of the test, include the DNA profile obtained from the genetic marker analysis in the State DNA Database and the Federal Bureau of Investigation's Combined DNA Index System. In addition, each forensic laboratory must submit a report to the Director of the Legislative Counsel Bureau for transmittal to the next session of the Legislature or to the Legislative Commission, as applicable. The bill also requires the Attorney General to designate a department or division of the Executive Branch to establish a statewide SAFE kit tracking program and sets forth requirements related to the program. The word "arrestee" is removed from the name of the Subcommittee to Review Arrestee DNA to reflect the Subcommittee's expanded duties, which include evaluating and reviewing information relating to SAFE kit testing and tracking. The

Subcommittee also is required to report to the Advisory Commission on the Administration of Justice on matters relating to the submittal, storage, and testing of SAFE kits.

The measure authorizes a compensation officer of the Department of Administration to order the payment of compensation from the Fund for the Compensation of Victims of Crime to a county for the reimbursement of costs associated with conducting forensic medical examinations of victims of sexual assault. Lastly, the bill appropriates $3 million from the State General Fund to the Office of the Attorney General for the purpose of making payments to forensic laboratories to reduce the backlog of SAFE kits that have not been tested.

Sections of this bill relating to the establishment of a SAFE kit tracking program are effective on January 1, 2021. The remaining sections of the bill are effective on October 1, 2017.

A.B. 110 (Chapter 509)

Assembly Bill 110 requires Nevada's Department of Education to establish a pilot program for competency-based education (CBE). A school that applies to and participates in the program must meet certain qualifications and must participate in the Competency-Based Education Network, which is created by the bill to consider CBE-related issues and make relevant reports.

The bill further authorizes the Department of Education, through a competitive grants program and to the extent funds are available, to distribute certain money to carry out the pilot program. The Department also is required to conduct a public awareness campaign and hold certain meetings with school district superintendents regarding CBE.

Finally, A.B. 110 allows a student to be granted credit for a course of study without having attended the regularly scheduled classes in the course if the student demonstrates proficiency through a portfolio, the performance of a designated task, or other criteria prescribed by the State Board of Education.

This bill is effective on June 9, 2017, for the purposes of adopting regulations and performing necessary administrative tasks and on July 1, 2017, for all other purposes.

A.B. 130 (Chapter 552)

Assembly Bill 130 makes various changes to provisions governing guardianship. Specifically, the bill allows a court to require a proposed guardian to file a proposed preliminary care plan and budget. A person who retains an attorney for the purpose of representing a party in a guardianship is responsible for attorney's fees and costs. The person may petition the court for an order authorizing the payment of attorney's fees and costs from the estate of the ward. A court-appointed attorney may seek compensation for his or her services from the guardianship estate in accordance with the established process. In addition, the measure provides that only the prevailing party in a contested issue in a guardianship proceeding may petition the court for the payment of attorney's fees and costs. If the court determines that there is no prevailing party, the court may authorize a portion of each party's attorney's fees and costs to be paid.

The measure replaces the term "incompetent" with "incapacitated" and revises the definition of "incapacitated." The bill requires notice and service of petitions, reports, hearings, and sales of property to a ward 14 years of age or older without regard to the ward's capacity to understand information conveyed and revises requirements for the sale of personal or real property of a ward.

The bill creates the State Guardianship Compliance Office, which is appointed by the Nevada Supreme Court and serves at the pleasure of the Court. The State Guardianship Compliance Officer is authorized to hire two accountants and two investigators to provide services to the district courts as part of guardianship proceedings. The bill appropriates $954,751 over the 2017-2019 Biennium from the State General Fund to the Nevada Supreme Court to pay the costs of the Office.

Finally, the bill revises the effective dates for certain provisions of S.B. 433 of this session.

Provisions that modify the effective dates of S.B. 433 of this session are effective on June 12, 2017. Provisions concerning the appropriation of money to fund the State Guardianship Compliance Office are effective on July 1, 2017. All other provisions are effective on January 1, 2018.

NOTE: See also Senate Bill 433 (Chapter 390).

A.B. 144 (Chapter 594)

Assembly Bill 144 creates the Nevada Advisory Commission on Mentoring to support and facilitate existing mentorship programs in the State and requires the Commission to:

- Appoint committees from its members;
- Engage the services of volunteers and consultants without compensation;
- Enter into public-private partnerships;
- Apply for and receive gifts, grants, contributions, and other support funding;
- Establish model guidelines and parameters for existing mentorship programs;
- Develop a financial plan model that provides for the sustainability and financial stability of mentorship programs;
- Develop model protocols for the recruitment, support, and effective management of mentors, mentees, and matches under mentorship programs; and
- Within the limits of legislative appropriations, employ a coordinator for mentorship programs and develop and administer a competitive grant program to award funding to mentorship programs.

The bill also requires the Commission to appoint a Mentorship Advisory Council and submit an annual report outlining its activities and recommendations to the Governor and the Legislature. Lastly, the bill appropriates $7,400 in each year of the 2017-2019 Biennium from the State General Fund to the Department of Education for the cost of Commission meetings.

This bill is effective on July 1, 2017.

A.B. 388 (Chapter 432)

Assembly Bill 388 appropriates from the State General Fund to the Division of Public and Behavioral Health of the Department of Health and Human Services $500,000 in each fiscal year of the 2017-2019 Biennium to support the cost of the Women's Health Connection Program. Any remaining balance of the appropriation must be reverted to the State General Fund.

This measure is effective on July 1, 2017.

A.B. 395 (Chapter 477)

Assembly Bill 395 revises statutes governing registration and community notification concerning certain juvenile sex offenders. The measure sets forth a revised registration and community notification process regarding a child who is 14 years of age or older at the time of an alleged offense and who is adjudicated delinquent for the offense. Procedures concerning the termination of registration and community notification requirements for such juveniles also are provided, as are continuing registration and community notification requirements for a child adjudicated delinquent for an aggravated sexual offense.

The measure authorizes the director of juvenile services and the Youth Parole Bureau to release certain information concerning a child to a law enforcement agency and to a school district under certain circumstances. In addition, the increased penalty for committing certain acts of open or gross lewdness or indecent or obscene exposure does not apply if the person committing the offense is under 18 years of age. Lastly, appropriations from the State General Fund are made to each judicial district in the State to provide treatment to certain juvenile offenders.

This bill is effective on July 1, 2017.

A.B. 397 (Chapter 433)

Assembly Bill 397 appropriates from the State General Fund to the Division of Public and Behavioral Health of the Department of Health and Human Services $500,000 in each fiscal year of the 2017-2019 Biennium. The Administrator of the Division shall use the money to award grants to local governmental entities and nonprofit organizations to provide family planning services to persons who would otherwise have difficulty obtaining such services. Any remaining balance of the appropriation must be reverted to the State General Fund.

This measure is effective on July 1, 2017.

A.B. 417 (Chapter 481)

Assembly Bill 417 creates the Nevada Main Street Program within the Office of Economic Development in the Office of the Governor. The bill requires the Executive Director of the Office of Economic Development to: (1) adopt regulations setting forth the requirements to apply for and receive approval as a designated local Main Street program; and (2) coordinate the Program and approve or deny applications for grants to designated local Main Street programs. Further, the bill creates the Account for the Nevada Main Street Program in the State General Fund to accept donations, grants, and other types of funding for the award of grants and operation of the Program. Finally, the bill makes an appropriation of $350,000 from the State General Fund to the Interim Finance Committee for allocation to the Office of Economic Development for the operation of the Program and to provide grants to designated local Main Street programs.

This bill is effective on July 1, 2017.

A.B. 423 (Chapter 434)

Assembly Bill 423 requires the Secretary of State, in consultation with the Nevada Commission for Women, to design and conduct an annual survey of businesses that are applying for or renewing a State business license to collect data and information related to issues of gender equality in the workplace. The Secretary of State shall make available on its website the responses to the survey and aggregate data relating to the survey. The bill provides that a business is not required to respond to the survey, and neither the Secretary of State nor the Nevada Commission for Women may penalize or otherwise take any adverse action against a business that does not respond to the survey. If responses are provided, the survey is signed under the penalty of perjury. The Secretary of State shall annually compile the responses to the survey received during the immediately preceding year into a report and submit the report to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature or, if the Legislature is not in session, to the Legislative Commission.

Finally, the bill appropriates $159,134 during the 2017-2019 Biennium from the State General Fund to the Department of Administration for the costs of employing a Management Analyst to assist the Nevada Commission for Women in carrying out its duties and responsibilities.

This bill is effective on July 1, 2017, and expires by limitation on December 31, 2022.

A.B. 434 (Chapter 435)

Assembly Bill 434 appropriates from the State General Fund to Nevada's Department of Education:

- $2.5 million to provide incentives for hiring new teachers at Title I or underperforming schools; and
- $2.5 million to provide incentives for teachers who currently are employed to teach at a public school in Nevada that is not a Title I or underperforming school and who transfer to such a school.

This bill is effective on July 1, 2017.

A.B. 489 (Chapter 542)

Assembly Bill 489 expands the authorized use of funds in the Revolving Account for Land Management by the State Land Registrar to include the acquisition of land and any required environmental assessments or mitigation. The bill provides that if the balance in the Revolving Account is fewer than $20,000, the State Land Registrar may request an allocation from the Contingency Account in the State General Fund. Finally, the bill appropriates $200,000 from the State General Fund to the Revolving Account to replenish the balance in that account.

This bill is effective on July 1, 2017.

A.B. 490 (Chapter 18)

Assembly Bill 490 authorizes the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources, with the approval of the Director, to expend up to $2 million per biennium in principal and interest from the Account for Maintenance of State Park Facilities and Grounds.

This bill is effective on July 1, 2017.

A.B. 493 (Chapter 436)

Assembly Bill 493 appropriates from the State General Fund to the Department of Corrections $5,952,535. The money must be used for the following purposes:

- $5,067,144 for a projected shortfall for outside medical expenditures;
- $321,239 for contract temporary professional services; and
- $564,152 for personnel expenditures and revenue shortfalls at Florence McClure Women's Correctional Center.

This measure is effective on June 8, 2017.

A.B. 494 (Chapter 399)

Assembly Bill 494 appropriates $5,800,224 from the State General Fund to the Division of Health Care Financing and Policy of the Department of Health and Human Services for a projected shortfall resulting from an unanticipated increase in the Medicaid caseload. In addition, the measure authorizes expenditures of $124,074,692 in other funds for the same purpose.

This measure is effective on June 5, 2017.

A.B. 495 (Chapter 209)
Assembly Bill 495 makes a supplemental appropriation in the amount of $70,387 from the State General Fund to the Division of Emergency Management of the Department of Public Safety for a projected shortfall relating to setting up a joint field office with the Federal Emergency Management Agency on flood reimbursements.

This measure is effective on May 30, 2017.

A.B. 496 (Chapter 210)
Assembly Bill 496 makes a supplemental appropriation in the amount of $598,200 from the State General Fund to the Office of the Secretary of State for a projected shortfall relating to credit card processing fees.

This measure is effective on May 30, 2017.

A.B. 497 (Chapter 437)
Assembly Bill 497 appropriates from the State Highway Fund to the Division of Administrative Services of the Department of Motor Vehicles $734,147 for a projected shortfall relating to credit card processing fees.

This measure is effective on June 8, 2017.

A.B. 498 (Chapter 438)
Assembly Bill 498 appropriates from the State General Fund to the Division of Emergency Management of the Department of Public Safety $351,938 to set up a joint field office to work with the Federal Emergency Management Agency on 2017 flood reimbursements. Any remaining balance of the appropriation must be reverted to the State General Fund.

This measure is effective on June 8, 2017.

A.B. 499 (Chapter 439)
Assembly Bill 499 appropriates money from the State General Fund to restore account balances as follows:

- $500,000 for the Stale Claims Account;
- $2 million for the Reserve for Statutory Contingency Account; and
- $7 million for the Contingency Account.

This measure is effective on June 8, 2017.

A.B. 500 (Chapter 440)
Assembly Bill 500 appropriates from the State General Fund to the Account for the Governor's Portrait $25,000 for the preparation and framing of a portrait of Governor Brian Sandoval. Any remaining balance of the appropriation must be reverted to the State General Fund.

This measure is effective on June 8, 2017.

A.B. 501 (Chapter 441)
Assembly Bill 501 appropriates from the State General Fund to the Legislative Fund $1,058,788 for dues and registration costs for national organizations and for computer hardware and radio replacements. Any remaining balance of the appropriation must be reverted to the State General Fund.

This measure is effective on June 8, 2017.

A.B. 502 (Chapter 442)
Assembly Bill 502 appropriates $80,000 from the State General Fund to the Account for Pensions for Silicosis, Diseases Related to Asbestos and Other Disabilities.

This measure is effective on June 8, 2017.

A.B. 503 (Chapter 443)
Assembly Bill 503 appropriates from the State General Fund to the Office of the Secretary of State $6,334,319 for the second phase of the replacement of the Electronic Secretary of State System software and hardware. Any remaining balance of the appropriation must be reverted to the State General Fund.

This measure is effective on June 8, 2017.

A.B. 504 (Chapter 444)
Assembly Bill 504 appropriates $12,150,000 from the State General Fund and $2,850,000 from the State Highway Fund to replace the existing financial and human resource management information technology system. Of these amounts, $600,000 is directly appropriated to the Office of Finance in the Office of the Governor for the development of a project plan, a request for proposals, and the evaluation of such proposals to replace the system. The remaining funding is appropriated to the Interim Finance Committee for allocation to the Office of Finance upon presentation of a project plan with related costs to replace the system. Beginning in Fiscal Year 2019-2020, the measure requires a portion of the actual costs to the State General Fund to replace the system to be included in the statewide cost allocation plan. Any remaining balance of the appropriations must be reverted to the fund from which it was appropriated.

This measure is effective on July 1, 2017.

A.B. 505 (Chapter 407)

Assembly Bill 505 appropriates from the State General Fund to the Department of Corrections:

- $2,339,477 for an electronic medical records system to store inmate medical records and interface with the Department's offender management system and other vendor software systems;
- $1,285,440 for the continuation of the transition from the Nevada Offender Tracking Information System to a new internal system;
- $2,263,231 for the installation of a new telephone system; and
- $637,085 for the replacement of the Nevada Staffing Information System used to schedule correctional officers.

Any remaining balance must be reverted to the State General Fund on or before September 20, 2019.

This bill is effective on June 5, 2017.

A.B. 506 (Chapter 408)

Assembly Bill 506 appropriates from the State General Fund to the Nevada Gaming Control Board $2,091,590 to support phase three of the Alpha Migration Project. The measure appropriates an additional $124,908 from the State General Fund to support in-state travel costs for information technology staff to provide support for the Alpha Migration Project. Any remaining balance must be reverted to the State General Fund on or before September 20, 2019.

This bill is effective on June 5, 2017.

A.B. 507 (Chapter 409)

Assembly Bill 507 appropriates from the State Highway Fund to the Department of Public Safety $8,531,643 for the replacement of Nevada Highway Patrol vehicles and pickup trucks and $385,252 for the replacement of motorcycles. Any remaining balance must be reverted to the State Highway Fund on or before September 20, 2019.

This bill is effective on June 5, 2017.

A.B. 508 (Chapter 410)

Assembly Bill 508 appropriates $1,218,872 from the State Highway Fund to the Department of Public Safety for the replacement of dispatch center consoles and portable hand-held radios. Any remaining balance must be reverted to the State Highway Fund on or before September 20, 2019.

This bill is effective on June 5, 2017.

A.B. 509 (Chapter 515)

Assembly Bill 509 appropriates from the State General Fund to the Department of Business and Industry $48,920 for the implementation of an electronic management system for public works and prevailing wage surveys in the Office of the Labor Commissioner. Any remaining balance of the appropriation must be reverted to the State General Fund.

This measure is effective on June 9, 2017.

A.B. 510 (Chapter 411)

Assembly Bill 510 provides funding and authorization to expend money to support enhancements to the client information system of the Rehabilitation Division of the Department of Employment, Training and Rehabilitation. The bill appropriates $131,074 from the State General Fund to the Bureau of Services to Persons Who Are Blind or Visually Impaired and authorizes the Bureau to spend $484,297 in other funds for this purpose over the 2017-2019 Biennium. Additionally, the bill appropriates $524,295 from the State General Fund to the Bureau of Vocational Rehabilitation and authorizes the Bureau to spend $1,937,185 in other funds for the same purpose over the 2017-2019 Biennium. Any remaining balance of the appropriations must be reverted to the State General Fund on or before September 20, 2019.

This bill is effective on June 5, 2017.

A.B. 511 (Chapter 445)

Assembly Bill 511 appropriates from the State General Fund to the Millennium Scholarship Trust Fund $20 million.

This measure is effective on June 8, 2017.

A.B. 519 (Chapter 447)

Assembly Bill 519 makes an appropriation of $8 million from the State General Fund to the Office of the Secretary of State for the award of grants to Nevada's counties for the purchase of voting machines. The bill provides that, upon application from the counties, Clark County may be allocated not more than $4.5 million and Washoe County may be allocated not more than $1.7 million. Not more than $1.8 million in grants shall be awarded to the remaining counties. For each county receiving a grant, not more than $5,000 may be used for training purposes and not more than $35,000 may be used for the purchase of poll books. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on July 1, 2017.

A.B. 520 (Chapter 448)

Assembly Bill 520 appropriates $500,000 from the State General Fund to the Nevada State Museum, Las Vegas to provide a grant to the Springs Preserve Foundation to construct a new playground at the Las Vegas Springs Preserve.

This bill is effective on July 1, 2017.

A.B. 521 (Chapter 449)

Assembly Bill 521 establishes a program to provide financial assistance to a veteran's family for the disinterment of a veteran for relocation to a veterans' cemetery. The bill requires the Director of the Department of Veterans Services to adopt regulations prescribing the application process and the criteria for the award of such financial assistance.

Finally, the bill appropriates $100,000 from the State General Fund to the Director of the Department of Veterans Services for the purpose of providing financial assistance for the program.

This bill is effective on July 1, 2017.

A.B. 522 (Chapter 607)

Assembly Bill 522 appropriates from the State General Fund to the NevadaTeach Program at the University of Nevada, Reno $300,000 in Fiscal Year 2017-2018 to assist students in obtaining certification to teach mathematics, science, or engineering at the middle school or high school level. Any remaining balance of the appropriation must be reverted to the State General Fund.

This measure is effective on July 1, 2017.

S.B. 1 (Chapter 1)

Senate Bill 1 appropriates $15 million from the State General Fund to the Legislative Fund for the costs of the 2017 Legislative Session.

This bill is effective on February 14, 2017.

S.B. 126 (Chapter 450)

Senate Bill 126 requires the Office of Economic Development, Office of the Governor, to develop and implement a program under which a business certified as a small business enterprise, minority-owned business enterprise, woman-owned business enterprise, or disadvantaged business enterprise may obtain a loan to finance the expansion of its business in this State. The bill also establishes the Small Business Enterprise Loan Account in the State General Fund as a revolving loan account, which must be administered by the Office, and provides a State General Fund appropriation of $1 million to the Account.

This bill is effective on July 1, 2017.

S.B. 155 (Chapter 451)

Senate Bill 155 appropriates from the State General Fund to the Department of Education $500,000 in each fiscal year of the 2017-2019 Biennium to support educational leadership training programs. The Department must use the money to contract with the Clark County Public Education Foundation, Inc. for implementation and operation of the training program. The contract is contingent upon the provision of matching funds from sources other than the State General Fund. The money must be used to support personnel, in-person and virtual instruction, research relating to the design and impact of the curriculum, and communication

with education leaders. A final report describing the expenditures for the program must be transmitted to the Interim Finance Committee on or before September 20, 2019. Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on June 8, 2017, for the purpose of performing preparatory administrative tasks and on July 1, 2017, for all other purposes.

S.B. 167 (Chapter 452)

Senate Bill 167 appropriates $410,000 in Fiscal Year (FY) 2017-2018 and $205,000 in FY 2018-2019 from the State General Fund to the State Department of Agriculture for the creation and maintenance of school garden programs at certain Title I schools. A school meeting specified criteria may receive up to $10,000 in FY 2017-2018 and up to $5,000 in FY 2018-2019. Any remaining balance at the end of the respective fiscal years must be reverted to the State General Fund on or before September 21, 2018, and September 20, 2019, respectively.

This bill requires the funding to be used for related teacher travel and professional development, to develop a school site food safety plan, and to fund school garden conferences in Nevada. Programs that receive funding must utilize experiential or project-based learning that occurs in classroom and outdoor garden settings. As part of the approved curriculum, students may operate a farmers' market and may receive cooking demonstrations using produce grown in the school garden.

This bill is effective on July 1, 2017.

S.B. 178 (Chapter 453)

Senate Bill 178 provides school districts and charter schools with additional resources for supplemental instructional services to improve the academic performance of students who are English learners or are eligible for free or reduced-price lunch, score in the bottom 25 percent of students on certain assessments, are not enrolled in a Zoom or Victory school, and do not have an individualized education program.

The bill creates the Account for the New Nevada Education Funding Plan in the State General Fund and appropriates $36 million to the Account in each fiscal year of the 2017-2019 Biennium. This money must be used to provide school districts and charter schools with $1,200 per eligible student to be allocated to the schools of eligible students; 90 percent or more of the funding may be used for a menu of authorized services, and up to 10 percent may be used for personnel incentives and professional development.

The Department of Education must contract with an independent evaluator to analyze the results of this funding and report to the Legislature. The Department also must contract with a consultant to update a prior report on school funding, research a variety of related topics, and issue a preliminary report to the Legislative Committee on Education.

This bill is effective on June 8, 2017, for the purposes of adopting regulations and performing other preparatory administrative tasks and on July 1, 2017, for all other purposes.

S.B. 187 (Chapter 454)

Senate Bill 187 appropriates $1 million from the State General Fund to the Interim Finance Committee for allocation to a nonprofit corporation formed to establish a fine arts museum in Las Vegas, Nevada and to expand the Nevada Museum of Art in Reno, Nevada. The Interim Finance Committee shall not direct the transfer of funds until the nonprofit corporation submits proof of having obtained matching funds and sets forth reporting requirements of the nonprofit corporation. Any remaining balance must be reverted to the State General Fund on or before September 20, 2019.

This bill is effective on July 1, 2017.

S.B. 192 (Chapter 455)

Senate Bill 192 requires any facility within the Division of Public and Behavioral Health, Department of Health and Human Services, that provides mobile mental health services in a county whose population is 100,000 or more (currently Clark and Washoe Counties) to provide those services from 8 a.m. or earlier to 12 a.m. or later, seven days a week, including holidays. In addition, the bill appropriates $1,400,528 from the State General Fund to the Division for Fiscal Year (FY) 2017-2018 and $1,417,080 for FY 2018-2019 for the expansion of mobile mental health services.

Provisions related to service expansion are effective on July 1, 2017, for the purposes of adopting regulations and performing other administrative tasks and on October 1, 2017, for all other purposes. Provisions appropriating funding also are effective on July 1, 2017.

S.B. 200 (Chapter 597)

Senate Bill 200 requires each public high school, charter high school, and university school for profoundly gifted students to ensure that a computer science course is available to enrolled students and to allow up to one unit of credit for completion of such a course to be applied toward general mathematics or science requirements for high school graduation, Millennium Scholarship eligibility, and admission to the Nevada System of Higher Education.

The bill further requires each student enrolled in a public school or State facility for the detention of children to receive instruction in computer education and technology prior to the beginning of grade 6. In addition, it requires the Department of Education, in consultation with the Advisory Council on Science, Technology, Engineering and Mathematics, to review computer education and technology instruction and make recommendations to the State Board of Education.

Finally, the bill allows each school district and charter school to provide related professional development training, either directly or through certain other entities, and it appropriates $2.4 million over the 2017-2019 Biennium to the Department of Education from the State General Fund to carry out the provisions of the bill.

This measure is effective on June 15, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks. Provisions relating to professional development,

content standards, and students who receive required instruction prior to grade 6 are effective on July 1, 2018. Provisions relating to the availability of a computer science course for high school students and to the review of related courses submitted for approval are effective on July 1, 2022. Other provisions are effective on July 1, 2017.

S.B. 244 (Chapter 523)

Senate Bill 244 provides that both the Museum Director of the Nevada State Museum, Division of Museums and History, Department of Tourism and Cultural Affairs, and the Office of Historic Preservation, State Department of Conservation and Natural Resources, in consultation with Indian tribes, must adopt regulations concerning the process for repatriation of native Indian human remains and other cultural items. A person shall not knowingly excavate a prehistoric Indian burial site on private lands within this State without first obtaining a permit from the Museum Director; however, a person who is engaging in a lawful activity on private lands, including, without limitation, construction, mining, logging, or farming is not required to obtain such a permit to engage in that lawful activity. The Museum Director is required to provide notice to and consultation with the applicable Indian tribes throughout the permitting process with regard to a permit to investigate, explore, or excavate certain historic or prehistoric sites.

To carry out these provisions, the bill appropriates the following amounts from the State General Fund:

- $1,390 in Fiscal Year 2018-2019 to the Office of Historic Preservation;
- $4,589 over the 2017-2019 Biennium to the Division of Museums and History; and
- $65,635 over the 2017-2019 Biennium to the Nevada State Museum.

An enrolled member of a Nevada Indian tribe is added to the membership of both the Board of Museums and History and the Commission for Cultural Centers and Historic Preservation. The bill authorizes the Division of Museums and History to spend from the Fund for the Promotion of Tourism $5,608 over the 2017-2019 Biennium for certain expenses of the newly added Board member.

Additionally, the bill authorizes the Nevada State Museum to spend from the Fund for the Promotion of Tourism $80,220 over the 2017-2019 Biennium for the costs associated with a full-time position to carry out various provisions of this bill.

Finally, the bill increases penalties for the willful defacement of a native Indian cairn or grave, the knowing and willful defacement of a historic or prehistoric site, and trafficking of cultural property obtained from State land without a permit.

This bill is effective on June 9, 2017, for the purposes of adopting regulations and performing any preparatory administrative tasks. Provisions that appropriate money and authorize expenditures are effective on July 1, 2017. All other provisions are effective on July 1, 2018.

S.B. 249 (Chapter 456)

Senate Bill 249 requires financial literacy instruction for students enrolled in grades 3 through 12 and appropriates $2.5 million over the 2017-2019 Biennium from the State General Fund for this purpose. The instruction provided must be age appropriate, include certain topics, and be offered within an established course of study, such as economics, mathematics, or social studies. The Council to Establish Academic Standards must prescribe content and performance standards in financial literacy and revise the standards for American government. Any remaining balance at the end of the respective fiscal years must be reverted to the State General Fund on or before September 21, 2018, and September 20, 2019, respectively.

The bill changes the guidelines for high school social studies, requiring students to enroll in one-half credit in economics, which may be provided through a combined course with American government. It also creates the Account for Instruction in Financial Literacy in the State General Fund, requiring money in the Account to be generally used only for providing financial literacy instruction.

Finally, school districts and charter schools are encouraged to seek private-sector partnerships to support the overall program of financial literacy, and they must provide professional development training to those who will be teaching financial literacy.

This bill is effective on July 1, 2017, for the purpose of making appropriations; on July 1, 2022, for the purpose of requiring high school students to enroll in an economics course; and on June 8, 2017, for all other purposes.

S.B. 300 (Chapter 458)

Senate Bill 300 appropriates from the State General Fund to the Department of Education $1.2 million in Fiscal Year (FY) 2017-2018 and $1.3 million in FY 2018-2019 to support a program of peer assistance that will provide assistance to teachers in meeting the standards for effective teaching, including:

- Conducting observations and peer assistance and review; and
- Providing information and resources to teachers about strategies for effective teaching.

Any remaining balance of the appropriation must be reverted to the State General Fund.

This measure is effective on July 1, 2017.

S.B. 303 (Chapter 494)

Senate Bill 303 requires Nevada's Department of Education to audit the assessment tools and examinations used to monitor the performance of public schools and students in kindergarten and grades 1 through 12 to improve and streamline such resources. It also requires school district boards of trustees and charter school governing bodies to collect and provide information requested by the Department to develop and carry out the audit.

This bill further requires Nevada's audit plan to meet the necessary prerequisites for receiving a grant under the federal Every Student Succeeds Act. The Department must submit the plan to the United States Secretary of Education and also must submit the plan and a report of the results to the State Board of Education, the Legislative Committee on Education, and the Interim Finance Committee by December 1, 2017.

The bill appropriates $100,000 from the State General Fund to the Department for the purpose of developing and carrying out the audit plan.

This bill is effective on June 8, 2017.

S.B. 306 (Chapter 537)

Senate Bill 306 provides for the creation of an education and training pilot program, directed by the Board of State Prison Commissioners in consultation with the College of Southern Nevada, for a select group of 50 male and 50 female prisoners who meet certain criteria. The purpose of the pilot program is to expand opportunities for offenders to complete the high school equivalency assessment, participate in college and career readiness and related programs, and receive job placement assistance. An appropriation of $300,000 is provided from the State General Fund in order to implement this pilot program.

The bill also authorizes the Department of Corrections to develop a pilot program authorizing offenders to use a telecommunications device for programs for reentry and direct correctional services.

Finally, the bill allows the Director of the Department to adopt regulations with the approval of the Board of State Prison Commissioners on the expanded use of telecommunication devices for offenders who are assigned to transitional housing, restitution centers, or specific educational or vocational training programs.

This bill is effective on June 9, 2017, for the purpose of performing any preparatory administrative tasks and on July 1, 2017, for all other purposes. Provisions concerning the pilot programs expire by limitation on June 30, 2019.

S.B. 368 (Chapter 534)

Senate Bill 368 appropriates over the 2017-2019 Biennium $27,689,196 from the State General Fund to the State Board of Examiners, $788,433 from the State General Fund to the Legislative Fund, and $2,091,193 from the State Highway Fund to the State Board of Examiners to pay for an additional 1 percent per year increase in the salaries of certain State employees, which is in addition to the 2 percent per year salary increases provided for by Assembly Bill 517 of this session.

This bill is effective on July 1, 2017.

NOTE: See also Assembly Bill 517 (Chapter 395).

S.B. 373 (Chapter 459)

Senate Bill 373 requires the Director of the Department of Business and Industry to employ a Minority Affairs Management Analyst to collect data and perform statistical analysis to support the Nevada Commission on Minority Affairs. In addition, the position will investigate, collect data, and perform statistical analysis to determine whether discrimination on the basis of race in occurring in State or local purchasing, public works, or any other area. The measure includes an appropriation from the State General Fund in the amount of $71,306 in Fiscal Year (FY) 2017-2018 and $87,828 in FY 2018-2019 to support the costs of the new position. Any remaining balance of the appropriation must be reverted to the State General Fund.

This measure is effective on July 1, 2017.

S.B. 377 (Chapter 460)

Senate Bill 377 creates the Nevada Right to Counsel Commission to study the delivery of indigent defense services in the State. The Commission is required to make recommendations for, among other items, minimum standards related to the provision of indigent defense services and the delivery of such services in counties whose population is fewer than 100,000. The bill appropriates $230,000 from the State General Fund to the Nevada Supreme Court for expenses related to the Commission. Further, the Commission must submit a report of its findings and recommendations to the Legislature and the Office of Finance in the Office of the Governor by September 1, 2018. The Commission is authorized to make one bill draft request for consideration by the 2019 Legislature.

This bill is effective on July 1, 2017, and it expires by limitation on June 30, 2019.

S.B. 391 (Chapter 461)

Senate Bill 391 establishes the Nevada Promise Scholarship Account in the State General Fund and provides the eligibility requirements for a student to receive or renew a Nevada Promise Scholarship, including a requirement to complete a program of community service. Each community college within the Nevada System of Higher Education is required to determine whether it will award Nevada Promise Scholarships to eligible students and, if so, to provide training and mentoring programs for scholarship applicants. Each participating community college or local partnering organization must maintain and post on its website a list of approved community service opportunities.

The bill also requires the State Board of Education's plan to improve the achievement of pupils enrolled in public schools to include strategies to provide information regarding Nevada Promise Scholarships. The scholarship program is subject to audit by the Board of Regents and the State Treasurer, and the Board of Regents must submit an annual report to the Legislature.

Finally, the bill appropriates $3.5 million from the State General Fund to the Account in Fiscal Year 2018-2019 for the purpose of awarding these scholarships.

This bill is effective on June 8, 2017, for purposes of adopting regulations and performing preparatory administrative tasks; on July 1, 2018, for determining the eligibility of scholarship applicants and awarding scholarships; and on July 1, 2017, for all other purposes.

S.B. 444 (Chapter 462)

Senate Bill 444 appropriates from the State General Fund to the Department of Veterans Services $174,981 in each fiscal year of the 2017-2019 Biennium to provide financial assistance and support for the Adopt a Vet Dental Program. Any remaining balance must be reverted to the State General Fund.

This measure is effective on July 1, 2017.

S.B. 445 (Chapter 463)

Senate Bill 445 appropriates from the State General Fund to the Eighth Judicial District Court of the State of Nevada $98,356 to pay the salary of a Veterans Court Coordinator. Any remaining balance must be reverted to the State General Fund.

This measure is effective on July 1, 2017.

S.B. 451 (Chapter 583)

Senate Bill 451 creates the Nevada Sentencing Commission. The duties of the Sentencing Commission include:

- Evaluating the effectiveness and fiscal impact of policies and practices related to sentences for felonies and misdemeanors in this State;
- Advising the Legislature on proposed legislation; and
- Making recommendations with respect to matters relating to the elements of this State's system of criminal justice that affect the sentences imposed for felonies and gross misdemeanors.

Certain duties of the Advisory Commission on the Administration of Justice are transferred to the Sentencing Commission.

Finally, $8,336 is appropriated from the State General Fund to the Legislative Fund for the operating and other costs of the Sentencing Commission. Any remaining balance must be reverted to the State General Fund on or before September 20, 2019.

This bill is effective on July 1, 2017.

S.B. 481 (Chapter 429)

Senate Bill 481 makes various changes to the Subcommittee on Communication Services for Persons Who Are Deaf or Hard of Hearing and Persons with Speech Disabilities. Specifically, the bill:

- Changes the Subcommittee's name to the Nevada Commission for Persons Who Are Deaf, Hard of Hearing or Speech Impaired;

- Requires the Governor to appoint the director of the Commission and provides that the director serves without compensation;

- Revises membership requirements and the duties of the Commission;

- Requires the Legislative Committee on Health Care to study during the 2017-2018 Interim grants and other sources of money that may be available to transform the director position into a full-time, paid position. The Committee must report its findings to the Department of Health and Human Services, the Governor, and the Director of the Legislative Counsel Bureau; and

- Appropriates $25,000 from the State General Fund to the Commission in each fiscal year of the 2017-2019 Biennium for per diem, travel, and administrative costs.

This measure is effective on July 1, 2017.

S.B. 503 (Chapter 467)

Senate Bill 503 appropriates from the State General Fund to the Account for the Channel Clearance, Maintenance, Restoration, Surveying and Monumenting Program $250,000 to replenish the balance of the Account.

This bill is effective on June 8, 2017.

S.B. 514 (Chapter 535)

Senate Bill 514 provides that money appropriated in the current biennium to the State Engineer for the maintenance and operation of the South Fork Dam carries forward until June 30, 2019. The bill also appropriates $447,310 from the State General Fund to the Division of Water Resources, State Department of Conservation and Natural Resources, for the maintenance and operation of the South Fork Dam, provided the funds are not committed for expenditure after June 30, 2021.

Finally, the measure provides that fees collected by the State Engineer for services related to the adjudication and appropriation of water will be deposited into the State General Fund instead of the Water Distribution Revolving Account and that the State Engineer shall retain any fees received for producing copies to pay costs related to printing.

This measure is effective on July 1, 2017.

S.B. 519 (Chapter 206)

Senate Bill 519 makes a supplemental appropriation in the amount of $392,852 from the State General Fund to the Division of Child and Family Services of the Department of Health and Human Services for a projected shortfall in adoption subsidies of $15,608 in the

Washoe County Child Welfare account and $377,244 in the Clark County Child Welfare account.

This measure is effective on May 30, 2017.

S.B. 522 (Chapter 468)

Senate Bill 522 appropriates from the State General Fund to the Distributive School Account $62,194,642 for an unanticipated shortfall in local school support tax revenues and an increase in K-12 enrollment for School Years 2015-2016 and 2016-2017.

This bill is effective on June 8, 2017.

S.B. 524 (Chapter 228)

Senate Bill 524 appropriates $6,063,934 from the State General Fund to the Division of Forestry of the State Department of Conservation and Natural Resources for a projected shortfall related to higher than anticipated costs for fire suppression and emergency response. The bill also appropriates $182,032 from the State General Fund to the Division for a projected shortfall related to conservation camp crews working on non-reimbursable flooding projects.

This bill is effective on May 31, 2017.

S.B. 525 (Chapter 207)

Senate Bill 525 appropriates $34,358 from the State General Fund to the Nevada Highway Patrol Division of the Department of Public Safety for a projected shortfall relating to protective services for dignitaries visiting the State of Nevada.

This bill is effective on May 30, 2017.

S.B. 526 (Chapter 208)

Senate Bill 526 makes a supplemental appropriation in the amount of $1,357,873 from the State General Fund to the Division of Child and Family Services of the Department of Health and Human Services for a projected shortfall relating to the Certified Public Expenditure cost settlement of the Children's Mental Health cost allocation plan for Fiscal Year 2014-2015. Of the total, $201,329 will support the shortfall for the Northern Nevada Child and Adolescent Services and $1,156,544 will support the shortfall for the Southern Nevada Child and Adolescent Services.

This measure is effective on May 30, 2017.

S.B. 527 (Chapter 469)

Senate Bill 527 appropriates $5,000 from the State General Fund to the Nevada Supreme Court for a projected shortfall relating to the judicial selection processes.

This bill is effective on June 8, 2017.

S.B. 528 (Chapter 470)

Senate Bill 528 appropriates from the State General Fund to the Fund for Aviation $100,000 in each fiscal year of the 2017-2019 Biennium to support the enlargement, improvement, or maintenance of rural airports, landing areas, or air navigation facilities in Nevada. The bill requires matching money from the Federal Aviation Administration.

This bill is effective on July 1, 2017.

S.B. 529 (Chapter 471)

Senate Bill 529 appropriates from the State General Fund to the Division of Emergency Management of the Department of Public Safety $2,441,115 for the costs associated with emergency responses to 2017 flood events. Any remaining balance must be reverted to the State General Fund.

This measure is effective on June 8, 2017.

S.B. 530 (Chapter 472)

Senate Bill 530 appropriates from the State General Fund to the Division of Health Care Financing and Policy of the Department of Health and Human Services $3,683,512 for the completion of the Medicaid Management Information System modernization project. In addition, the measure authorizes expenditures of $24,370,876 not appropriated from the State General Fund or the State Highway Fund to support the same purpose. Any remaining balance must be reverted to the State General Fund.

This measure is effective on June 8, 2017.

S.B. 531 (Chapter 473)

Senate Bill 531 appropriates from the State General Fund to the Aging and Disability Services Division of the Department of Health and Human Services $453,533 for deferred maintenance projects at the Desert Regional Center that are essential for the security and operation of the Center. The measure also appropriates $454,915 from the State General Fund and authorizes expenditures of $221,825 not appropriated from the State General Fund or the State Highway Fund to move the early intervention services program to an information system platform that is used by other programs within the Division. Any remaining balance of the appropriations must be reverted to the State General Fund.

This measure is effective on June 8, 2017.

S.B. 532 (Chapter 474)

Senate Bill 532 appropriates from the State General Fund to the Division of Public and Behavioral Health of the Department of Health and Human Services $293,774 for an on-site medical laboratory information system for the Southern Nevada Adult Mental Health Services. In addition, the measure appropriates $1,653,039 from the State General Fund to the Division

to support an integrated medication management system. Any remaining balance of the appropriations must be reverted to the State General Fund.

This measure is effective on June 8, 2017.

S.B. 533 (Chapter 412)

Senate Bill 533 appropriates and authorizes the expenditure of money by the Division of Welfare and Supportive Services of the Department of Health and Human Services for information system projects as follows:

- $127,500 from the State General Fund and $1,147,500 in other funds to support a master client index to develop a cross index of all databases of the Department;
- $1 million from the State General Fund and $9 million in other funds for the modernization of Access Nevada to provide clients with the opportunity to submit electronic applications for services;
- $407,673 from the State General Fund and $3,458,225 in other funds for a case management system to allow for the "no wrong door" approach to serving clients; and
- $9,304,699 from the State General Fund and $20,120,886 in other funds for the second phase of modernizing the automated processing system of the child support enforcement program.

This bill is effective on June 5, 2017.

S.B. 534 (Chapter 400)

Senate Bill 534 appropriates $2,839,710 from the State General Fund to the Division of Child and Family Services, Department of Health and Human Services, for deferred maintenance projects essential for the security and operation of the following entities. Appropriations include:

- $152,000 to the Summit View Youth Center;
- $900,256 to the Caliente Youth Center;
- $1,429,662 to the Nevada Youth Training Center;
- $70,927 to the Northern Nevada Child and Adolescent Services; and
- $286,865 to the Southern Nevada Child and Adolescent Services.

This measure is effective on June 5, 2017.

S.B. 536 (Chapter 543)

Senate Bill 536 appropriates money from the State General Fund to the Division of State Parks of the State Department of Conservation and Natural Resource to support the following projects:

- $1,200,000 for the stabilization and restoration project located at the Fort Churchill State Historic Park;
- $550,000 for the construction of cabins at the Walker River State Recreation Area;
- $750,000 for the construction of campgrounds with full hook-ups at the Walker River State Recreation Area. In addition, the measure authorizes expenditures of $1.2 million in each fiscal year of the 2017-2019 Biennium from money not appropriated from the State General Fund or the State Highway Fund to support the same project;
- $168,000 for the construction of pull-through campsites at ten State park campgrounds; and
- $159,000 for the construction of cabins at the Wild Horse State Recreation Area.

Any remaining balance of the appropriations must be reverted to the State General Fund.

This measure is effective on June 12, 2017.

S.B. 537 (Chapter 475)

Senate Bill 537 makes appropriations from the State General Fund to the Division of Forestry of the State Department of Conservation and Natural Resources for the following purposes:

- $314,008 for a rescue hoist for the Air Operations Program;
- $149,249 for a helitack mechanic truck to increase the likelihood of initial attack success during an ongoing drought;
- $472,650 for deferred maintenance projects focused on life and safety issues and critical asset preservation; and
- $348,004 for the forestry conservation camps to support deferred maintenance projects focused on life and safety issues and critical asset preservation.

Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on June 8, 2017.

S.B. 543 (Chapter 464)

Senate Bill 543 appropriates from the State General Fund to the Lou Ruvo Center for Brain Health $2 million for the purpose of research, clinical studies, operations, and educational programs at the Center. The bill requires the Center to report to the Interim Finance Committee on or before December 21, 2018, and again on or before September 20, 2019, describing how the appropriated funds were expended. Finally, upon request of the Legislative Commission, the Center must make available any of the books, accounts, claims, reports, vouchers, or other records of information as deemed necessary by the Legislative Auditor to conduct an audit of the use of money appropriated by this bill. Any remaining balance must be reverted to the State General Fund.

This measure is effective on July 1, 2017.

S.B. 548 (Chapter 602)

Senate Bill 548 authorizes a college or university within the Nevada System of Higher Education to apply to the State Board of Education for a grant of money to establish the Nevada Institute on Teaching and Educator Preparation. The Institute is required to:

- Establish a highly selective program for the education and training of teachers;
- Conduct research concerning approaches and methods used to educate and train teachers and to teach students; and
- Evaluate, develop, and disseminate approaches to teaching that address the variety of settings in which students are educated in Nevada.

The measure provides that an application to establish the Institute must demonstrate the ability of the applicant to meet the requirements of the program, provide for matching grant funds, and sustain and expand the Institute over time.

In order to fund the program, the measure appropriates from the State General Fund to the State Board of Education $500,000 in each fiscal year of the 2017-2019 Biennium. Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on July 1, 2017.

S.B. 549 (Chapter 465)

Senate Bill 549 appropriates from the State General Fund to the Division of State Library, Archives and Public Records of the Department of Administration $500,000 for library collection development, bookmobile services, statewide databases, and emerging technology. Any remaining balance must be reverted to the State General Fund.

This measure is effective on July 1, 2017.

S.B. 550 (Chapter 466)

Senate Bill 550 creates a disbursement account in the State General Fund to be administered by the Legislative Counsel Bureau. The measure appropriates from the State General Fund to the disbursement account $17 million for the costs of a human resource management information system for the Clark County School District. The measure requires the Superintendent of Clark County School District to transmit progress reports to the Interim Finance Committee (IFC) every six months describing each expenditure made from the appropriation. A final report is due on or before September 17, 2021. In addition, the measure authorizes the Legislative Auditor, upon the request of the Legislative Commission, to conduct an audit of the use of the money appropriated.

The measure also appropriates from the State General Fund to Washoe County School District $5 million in Fiscal Year 2017-2018 for expenses related to information technology, buses, and school police vehicles.

Finally, the measure appropriates from the State General fund to the Nevada Alliance of Boys and Girls Clubs, Inc. $1 million in each fiscal year of the 2017-2019 Biennium for a Boys and Girls Club in Nevada to apply for a grant to provide educational and life skills training. Upon acceptance of the money, the Alliance must transmit to the IFC progress reports that describe each expenditure made from the appropriation. A final report is due on or before September 20, 2019. In addition, the measure authorizes the Legislative Auditor, upon the request of the Legislative Commission, to conduct an audit of the use of the money appropriated.

Any balance remaining from the appropriations must be reverted to the State General Fund.

Provisions of this bill relating to the disbursement account and funding for the Clark County School District are effective on June 8, 2017. All other provisions are effective on July 1, 2017.

COMMERCE

A.B. 162 (Chapter 16)

Assembly Bill 162 authorizes State and local government entities to accept a permanent resident card issued by the United States Citizenship and Immigration Services of the Department of Homeland Security for the purpose of identifying a person. The bill also prohibits a business that accepts a driver's license or identification card issued by Nevada's Department of Motor Vehicles from refusing to accept a permanent resident card for the same purpose.

This bill is effective on July 1, 2017.

A.B. 163 (Chapter 274)

Assembly Bill 163 requires a deferred deposit, high-interest, or title lender to determine whether a person has the ability to repay a loan before the loan is made and establishes the factors that the lender must use to make that determination. The bill also specifies that a lender, with certain exceptions, may not consider the income of any other person who is not the person taking out the loan when making a determination of the person's ability to repay it. In addition, it prohibits a title lender from making a loan to a person who does not legally own the vehicle being used to secure the loan.

The bill also modifies the definition of "default," clarifies the difference between a grace period and a loan extension, and limits the actions a lender can take with regard to a grace period. Additionally, A.B. 163 allows a customer to enter into an extended repayment plan if the customer: (1) has not entered into an extended payment plan for the original loan during the immediately preceding 12-month period; and (2) requests an extended repayment plan prior to the time the original loan is due.

The measure includes a contract for the lease of an animal for a purpose other than a business, commercial, or agricultural purpose in the definition of a "high-interest loan." Finally, A.B. 163 imposes notice requirements related to collection actions and the filing of complaints.

Provisions of this bill relating to extended payment plans on deferred deposit loans, contracts for the lease of an animal, certain notice requirements, and the making of title loans are effective on October 1, 2017. The remaining provisions are effective on July 1, 2017.

A.B. 239 (Chapter 38)

Assembly Bill 239 enacts the Revised Uniform Fiduciary Access to Digital Assets Act to establish provisions to give certain fiduciaries and other designated persons the legal authority to manage the digital assets and electronic communications of deceased or incapacitated persons. The measure also gives custodians of digital assets and electronic communications the legal authority to deal with a fiduciary or designated recipient of a person holding an account with the custodian.

A.B. 255 (Chapter 168)

Assembly Bill 255 exempts from regulation as a deferred deposit, high-interest, or payday lender or as an installment lender a person who exclusively lends credit for business, commercial, or agricultural purposes outside of this State to persons who are not residents of this State.

This bill is effective on May 26, 2017.

A.B. 262 (Chapter 169)

Assembly Bill 262 provides that a person who repossesses a vehicle before default or commits any act against a consumer in violation of the Uniform Commercial Code has committed a deceptive trade practice.

The bill also makes changes to provisions related to surety bonds for vehicle and off-highway vehicle sellers and manufacturers. It requires the surety to appoint the Commissioner of Insurance as its agent; additionally, the bill expands the uses for which a consumer may make a claim against a surety bond of a motor vehicle broker.

A.B. 279 (Chapter 93)

Assembly Bill 279 requires the Commissioner of Financial Institutions to adjust by regulation the rates paid by banks and other financial institutions based on a review of the proportional utilization of the resources of the Division of Financial Institutions, Department of Business and Industry, by banks and other financial institutions as compared to the annual budget approved by the Legislature. Further, the measure requires the Commissioner to publish on the website of the Division by December 31 of each year the amount of the fee for the following year. The bill defines the term "financial institution" to include a depository institution and any other institution or business regulated by the Division. Finally, the bill requires the Commissioner to examine the accounts of the holder of a license to engage in the business of lending so far as they pertain to the business that is licensed.

This bill is effective on May 23, 2017.

A.B. 317 (Chapter 139)

Assembly Bill 317 prohibits a person from adopting a fictitious name that imitates or causes another person to reasonably believe the fictitious name is the name of, or a name associated with, a government, governmental agency, political subdivision of a government, federally recognized Indian tribe or nation, or any other governmental entity found within this State, another state, or the United States.

This bill is effective on July 1, 2017.

A.B. 354 (Chapter 427)

Assembly Bill 354 requires the Director of the Department of Employment, Training and Rehabilitation (DETR) to provide the Director of the Legislative Counsel Bureau (LCB) with a quarterly report containing the unemployment rate of residents of this State, regarding whom

the Department has information, organized by county. For each county, the unemployment rate must be disaggregated by demographic factors including age, race, and gender. It also requires the Governor's Workforce Investment Board, DETR, to coordinate efforts to reduce the unemployment rate of a demographic group if the group's unemployment rate meets certain criteria and provide a report to the LCB describing those efforts. The bill further requires the Office of Workforce Innovation within the Office of the Governor to submit to the LCB an annual report on the statewide longitudinal data system.

Provisions of this bill related to the statewide longitudinal data system are effective on July 1, 2017. The remaining provisions are effective on June 6, 2017, for the purposes of adopting regulations and performing other necessary administrative tasks and on July 1, 2017, for all other purposes.

NOTE: See also Senate Bill 516 (Chapter 595).

A.B. 361 (Chapter 289)

Assembly Bill 361 specifies that a person commits a deceptive trade practice if, in the course of his or her business or occupation, the person charges a fee to update or change a person's records, including billing or credit information. Additionally, A.B. 361 specifies a person may not, in the course of his or her occupation, offer a free gift certificate or gift card as part of a promotion or incentive to potential customer, that is redeemable only by mail, unless the expiration date of the offer is printed plainly and conspicuously on any written materials concerning the offer.

This bill is effective on July 1, 2017.

A.B. 431 (Chapter 392)

Assembly Bill 431 makes various changes to the regulation of brew pubs, craft distilleries, suppliers, and wholesalers. The bill removes the restriction on the number of brew pubs a licensee may operate and increases to 40,000 barrels the amount of malt beverages a brew pub may manufacture in this State in a calendar year. The bill prohibits a person who operates a brew pub from selling at retail more than 5,000 barrels annually for consumption off premises; of this, not more than 1,000 per year may be sold in kegs. Further, A.B. 431 allows a brew pub to manufacture, store, and transport malt beverages to a licensed retailer to be sold at a special event in accordance with a permit obtained from the Department of Taxation for such a purpose. The bill also provides a definition of "special event" and restricts the number of permits granted for this purpose to 20 within a calendar year per licensee.

Additionally, A.B. 431 includes craft distilleries and brew pubs within the definition of "supplier." The bill revises certain provisions imposed on suppliers by prohibiting certain conduct in relation to wholesalers. Finally, the measure authorizes operation of a winery by an alternating proprietorship of not more than four proprietors who are federally bonded and permitted and who obtain a winemaker's license to operate a winery in this State.

This bill is effective on June 5, 2017, for the purposes of adopting regulations and performing other necessary administrative tasks and on July 1, 2017, for all other purposes.

S.B. 41 (Chapter 355)

Senate Bill 41 makes various changes related to businesses. Specifically, the bill:

- Removes a State licensing exemption for motion picture production companies;
- Provides that the Secretary of State may examine the records of registered agents as necessary or appropriate;
- Makes technical changes regarding the maintenance of certain business records;
- Removes a duplicative requirement concerning registration by church organizations involved in soliciting charitable contributions; and
- Clarifies that the reinstatement fee for a corporation sole to conduct business in Nevada is $100.

S.B. 65 (Chapter 383)

Senate Bill 65 requires the Public Utilities Commission of Nevada (PUCN), in determining the adequacy of a utility's resource plan, to consider the measures and sources of supply that provide the greatest economic and environmental benefits to the customers of the electric utility. Any order of the PUCN accepting or modifying a utility's plan or plan amendment must include the justification for the preferences given to those measures and sources of supply.

This bill is effective on June 5, 2017.

S.B. 81 (Chapter 327)

Senate Bill 81 eliminates state-chartered savings and loan associations and instead provides for the creation, operation, and oversight of state-chartered savings banks. Specifically, the bill converts each savings and loan association and any other depository institution chartered under Chapter 673 ("Savings and Loan Associations") of *Nevada Revised Statutes* into a savings bank. Each such converted entity has the same powers, privileges, immunities, and exceptions as a savings bank. Additionally, the bill establishes various organizational, operational, and regulatory provisions for savings banks in a manner generally consistent with the existing provisions for a savings and loan association.

The Commissioner of Financial Institutions must immediately issue a savings bank charter to each converted entity. An entity is prohibited from carrying on the business of a savings bank without being incorporated as a state-chartered savings bank.

The bill authorizes a savings bank to become a member of the Federal Reserve System, and it provides that a savings bank that becomes a member has the powers granted to member banks under the Federal Reserve Act. A savings bank that becomes a member of the Federal Reserve System remains subject to supervision by the Division of Financial

Institutions, Department of Business and Industry, and information concerning the affairs of the savings bank may be shared with the Board of Governors of the Federal Reserve System.

This bill is effective on June 3, 2017.

S.B. 185 (Chapter 317)

Senate Bill 185 prohibits a seller or lessor of consumer goods or services who uses a form contract from including in the contract a provision that:

- Limits or requires the consumer to waive his or her rights to provide a review, comment, or other statement concerning the seller or lessor of the goods or services;

- Imposes a penalty on the consumer for providing such a review, comment, or other statement; or

- Declares that the provision of such a review, comment, or other statement is a breach of the contract.

Further, any such provision included in a form contract is unenforceable.

A person who violates the provisions of the bill is guilty of a misdemeanor and is liable for civil penalties. A consumer or governmental entity is authorized to bring an action to recover the civil penalty and to retain any money awarded by the court. Additionally, a person who maintains an online forum, such as a website, may remove from the forum any statement or information that the person is lawfully entitled to remove.

Senate Bill 185 also specifies that a person may not lease, for personal use, any living animal or household goods if the animal or goods have not more than a de minimis residual financial value at the end of the term of the lease or contract. The bill provides an exception for leases on contracts for furniture or household electronics. Also, S.B. 185 specifies that a retail installment contract for the sale of such items is subject to the provisions of the federal Truth in Lending Act. The failure of a person to comply with these requirements constitutes a deceptive trade practice and consumer fraud.

This bill is effective on July 1, 2017.

S.B. 194 (Chapter 374)

Senate Bill 194 prohibits the purchase, sale, or possession with intent to sell any item in this State that is, wholly or partially, made of an animal part or byproduct derived from a shark fin or any species of elephant, rhinoceros, tiger, lion, leopard, cheetah, jaguar, pangolin, sea turtle, ray, mammoth, narwhal, walrus, or hippopotamus. The measure designates the criminal and civil penalties to be imposed upon a person for violating these provisions. Certain classes of sales are exempt, including law enforcement, antiques, musical instruments,

knives and firearms, and scientific or educational institutions. Additionally, sales of items specifically authorized for sale by federal law are exempt.

This bill is effective on January 1, 2018.

S.B. 199 (Chapter 393)

Senate Bill 199 provides for the operation of an estate distillery—defined as an establishment where at least 85 percent of the agricultural materials, in the aggregate, are grown on land within this State—that is owned or controlled by the owner of the distillery. An estate distillery may sell and transport not more than 75,000 cases of spirits each calendar year to a wholesale liquor dealer within Nevada and manufacture not more than 400,000 cases of spirits each calendar year. Additionally, the total amount of spirits sold at retail by an estate distillery for off-premises consumption must not exceed 7,500 cases per year. A person must first obtain a license from the State in order to operate an estate distillery.

S.B. 311 (Chapter 249)

Senate Bill 311 makes permanent the repeal of provisions requiring certain sellers of travel to register and deposit a security with the Consumer Affairs Division of the Department of Business and Industry.

This bill is effective on May 31, 2017.

S.B. 398 (Chapter 391)

Senate Bill 398 recognizes blockchain technology as a type of electronic record and includes the term "blockchain" within the definition of "electronic record" for the purposes of the Uniform Electronic Transactions Act. The bill also prohibits a local government from imposing taxes, fees, licensing or permitting requirements, or any other requirements on the use of a blockchain.

This bill is effective on June 5, 2017.

S.B. 412 (Chapter 117)

Senate Bill 412 revises provisions related to the certification of eligibility of certain customers of telecommunications companies for discounted lifeline service rates. Specifically, the bill authorizes the Public Utilities Commission of Nevada to terminate the certification service of an independent administrator when the National Lifeline Eligibility Verifier established by the Federal Communications Commission is able to provide such certification or recertification service to telecommunications companies in Nevada. The measure provides the National Lifeline Eligibility Verifier access to the database created and maintained by the Department of Health and Human Services for the exclusive purpose of determining or verifying the status of an eligible customer.

S.B. 538 (Chapter 570)
Senate Bill 538 requires operators of certain commercial websites or online services to make available a notice containing certain information relating to the privacy of personally identifiable information about consumers collected by the operator through its website or online service. An operator may remedy any failure relating to making such a notice available within 30 days after being informed of the failure. Further, an operator is prohibited from knowingly and willfully failing to remedy such a failure within 30 days after being informed or making a knowing and material misrepresentation or omission in such a notice that is likely to mislead a consumer to the detriment of the consumer. Finally, the Attorney General is authorized to seek an injunction or a civil penalty against an operator who engages in such an act.

Corporations, Partnerships, and Other Business Associations

A.B. 6 (Chapter 35)
Assembly Bill 6 requires a business whose primary purpose is to create or produce motion pictures to obtain a State business registration with the Secretary of State.

This bill is effective on July 1, 2017.

A.B. 13 (Chapter 5)
Assembly Bill 13 changes the term "state business registration" to "state business license."

This bill is effective on July 1, 2017.

A.B. 61 (Chapter 125)
Assembly Bill 61 allows the Commissioner of Financial Institutions to authorize a foreign trust company licensed in another state and subject to federal regulation to act as a fiduciary, solicit business, and engage in the business of a trust company in Nevada without first obtaining a license in Nevada under certain circumstances. The bill also allows the Commissioner to authorize a foreign independent trust company licensed in another state but not subject to federal regulation to solicit business in Nevada without first obtaining a license in Nevada under certain circumstances.

This bill is effective on May 25, 2017.

A.B. 123 (Chapter 419)
Assembly Bill 123 requires a domestic business entity to file an initial list of its directors and officers at the time that the entity files its organizational documents with the Secretary of State or on an alternate date approved by the Secretary of State. It requires a foreign entity to file the initial list at the time that the entity registers with the Secretary of State or on an approved alternate date and provides that if an entity files an amended list within 60 days after the filing of its initial list, the Secretary of State must not charge a fee for filing that amended list.

If a limited liability company (LLC) intends to create one or more series of members with separate rights, powers, or duties, the LLC must include in its articles of organization a statement to that effect and, if the articles of organization include such a statement, then the registered agent of the LLC is deemed to be the registered agent for each series. Each series may be served with any legal process, notice, or demand required or authorized by law by serving the registered agent of the LLC that authorized the creation of the series. In addition, a series may be created without filing articles of organization with the Secretary of State by the adoption of an operating agreement by the members of the series. A series may sue and be sued, make contracts, and purchase, own, and convey property in the name of the series.

The measure specifies the persons who are authorized to bind a series to an instrument or record providing for the acquisition, mortgage, or disposition of property by the series. The liabilities of a series are enforceable only against the assets of that series and not against the assets of the company or any other series if the articles of organization contain a statement indicating that the company is authorized to have one or more series, separate and distinct records are maintained for each series and the assets associated with each series are held and accounted for separately, and the articles of organization or operating agreement indicates that the liabilities with respect to a particular series are enforceable against only the assets of that series.

If the name of the series does not indicate it is a series and does not contain the name of the LLC that created the series, then the series is deemed to be doing business under an assumed or fictitious name. Such a series is required to file a certificate with the county clerk stating the name and address of the LLC authorized to create it.

S.B. 32 (Chapter 50)

Senate Bill 32 revises provisions governing securities transactions that may be exempted from registration requirements. First, this exemption provision is revised to apply to a sale of securities, if certain other conditions are met, not just to an offer to sell securities. Second, the transaction must be part of an issue in which there are not more than 35 purchasers in this State during any 12 consecutive months, instead of 25 purchasers.

S.B. 203 (Chapter 559)

Senate Bill 203 expresses the intent of the Nevada Legislature that Nevada statutes concerning corporate law must not be supplanted or modified by the law of other jurisdictions. The bill also provides that, in order to establish liability to stockholders or creditors on the part of a director or officer of a domestic corporation, a breach of fiduciary duty accompanied by intentional misconduct, actual fraud, or a knowing violation of law is necessary to rebut the presumption that the director or officer is not liable. Finally, the bill clarifies the powers a director or officer may exercise under certain circumstances and revises the elements that a director or officer may take into account in making a business decision.

S.B. 515 (Chapter 253)

Senate Bill 515 repeals the current requirement that all money received by the Administrator of the Securities Division of the Office of the Secretary of State as the result of an enforcement action be deposited in the State General Fund for credit to the Secretary of State's Operating General Fund Budget Account. Instead, this money is to be deposited with the State Treasurer for credit to the State General Fund for unrestricted use.

This bill is effective on July 1, 2017.

Energy Generation and Efficiency

A.B. 223 (Chapter 175)

Assembly Bill 223 requires an electric utility to include in its integrated resource plan an energy efficiency program for residential customers that reduces the consumption of electricity or any fossil fuel and a proposal for the expenditure of not less than 5 percent of the total expenditures related to energy efficiency and conservation programs on programs directed to low-income customers of the electric utility. The bill allows the Public Utilities Commission of Nevada (PUCN) to accept an energy efficiency program, if it determines the energy efficiency plan as a whole is cost effective. It specifies that any order of the PUCN accepting or modifying an energy efficiency plan requires at least 5 percent of the expenditures relating to energy efficiency and conservation programs in the plan must be directed toward energy efficiency programs for low-income customers, unless such a requirement is not cost effective.

This bill is effective on May 26, 2017, for the purposes of adopting regulations and performing other preparatory administrative tasks and on July 1, 2017, for all other purposes.

A.B. 405 (Chapter 589)

Assembly Bill 405 creates the Renewable Energy Bill of Rights that applies to each natural person who is a resident of Nevada. The bill also creates the contractual requirements for an agreement for the lease or purchase of a distributed generation system and a power purchase agreement. It establishes the minimum warranty requirements for an agreement concerning a distributed generation system. Failure to comply with these provisions constitutes a deceptive trade practice and consumer fraud.

Assembly Bill 405 also makes changes to net metering provisions in the law. The bill requires an electric utility to file a request with the Public Utilities Commission of Nevada (PUCN) to establish an optional time-variant rate schedule for customers. Also, if a customer-generator accepts an offer of a utility for net metering with a capacity of up to 25 kilowatts, the utility must provide a customer-generator a credit for certain excess electricity generated by the customer-generator. The credit for each kilowatt-hour of excess electricity must equal a percentage of the rate, which is tiered based on the amount of the cumulative installed capacity of all net metering systems with a capacity of fewer than 25 kilowatts in this State.

The bill requires the PUCN to open an investigatory docket to establish a methodology for determining the effect on rates charged by a utility to its customers. On or before June 30, 2020, and biennially thereafter, the PUCN must submit a report concerning the impact of net metering on such rates to the Director of the Legislative Counsel Bureau for transmittal to the Legislature.

In addition, the measure enacts provisions relating to net metering that would become effective on the date that the Legislature provides by law for an open, competitive electric energy market in a service territory. Further, A.B. 405 sets forth the procedures for determining the peak demand for electricity for the previous calendar year, and it repeals provisions that had established a new net metering tariff pursuant to Senate Bill 374 of the 2015 Legislative Session.

The provisions of this bill relating to net metering are effective on June 15, 2017. Provisions regarding the rights of net metering customers to choose the provider of their electric utility service are effective on July 1, 2023, if the Energy Choice Initiative is approved by the voters at the 2018 General Election. The remaining provisions are effective on September 1, 2017.

S.B. 145 (Chapter 239)

Senate Bill 145 establishes, as part of the Solar Energy Systems Incentive Program, an incentive program for the installation of energy storage systems, which includes: (1) energy storage systems by a customer of an electric utility; and (2) energy storage systems that have a nameplate capacity of at least 100 kilowatts but not more than 1,000 kilowatts. The measure also creates the Electric Vehicle Infrastructure Demonstration Program, and it requires the Public Utilities Commission of Nevada (PUCN) to adopt regulations concerning the Program. Each utility is authorized to recover the costs of carrying out the Program.

The available money for the existing Solar Energy Systems Incentive Program, the Wind Energy Systems Demonstration Program, and the Waterpower Energy Systems Demonstration Program is combined into a single pool of money from which the PUCN may authorize the payment of an incentive to a Program.

For the period beginning on January 1, 2018, and ending on December 31, 2023, the PUCN must authorize the payment of incentives in an amount not more than $1 million per year for the installation of solar energy systems and distributed generation systems at locations throughout the service territories of electric utilities that benefit low-income customers. The measure also repeals the provisions requiring each electric utility to create a Lower Income Solar Energy Pilot Program.

This bill is effective on May 31, 2017, for the purpose of performing preparatory administrative tasks and on July 1, 2017, for all other purposes. Provisions establishing the incentive program expire by limitation on December 31, 2025.

S.B. 146 (Chapter 590)

Senate Bill 146 requires an electric utility with an operating revenue of $2.5 million or greater to submit to the Public Utilities Commission of Nevada (PUCN), on or before July 1 of every third year, a plan to increase its supply of electricity or decrease the demands made on its system by customers. Affiliated utilities that have an interconnected system for the transmission of electricity must file a joint plan on or before June 1, 2018, and on or before June 1 of every third year thereafter.

An electric utility must submit to the PUCN, on or before July 1, 2018, a distributed resources plan as part of its plan to increase electricity supply or decrease demands on its system. The bill prescribes the minimum requirements of such a distributed resources plan. The PUCN may accept a distributed resources plan that complies with each of the minimum requirements after a hearing is held on the adequacy of the utility's resource plan. Additionally, the measure increases from 180 days to 210 days the period by which the PUCN must issue an order approving or modifying any portion of a resource plan that does not relate to the energy supply plan of the utility and increases from 135 days to 165 days the period in which the PUCN must issue an order accepting or modifying an amendment to such a plan.

This bill is effective on July 1, 2017.

S.B. 150 (Chapter 591)

Senate Bill 150 requires the Public Utilities Commission of Nevada (PUCN) to establish each calendar year annual energy savings goals for electric utilities resulting in the implementation of energy efficiency programs. Each electric utility must implement an energy efficiency plan that is cost effective and designed to meet the goals for energy savings established by the PUCN. At least 5 percent of the expenditures related to energy efficiency programs must be directed toward low-income customers of the utility. The measure authorizes the PUCN to remove financial disincentives that discourage electric utilities from implementing or promoting participation in energy efficiency and conservation programs by including a rate adjustment mechanism.

This bill is effective on June 15, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2017, for all other purposes.

S.B. 204 (Chapter 240)

Senate Bill 204 requires the Public Utilities Commission of Nevada (PUCN) to investigate and determine, on or before October 1, 2018, whether it is in the public interest to establish by regulation biennial targets for the procurement of energy storage systems by an electric utility. In making this determination, the PUCN must consider whether energy storage systems will achieve certain purposes. The measure further provides that, in measuring the benefits and costs of energy storage systems, the PUCN be required to consider all known and measurable benefits and costs. If the PUCN determines the benefits of the procurement of energy storage systems exceed the costs, the PUCN must establish by regulation biennial targets for the procurement of energy storage systems by an electric utility.

This bill is effective on July 1, 2017.

S.B. 314 (Chapter 244)
Senate Bill 314 deletes the provision specifying that the governing body of a city or county may impose reasonable restrictions on the use of a system for obtaining wind energy that are related to the height of the system. Instead, a governing body of a city or county is not precluded from denying an application for a permit for the installation of a system for obtaining wind energy if it determines, based on the size, height, or configuration of the system, that installation of the system represents a danger to the health, safety, or welfare of the public or is not compatible with the character of the area in which the system is located.

S.B. 407 (Chapter 388)
Senate Bill 407 establishes the Nevada Clean Energy Fund to provide funding for and increase the pace and amount of investments in qualified clean energy projects in Nevada. The bill sets forth the duties and powers of the Board of Directors of the Fund.

This bill is effective on June 5, 2017, for the purposes of adopting regulations and performing administrative tasks and on July 1, 2017, for all other purposes.

Professions and Occupations (see also Health and Human Services)

A.B. 19 (Chapter 10)
Assembly Bill 19 requires the Department of Veterans Services to submit to the Interagency Council on Veterans Affairs certain statistical information concerning veterans services and requires that certain regulatory bodies collect and report to the Interagency Council statistical information concerning the number of veterans and service members who have applied for, have been issued, or have been denied a license. The measure reduces from annually to biennially the frequency with which the Interagency Council must submit to the Governor and the Legislative Commission a report of its activities, including the statistical information required to be provided by various State agencies and regulatory bodies.

Finally, the bill changes from annually to biennially the frequency with which certain reports of activities must be submitted by the Nevada Veterans Services Commission and the Women Veterans Advisory Committee; provides that both reports must be submitted to the Governor, the Interagency Council, and the Legislative Commission; and changes the deadline by which the Nevada Veterans Services Commission must submit its report to coincide with the reporting deadline for the Interagency Council and the Advisory Committee.

This bill is effective on July 1, 2017.

A.B. 128 (Chapter 126)
Assembly Bill 128 exempts from licensure as a process server a person who, without compensation, serves legal process to another person not more than three times per year.

A.B. 150 (Chapter 380)

Assembly Bill 150 makes changes to the regulation of private professional guardians, including removing the requirement for individual guardians to be licensed and instead requiring private professional guardian companies to be licensed and to require bonds for private professional guardians under their employ. Each private professional guardian company must employ private professional guardians who are certified by the Center for Guardianship Certification.

The measure also requires persons working as private professional guardians to submit fingerprints to the Division of Financial Institutions, Department of Business and Industry, every five years. The Commissioner of Financial Institutions must conduct an investigation if he or she receives a verified complaint that a person who does not meet the requirements necessary to serve as a private professional guardian is engaging in any activity relating to service as a private professional guardian.

Finally, A.B. 150 makes certain provisions of law concerning summary administration of estates under $10,000 in value applicable to private professional guardians.

A.B. 165 (Chapter 130)

Assembly Bill 165 provides for the licensure of a health services executive, which is a person who acts as both an administrator of a residential facility for groups and a nursing facility administrator.

This bill is effective on May 25, 2017, for the purposes of adopting regulations and performing other necessary administrative tasks and on January 1, 2018, for all other purposes.

A.B. 195 (Chapter 127)

Assembly Bill 195 revises provisions governing the State Board of Cosmetology and the professionals it regulates. The bill allows the Governor to remove a Board member under certain circumstances, combines the position of Board Secretary and Board Treasurer, revises provisions governing the deposit and use of fees and other money, prohibits certain expenses from being charged against the State General Fund, and eliminates the Board's revolving fund used for cash advances. Additionally, A.B. 195 removes an obsolete provision related to the examination of applicants as a purpose of a Board meeting and allows the Board to receive certain criminal history reports. The bill also allows the Board to, upon request, provide examinations for licensure and registration in languages other than English and to issue duplicate licenses or certificates.

As it relates to licensees, A.B. 195 revises certain continuing education requirements, the documentation required by certain applicants, and the circumstances under which a license as a student instructor expires. It reduces from 3,600 to 3,200 the number of hours needed to apply for a license as a cosmetologist and requires students to receive a minimum of 10 percent of the total hours of instruction for a particular profession prior to commencing work on members of the public. Assembly Bill 195 also includes prostitution or solicitation as a ground for disciplinary action by the Board and provides for the temporary suspension of a license or

certificate of registration without a prior hearing under certain circumstances. Finally, the measure eliminates a restriction against cosmetological establishments advertising or otherwise representing to the public the business is primarily engaged in cutting men's hair.

This bill is effective on May 25, 2017, for the purposes of adopting regulations and performing other preparatory administrative tasks and on January 1, 2018, for all other purposes.

A.B. 328 (Chapter 424)

Assembly Bill 328 revises various provisions governing professional and occupational licensing boards. The bill prohibits an attorney from being employed as legal counsel by more than one board and prohibits a person from being employed as an executive director or executive secretary by more than one board. It also requires an attorney who contracts with a board to carry a policy of professional liability insurance. Additionally, A.B. 328 prohibits an attorney who is employed as legal counsel to a board from prosecuting a contested case at any time while employed or retained by the board.

The measure also requires the Department of Administration to establish standards for the financial operation and administration of the boards and raises from $75,000 to $200,000 the threshold amount of revenue a board obtains annually before it must obtain an audit under certain circumstances. Finally, A.B. 328 removes an exemption for certain boards from having to comply with a uniform disciplinary process for licensees.

A.B. 359 (Chapter 555)

Assembly Bill 359 exempts from licensure and regulation as a contractor a nonprofit entity that:

- Enters into a contract with the State of Nevada or any political corporation or subdivision of this State to facilitate the repair or maintenance of a property;
- Facilitates work to be performed on the property by a licensed contractor; and
- Is a party with the owner of the property and a licensed contractor to a contract or agreement for the work on the property.

This bill is effective on July 1, 2017.

A.B. 454 (Chapter 512)

Assembly Bill 454 revises definitions related to the service of accountants. It requires the Nevada State Board of Accountancy to provide certain notices by e-mail. The measure also removes a qualification that in order to obtain a certificate, the applicant must be a resident of this State or designate an agent in this State to receive service of process and makes other changes to the educational, work experience, and examination requirements.

The measure allows the Board to cooperate with other agencies in investigating a certificate holder and to issue a cease and desist order in certain circumstances. It also repeals provisions relating to the regulation of registered public accountants and business entities formed by accountants.

Further, the bill provides for a temporary exemption from licensing for a physician, osteopathic physician, chiropractic physician, doctor of Oriental medicine, physical therapist, or athletic trainer who holds a valid and unrestricted license to practice in another jurisdiction and is practicing his or her profession for certain purposes related to an athletic competition or training. A professional who is practicing under such an exemption is prohibited from:

- Practicing medicine at a medical facility;
- Providing services to persons outside the scope of the exemption; or
- Practicing his or her profession for more than 60 days in a calendar year.

Provisions of this bill relating to certain health care professionals and athletic competitions are effective on June 9, 2017, for the purposes of adopting regulations and performing other administrative tasks and on January 1, 2018, for all other purposes. Other provisions of this bill are effective on January 1, 2019.

A.B. 468 (Chapter 486)

Assembly Bill 468 combines the provisions related to the regulation of mortgage brokers and mortgage bankers in *Nevada Revised Statutes* (NRS) into a single chapter; both professions will be included in the term "mortgage company." The bill also changes all references to "mortgage agent" to "mortgage loan originator." Additionally, A.B. 468 makes various technical changes throughout the statutes related to these professions. These changes include, but are not limited to:

- Providing the Commissioner of Mortgage Lending with discretion in: (1) investigating a mortgage company, mortgage loan originator, or other person under certain circumstances; (2) taking possession of the property held by a mortgage company; and (3) taking certain disciplinary actions;
- Removing certain provisions relating to determinations of a person's demonstrated financial responsibility;
- Removing certain provisions relating to the availability of a mortgage loan originator's records for inspection by the Commissioner;
- Allowing the Commissioner to prescribe by regulation the form of the required surety bond; and

- Including certain activities related to the solicitation or making of mortgage loans in the definition of a transaction of business for purposes of complying with certain chapters of NRS.

The provisions of this bill related to the form for the required surety bond and modifying the definition of a transaction of business in Chapter 86 ("Limited-Liability Companies") of NRS are effective on June 8, 2017, for the purposes of adopting regulations and performing other administrative tasks and on October 1, 2017, for all other purposes. The remaining provisions of the bill are effective on June 8, 2017, for the purposes of adopting regulations and performing other administrative tasks and on January 1, 2020, for all other purposes.

S.B. 69 (Chapter 518)

Senate Bill 69 provides that a regulatory body which is not otherwise authorized or required by a specific statute to issue a license to engage in an occupation or profession must adopt regulations providing for the issuance of a license by endorsement. The measure also establishes term limits for members of regulatory bodies. A regulatory body is prohibited from entering into a contingent fee contract with any attorney or law firm. However, State agencies and officials may enter into a contingent fee contract with any attorney or law firm under certain circumstances. The amount of the fee must not exceed 25 percent of the amount recovered.

The bill also requires each regulatory body to submit a quarterly report to the Director of the Legislative Counsel Bureau that includes information concerning the number of applications rejected, and the reasons for denial, by the regulatory body during the immediately preceding calendar quarter. Finally, S.B. 69 requires the Executive Director of the Office of Workforce Innovation in the Office of the Governor to submit to the Director of the Legislative Counsel Bureau a written report that includes:

- The number of persons in this State who are engaged in an occupation or profession that is regulated by a regulatory body; and

- The demand for services of persons engaged in those occupations or professions.

Provisions relating to information to be reported by the Executive Director of the Office of Workforce Innovation are effective on July 1, 2017, if S.B. 516 of this session is approved by the Governor. All other provisions are effective on June 9, 2017.

NOTE: See also Senate Bill 516 (Chapter 595).

S.B. 206 (Chapter 122)

Senate Bill 206 increases from three years to four years the length of a term for appointed members of the State Barbers' Health and Sanitation Board and prohibits the appointed members of the Board from serving more than three terms. Any term commencing

on or after January 3, 2011, counts toward the limitation on the number of terms that may be served.

The measure requires the Board to place its budget and all financial reports prepared by the Board on its website. The Board must post licensing examination dates on its website not fewer than 60 days before the date of the examination.

The measure reduces from five to three the number of years that an applicant for a license as an instructor at a barber school must have practiced as a full-time licensed barber in Nevada or in another jurisdiction whose requirements for licensing are substantially equivalent to those in this State. Finally, the bill requires an applicant for a license to operate a barber school to submit information to the Board demonstrating the school that is issued a license to operate on or after July 1, 2018, will have at least two instructors who provide instruction at the school.

Provisions concerning terms of Board members, financial reporting requirements, and qualifications of barber school instructors are effective on July 1, 2017. Other provisions of the bill are effective on May 25, 2017.

S.B. 209 (Chapter 560)

Senate Bill 209 allows the Commissioner of Insurance to accept an independent audit in lieu of an examination of a nonprofit organization of surplus lines brokers if the Commissioner deems an independent audit to be in the best interest of the residents of Nevada. The Commissioner may adopt regulations to allow for the charging and collection of a fee by an insurance broker, consultant, or financial planner for consultation or related advice on the purchase of individual or group life or health insurance for an individual or group annuity.

The measure allows an employee or authorized representative of a vendor to receive certain incidental compensation from the vendor for offering coverage and enrolling a customer under a policy of portable electronics insurance. Additionally, S.B. 209 requires that a notice of intent to withdraw from an association of self-insured public or private employers be deemed rescinded if the member does not provide proof to the association before the expiration of the 120-day period that he or she has replaced his or her membership to the association with some other type of insurance. Finally, the bill repeals the law authorizing the Commissioner, with the approval of the State Board of Examiners, to enter into a multi-state agreement to preserve the ability of this State to collect premium tax on multi-state risks.

This bill is effective on July 1, 2017.

S.B. 232 (Chapter 550)

Senate Bill 232 enacts the Domestic Workers' Bill of Rights. This bill defines a "domestic worker" as a natural person who is paid by an employer to perform work of a domestic nature, and it requires that an employer of a domestic worker supply to the worker written documentation of the conditions of his or her employment and rights under the law. The measure provides for the mandatory payment of wages and overtime wages for certain hours worked, limitations on deductions for food and lodging, rest breaks, and days off. In addition,

the bill provides that a child fewer than 16 years of age may not be employed in domestic service for more than 8 hours in a day or more than 48 hours in a week.

This bill is effective on June 12, 2017, for the purposes of adopting regulations and performing any preparatory administrative tasks and on January 1, 2018, for all other purposes.

S.B. 338 (Chapter 227)

Senate Bill 338 changes the term "prime contractor" to "original contractor" and increases from one to two years the statute of limitations on commencing an action against an original contractor. The bill also deletes statutory provisions that include "laborer" within the definition of "lien claimant" and provides that a potential claimant is a lien claimant.

Language regarding notification requirements that apply to a prime contractor or subcontractor who participates in a health or welfare fund as related to potential lien rights also is deleted, and the bill creates new notification requirements and penalties that a potential claimant must provide to an original contractor or subcontractor. The bill requires an original contractor to be liable for the indebtedness for labor incurred by a subcontractor or other contractor and repeals existing provisions that impose a duty of delinquency notification on the administrator of a Taft-Hartley trust.

This bill is effective on July 1, 2017.

S.B. 383 (Chapter 322)

Senate Bill 383 revises the definition of "financial planner" to remove the exclusions for a broker-dealer, a sales representative, and an investment adviser, thereby making such persons subject to the provisions of existing law governing financial planners, with the exception of requirements related to the maintenance of certain insurance or surety bonds. The bill maintains that certain persons defined as financial planners must be licensed as insurance consultants for purposes related to viatical settlements. Finally, S.B. 383 enables the Office of the Secretary of State to enforce the fiduciary duty imposed on broker-dealers, sales representatives, and investment advisers and to adopt regulations defining or excluding acts, practices, and courses of business as violations of the fiduciary duty.

This bill is effective on July 1, 2017.

S.B. 406 (Chapter 361)

Senate Bill 406 makes various changes relating to court reporters and court reporting firms. The measure revises the qualifications for a certificate of registration as a court reporter. The Certified Court Reporters' Board of Nevada may, after notice and hearing, impose upon a natural person or business entity that violates any law or regulation governing certified court reporters and court reporting firms an administrative fine of not more than $5,000 for each violation for which the administrative fine is imposed.

This bill is effective on June 4, 2017, for the purpose of adopting regulations or performing any preparatory administrative tasks and on January 1, 2018, for all other purposes.

S.B. 468 (Chapter 580)

Senate Bill 468 enacts provisions to provide that a domestic service employee who resides in the household where he or she works and his or her employer may agree to exclude from the employee's wages certain periods for meals, sleep, and other periods of complete freedom from all duties. If a period excluded from the employee's wages is interrupted by a call to duty by the employer, the interruption must be counted as hours worked for which compensation must be paid. In addition, a domestic service employee who resides in the household where he or she works and his or her employer may enter into a written agreement to exclude the employee from overtime requirements.

This bill is effective on July 1, 2017.

S.B. 498 (Chapter 531)

Senate Bill 498 eliminates the requirement for an annual standard examination of mortgage brokers and mortgage bankers and instead requires the Commissioner of Mortgage Lending to conduct, at his or her discretion, periodic standard examinations of mortgage brokers and mortgage bankers.

The bill also eliminates certain courses of continuing education relating to the laws and regulations of the State and reduces the number of hours of continuing education required for a mortgage broker or mortgage agent from at least ten hours to at least eight hours annually. Finally, S.B. 498 allows the Commissioner to waive the required monthly activity report submitted by mortgage brokers and mortgage bankers if substantially similar information is available to the Commissioner from another source.

This bill is effective on June 9, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2018, for all other purposes.

CONSTITUTIONAL AMENDMENTS

A.J.R. 2 (File No. 17)

Assembly Joint Resolution No. 2 proposes to amend the *Nevada Constitution* to provide that the State of Nevada and its political subdivisions shall recognize marriages of and issue licenses to couples, regardless of gender. All legally valid marriages shall be treated equally under the law. The resolution also proposes to repeal existing provisions that only a marriage between a male person and female person may be recognized and given effect in Nevada. Finally, the resolution specifies that religious organizations and members of the clergy have the right to refuse to solemnize a marriage, and no person has the right to make any claim against a religious organization or member of the clergy for refusing to perform a marriage.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

A.J.R. 5 (File No. 34)

Assembly Joint Resolution No. 5 proposes to amend the *Nevada Constitution* to remove the constitutional provisions relating to the election and duties of the Board of Regents of the University of Nevada. The Legislature shall provide by law for the governance, control, and management of the University and the establishment of its various departments. The resolution also requires the Legislature to set by law the reasonable protection of individual academic freedoms and the promotion of intellectual, literary, scientific, mining, mechanical, agricultural, ethical, and other educational improvements. Proceeds of public lands donated for the support of the institution shall be invested by the State of Nevada as required by law.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

A.J.R. 14 (File No. 46)

Assembly Joint Resolution No. 14 proposes to amend the *Nevada Constitution* to provide that no hospital or independent facility for emergency medical care shall deny medically necessary emergency treatment or services to a person, regardless of whether the person has health insurance and regardless of the person's ability to pay for such services.

The resolution provides all persons in Nevada have a right to receive emergency medical care at a reasonable cost. No hospital or independent facility shall charge an amount greater than 150 percent of the lowest rate the hospital or facility has agreed to accept from a federal insurer or the rate provided by law, whichever is greater.

If the Legislature has not provided a rate by law, the State agency authorized to regulate hospitals or independent facilities may allow an increase in the rate if the facility proves it is necessary to avoid a rate deemed confiscatory under the *United States Constitution*.

These provisions may not be waived or varied by agreement. They may be enforced by the State of Nevada or a political subdivision. They also may be enforced by a civil action brought by a person who is denied any protected rights. The Legislature shall provide for the administration and enforcement of the provisions and may provide for a different rate if it establishes a commission to ensure compliance.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

S.J.R. 1 (File No. 38)

Senate Joint Resolution No. 1 proposes to amend the *Nevada Constitution* by expressly providing for the State Board of Pardons Commissioners. The resolution also proposes to require the Board to meet at least quarterly, allow for any member to submit matters for consideration, and provide that a majority of the members is sufficient for any action taken by the Board.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

S.J.R. 3 (File No. 39)

Senate Joint Resolution No. 3 proposes to amend the *Nevada Constitution* to provide certain rights to voters. Specifically, S.J.R. 3 proposes to add to the *Constitution* the right to:

- Cast a ballot that is written in a format which allows the clear identification of candidates and accurately records the voter's selection of candidates;
- Have questions concerning voting procedures answered;
- Vote without being intimidated, threatened, or coerced;
- Vote during any period for early voting or on election day if the voter is waiting in line to vote at the time that the polls close;
- Receive instruction on the use of voting equipment;
- Have equal access to the elections system without discrimination;
- Have a uniform, statewide standard for counting and recounting all votes accurately; and
- Have complaints about elections and election contests resolved fairly, accurately, and efficiently.

Many of these rights are set forth in *Nevada Revised Statutes* 293.2546. The Legislature may provide by law for the implementation of certain specified rights.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

S.J.R. 6 (File No. 42)

Senate Joint Resolution No. 6 proposes to amend the *Nevada Constitution* to increase the minimum wage to $9.40 per hour. Beginning on January 1, 2021, the minimum wage must increase by $1.15 each year until it reaches $14 per hour. However, if at any time the federal minimum wage is greater than the amount calculated under this joint resolution, the minimum wage in this State must equal the federal minimum wage. The Legislature is authorized to increase the minimum wage to an amount higher than the minimum wage calculated under this joint resolution.

This joint resolution also authorizes an action against an employer for violating the minimum wage requirement to be brought as a class action and provides that an employee who prevails in an action for a violation of the minimum wage requirement is entitled to damages in an amount equal to three times the amount that the employee would have been paid if the employer had complied with the minimum wage requirement.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

S.J.R. 14 (File No. 43)

Senate Joint Resolution No. 14 proposes to amend the *Nevada Constitution* providing for the first fiscal year after real property is sold or transferred, is ineligible for any adjustment to the value of improvements on it based upon the age of the improvement, and also is ineligible for certain partial abatements.

Senate Joint Resolution No. 14 also proposes to amend the *Nevada Constitution* to require the Legislature to enact a "Senior and Disabled Taxpayers Protection Act."

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

S.J.R. 17–78th Session (File No. 47)

Senate Joint Resolution No. 17 of the 78th Legislative Session proposes to amend the *Nevada Constitution* by eliminating existing victims' rights provisions found in Article 1, Section 8, and replacing them with an expanded set of provisions in the form of a victims' bill of rights.

The rights to which a victim of crime would be entitled under the *Nevada Constitution* include the right:

- To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process;

- To be reasonably protected from the defendant and persons acting on behalf of the defendant;

- To have the safety of the victim and the victim's family considered as a factor in fixing the amount of bail and release conditions for the defendant;
- To prevent the disclosure of confidential information or records to the defendant, which could be used to locate or harass the victim or the victim's family;
- To refuse an interview or deposition request, unless under court order, and to set reasonable conditions on the conduct of any such interview to which the victim consents;
- To reasonably confer with the prosecuting agency, upon request, regarding the case;
- To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other postconviction release proceedings, and to be present at all such proceedings;
- To be reasonably heard, upon request, at any public proceeding, including any delinquency proceeding, in any court involving release or sentencing, and at any parole proceeding;
- To the timely disposition of the case following the arrest of the defendant;
- To provide information to any public officer or employee conducting a presentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant;
- To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody;
- To full and timely restitution;
- To the prompt return of legal property when no longer needed as evidence;
- To be informed of all postconviction proceedings, to participate and provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender;
- To have the safety of the victim, the victim's family, and the general public considered before any parole or other postjudgment release decision is made;
- To have all monetary payments, money, and property collected from any person who has been ordered to make restitution be first applied to pay the amounts ordered as restitution to the victim; and
- To be specifically informed of the rights enumerated in this section, and to have information concerning those rights be made available to the general public.

This measure was approved in identical form during the 2015 and 2017 Legislative Sessions. The measure will be submitted to the voters for final approval or disapproval at the 2018 General Election.

COURTS AND JUDICIAL PROCEDURES

A.B. 14 (Chapter 66)

Assembly Bill 14 provides that a person with a criminal record who applies for a name change must submit with his or her petition a complete set of fingerprints. In addition, the measure requires a complete set of a person's fingerprints to be transmitted to the Central Repository for Nevada Records of Criminal History for inclusion in that person's record of criminal history when a court order grants a change of name to a person who has a criminal record or rescinds its order granting a change of name to a person who falsely denied having been convicted. Lastly, the measure requires that a complete set of the person's fingerprints be sent to the Central Repository when a peace officer detains and cites a person for a violation of an ordinance or State law that is punishable as a misdemeanor and constitutes domestic violence.

This bill is effective on July 1, 2017.

A.B. 28 (Chapter 79)

Assembly Bill 28 authorizes the Commission on Judicial Discipline to discipline a justice of the peace or municipal judge by ordering the justice of the peace or municipal judge to forfeit his or her office if he or she fails to attend the required instruction, unless the Commission finds that there was a reasonable excuse. This measure requires the Commission to give a justice of the peace or a municipal judge 30 days' notice and an opportunity to respond and to hold a public hearing before the Commission orders the justice of the peace or municipal judge to forfeit his or her office.

This bill is effective on May 23, 2017.

A.B. 37 (Chapter 68)

Assembly Bill 37 establishes a procedure for arranging the transfer of a case to another justice of the peace or municipal judge, as appropriate, if an affidavit alleging bias or prejudice is filed against the presiding justice or judge. Similarly, the bill establishes a procedure for appointing a justice of the peace or municipal judge, as appropriate, to hear and make a determination concerning the justice or judge against whom an affidavit alleging bias or prejudice has been filed.

This measure also requires the selection of a chief justice of the peace in townships with more than one justice of the peace and a chief municipal judge in cities with more than one municipal judge, who will serve as the presiding justice or judge, respectively, and have duties similar to a chief judge of a judicial district.

This bill is effective on May 22, 2017.

A.B. 38 (Chapter 69)

Assembly Bill 38 revises provisions related to bail. With certain exceptions, every bail agent and insurer authorized to write surety in this State and every subsidiary corporation of any such insurer must have the ability to send and receive electronic transmissions. The measure

authorizes the electronic transmission of the notice of transfer of a bond or undertaking to another trial court to the surety on the bond and to the bail agent who executed the bond. Similarly, the bill authorizes the electronic transmission of a notice of a defendant's failure to make a required appearance in court, and it provides that a request for a delivery receipt is required under certain circumstances.

The measure provides that before April 1, 2018, a bail agent or insurer may elect to continue to receive notices by mail; however, on and after April 1, 2018, the agent or insurer may only receive notices by mail if good cause is shown to the court.

Finally, the bill reduces from 45 days to 14 judicial days the period of time after which a court is required to issue a warrant for the arrest of a defendant who has failed to make a required appearance in court.

A.B. 63 (Chapter 81)

Assembly Bill 63 requires an applicant for a certificate as a court interpreter or appointment as an alternate court interpreter to submit to the Court Administrator with his or her application a complete set of his or her fingerprints and written permission authorizing the Court Administrator to forward the fingerprints to the Central Repository for Nevada Records of Criminal History.

This bill is effective on May 23, 2017.

A.B. 102 (Chapter 64)

Assembly Bill 102 authorizes a court that has continuing jurisdiction to remove certain civil proceedings, such as divorce, annulment, separate maintenance, or parentage or child custody to a court in another county after a final order, judgment, or decree has been issued. The bill also allows the respondent to request in writing before the filing time expires that the petition or motion be heard in the county where either party resides or where the child named in the proceeding resides.

A.B. 107 (Chapter 52)

Assembly Bill 107 provides that the eviction case court file in any action for summary eviction is automatically sealed if summary eviction is denied or dismissed or the landlord fails to file an affidavit of complaint as required. The measure authorizes the court to order the sealing of an eviction case court file under certain circumstances.

A.B. 125 (Chapter 211)

Assembly Bill 125 makes various changes to provisions related to court interpreters. It requires the Court Administrator to adopt regulations for a program to certify or register court interpreters for persons with limited English proficiency who are witnesses, defendants, and litigants, and it requires court interpreters to obtain a certificate or registration. The bill removes provisions relating to the appointment of alternate court interpreters and provides that a court will appoint an interpreter if a certified or registered court interpreter is not available.

A.B. 130 (Chapter 552)

Assembly Bill 130 makes various changes to provisions governing guardianship. Specifically, the bill allows a court to require a proposed guardian to file a proposed preliminary care plan and budget. A person who retains an attorney for the purpose of representing a party in a guardianship is responsible for attorney's fees and costs. The person may petition the court for an order authorizing the payment of attorney's fees and costs from the estate of the ward. A court-appointed attorney may seek compensation for his or her services from the guardianship estate in accordance with the established process. In addition, the measure provides that only the prevailing party in a contested issue in a guardianship proceeding may petition the court for the payment of attorney's fees and costs. If the court determines that there is no prevailing party, the court may authorize a portion of each party's attorney's fees and costs to be paid.

The measure replaces the term "incompetent" with "incapacitated" and revises the definition of "incapacitated." The bill requires notice and service of petitions, reports, hearings, and sales of property to a ward 14 years of age or older without regard to the ward's capacity to understand information conveyed and revises requirements for the sale of personal or real property of a ward.

The bill creates the State Guardianship Compliance Office, which is appointed by the Nevada Supreme Court and serves at the pleasure of the Court. The State Guardianship Compliance Officer is authorized to hire two accountants and two investigators to provide services to the district courts as part of guardianship proceedings. The bill appropriates $954,751 over the 2017-2019 Biennium from the State General Fund to the Nevada Supreme Court to pay the costs of the Office.

Finally, the bill revises the effective dates for certain provisions of Senate Bill 433 of this session.

Provisions that modify the effective dates of S.B. 433 of this session are effective on June 12, 2017. Provisions concerning the appropriation of money to fund the State Guardianship Compliance Office are effective on July 1, 2017. All other provisions are effective on January 1, 2018.

NOTE: See also Senate Bill 433 (Chapter 390).

A.B. 142 (Chapter 212)

Assembly Bill 142 authorizes the district court to make the factual findings necessary to enable a child to apply for federal status as a special immigrant juvenile. The findings may be made by the district court at any time during certain proceedings. A person may file a petition with the court requesting that the court make the findings to enable a child to apply for status as a special immigrant juvenile. If the court determines there is evidence to support the findings, the court must issue an order setting forth the findings, but the court may not make any additional findings regarding the asserted, purported, or perceived motivation of the child seeking status as a special immigrant juvenile or of the person requesting the court to make

such findings. Assembly Bill 142 also provides that any records containing information concerning the immigration status of a child that are not otherwise confidential must be sealed and made available for inspection only by certain persons. The Nevada Supreme Court must adopt necessary rules and procedures to implement the bill. Finally, A.B. 142 clarifies that if a person includes in a petition filed or motion made in a guardianship proceeding a request that the court make the findings necessary to enable a child to apply for status as a special immigrant juvenile, the court may, in certain circumstances, appoint or extend the appointment of a guardian of the person for a ward or proposed ward seeking such status.

A.B. 173 (Chapter 132)

Assembly Bill 173 changes the requirements for applying for a name change. The applicant for a name change must submit with the verified petition to the district court a statement signed under penalty of perjury that the applicant is not changing his or her name for a fraudulent purpose. In addition, the requirement that an applicant publish a notice of the name change in a newspaper of general circulation in the county once a week for three weeks in a row is changed to at least one time.

This bill is effective on July 1, 2017.

A.B. 177 (Chapter 230)

Assembly Bill 177 revises provisions authorizing courts to issue temporary or extended orders for protection against domestic violence. If, after due diligence, the adverse party has not been served and fails to appear at the first hearing, then the court is authorized to set a second hearing within 90 days after the date on which the first hearing was scheduled and a third hearing within an additional 90 days thereafter. The court must order a law enforcement agency to serve the adverse party an application for an extended order and the notice of any second or third hearing upon the application scheduled by the court. The temporary order remains in effect until the date on which the second or third hearing is held.

This bill is effective on May 31, 2017.

A.B. 184 (Chapter 85)

Assembly Bill 184 provides that a motion to withdraw a plea of guilty, guilty but mentally ill, or nolo contendere that is made after sentence is imposed or imposition of sentence is suspended is a remedy that is incident to the proceedings in the trial court. The bill applies to such pleas pending on or after June 12, 2014.

A.B. 207 (Chapter 549)

Assembly Bill 207 revises the process for selecting trial jurors. The jury commissioner assigned to select trial jurors must compile and maintain a list of qualified electors from information provided by:

- The voter registration list in the county;
- The Department of Motor Vehicles;

- The Employment Security Division of the Department of Employment, Training and Rehabilitation; and

- Certain public utilities.

The Employment Security Division must be reimbursed for the reasonable cost of providing requested information.

In addition, the jury commissioner is required to keep certain records of each trial juror who is selected and who appears for jury service. This information is to be reported once a year to the Court Administrator.

A person who uses the information collected for purposes other than those authorized by the Administrator of the Division or by the law, or who fails to protect and prevent the unauthorized use or dissemination of such information, is guilty of a gross misdemeanor.

This bill is effective on July 1, 2017.

A.B. 228 (Chapter 166)

Assembly Bill 228 revises provisions regarding the termination of parental rights. The measure requires personal service to be attempted on a parent, legal custodian, or guardian regardless of where the person resides. Before notice of hearing for the termination of parental rights is published, the clerk of the court must replace the name of the child with the initials of the child. The hearing may take place any time after the birth of the child and service on the father or putative father, if known, is completed. The hearings, files, and records of the court relating to a proceeding to terminate parental rights are confidential, with certain exceptions. Lastly, this measure provides that the conviction of the natural parent of a child for a sexual assault which results in the conception of the child is grounds for terminating the parental rights of the natural parent.

A.B. 232 (Chapter 161)

Assembly Bill 232 revises the procedure for changing the name of a minor. A parent of an unemancipated minor may file a verified petition with the clerk of the district court where the minor resides. The measure sets forth steps a parent must take if the other parent does not consent. Upon proof of filing and evidence of service, the court must make an order changing the name of the minor as requested in the petition if satisfied by statements in the petition or other evidence that good reason exists, if verified consent of the other parent is stated in the petition, or if no written objection is filed within ten days after the notice and service requirements have been fulfilled. If an objection is filed, then the court is required to hold a hearing. The order must be recorded as a judgment of the court, and the clerk must transmit a certified copy of the order to the State Registrar of Vital Statistics. Finally, a petition to change a name of an unemancipated minor may be filed in an action for divorce, child custody, the establishment of parentage, the termination of parental rights, or the emancipation of a minor.

A.B. 243 (Chapter 277)

Assembly Bill 243 allows a court to grant a motion to vacate a judgment of conviction and seal the records of a victim of sex trafficking or involuntary servitude. The measure sets forth the procedure for vacating the judgment of conviction and requires the court to notify the Central Repository for Nevada Records of Criminal History, the Office of the Attorney General, and each office of the district attorney and law enforcement agency in this State before deciding to grant a petition.

The court is authorized to enter an order to vacate a judgment of conviction if the petitioner satisfies all requirements necessary for the judgment to be vacated, but the petition is deficient with respect to the sealing of the petitioner's record. If the court enters such an order, then the court also is required to order the sealing of the petitioner's records that relate to the judgment being vacated.

A.B. 253 (Chapter 309)

Assembly Bill 253 revises various provisions governing mental health adjudications. The bill requires a court to conduct a hearing as soon as practicable if an application for a writ of habeas corpus is made before the initial hearing on a petition for the involuntary court-ordered admission of a person who has or is alleged to have a mental illness to a mental health facility or a program of community-based or outpatient services.

In addition, the measure revises the definition of a "person with mental illness" to clarify that the person presents a clear and present danger of harm to himself or herself if there is a reasonable probability that the person will harm himself or herself, unless required to participate in a program of community-based or outpatient services. The physician or psychologist who examines and evaluates a person who has been involuntarily admitted to a mental health facility or certain other services is required to submit a written summary of findings and evaluation 24 hours before the hearing on the petition. The court must transmit a record of the order to each law enforcement agency of this State with which the court has entered into an agreement for such transmission for inclusion in certain databases. Finally, the bill establishes a procedure for a public or private hospital or a mental health facility to request and obtain a copy of a court order of involuntary admission that relates to a person alleged to be a person with mental illness who has been admitted to the hospital or facility.

This bill is effective on July 1, 2017.

A.B. 254 (Chapter 233)

Assembly Bill 254 requires any inventory of the property of a ward that a guardian must file in a guardianship proceeding include the existence of any trust of which the ward is a beneficiary. If such an inventory includes the existence of a trust, the trustee must be served with a copy of the inventory.

This bill also authorizes a court having jurisdiction of a trust to transfer supervision of the trust to a district court having jurisdiction of the guardianship of a ward who is currently a beneficiary who is receiving or entitled to receive distributions from the trust. The court will

assume jurisdiction of the trust if: (1) no objection to the court assuming jurisdiction is filed; or (2) the court does not find good cause as to why it should not have jurisdiction of the trust. A guardian or attorney of the ward or any interested person is authorized to demand that a copy of the trust and an accounting of the assets of the trust be filed with the court. A guardian of an estate must obtain court approval before submitting an irrevocable trust to the jurisdiction of the court under certain circumstances.

A.B. 268 (Chapter 478)

Assembly Bill 268 revises certain findings a court must make before it may order a genetic marker analysis as requested in a postconviction petition. The revised findings include that:

- A reasonable possibility exists that the petitioner would not have been prosecuted or convicted if exculpatory results had been obtained through a genetic marker analysis of the evidence identified in the petition;

- The petitioner alleges and supports with facts that he or she asked his or her attorney to request to have a genetic marker analysis conducted, but the attorney refused or neglected to do so; or

- The court previously ordered a genetic marker analysis to be conducted, but an analysis was never conducted.

This bill is effective on July 1, 2017.

A.B. 286 (Chapter 484)

Assembly Bill 286 authorizes a justice court or municipal court to establish a program for the treatment of veterans and members of the military who are charged with first misdemeanor offenses of battery constituting domestic violence or driving under the influence of alcohol or drugs.

To be eligible for the program, the person must appear to suffer from mental illness, alcohol or drug abuse, posttraumatic stress disorder, traumatic brain injury, military sexual trauma, or problematic readjustment to civilian life that appears to be related to military service. The bill specifies circumstances that make a defendant ineligible for the program and authorizes sanctions against a defendant who violates the terms and conditions of the program.

The court may conditionally dismiss the charges against a person who successfully completes this program or a diversionary or specialty court program. All records relating to the charges must be sealed not sooner than seven years after the conditional dismissal and upon the filing of a petition by the defendant. Conditionally dismissed offenses constitute prior offenses for purposes of determining program eligibility.

This measure is effective on June 8, 2017.

A.B. 319 (Chapter 172)

Assembly Bill 319 creates a new chapter in *Nevada Revised Statutes* relating to guardianships of minors and carries over provisions from existing law, but with certain revisions. The measure sets forth the procedures for the appointment of a guardian, the powers and duties of a guardian, and the termination of the guardianship.

This bill is effective on July 1, 2017.

NOTE: See also Senate Bill 433 (Chapter 390).

A.B. 326 (Chapter 554)

Assembly Bill 326 provides a process for the disclosure of documentation supporting information in a presentence report on a defendant's criminal gang affiliation or membership. The measure also authorizes a court to order the Division of Parole and Probation of the Department of Public Safety to correct the contents of a presentence or general investigation report if the defendant and prosecuting attorney stipulate to the correction within 180 days of the date of conviction. Finally, the bill clarifies that these provisions apply to reports made on or after October 1, 2017.

A.B. 327 (Chapter 378)

Assembly Bill 327 allows a person who is given a dishonorable discharge from probation to apply to the court for the sealing of records relating to the conviction if he or she is otherwise eligible to have the records sealed. Upon the filing of a petition for the sealing of records, there is a rebuttable presumption that the records should be sealed if the applicant satisfies all statutory requirements for the sealing of the records. However, such a presumption does not apply to a defendant who is given a dishonorable discharge from probation and applies to the court for the sealing of records relating to the conviction. A person may file a petition for the sealing of records in district court if the person wishes to have more than one record sealed and would otherwise need to file a petition in more than one court. The district court is authorized to order the sealing of any records in the justice or municipal courts in certain circumstances.

The length of certain periods that a person is required to wait before petitioning a court to have records sealed is reduced, and the requirement that a petition be accompanied by the petitioner's current, verified records received from criminal justice agencies is removed. The court is authorized to order the records sealed without a hearing if the prosecuting attorney stipulates to the sealing of the records and the court makes certain findings.

Lastly, the sealing of the records of a person who completes a correctional or judicial program for reentry into the community is reduced from five years to four years after the completion of the program.

A.B. 356 (Chapter 313)

Assembly Bill 356 requires a judge to present a jury with a charge submitted by either party in a case if the judge believes the charge is both pertinent and an accurate statement of the law, regardless of whether the charge has been adopted as a model jury instruction.

This measure is effective on July 1, 2017.

A.B. 412 (Chapter 235)

Assembly Bill 412 requires certain misdemeanors that otherwise would be under the jurisdiction of municipal courts must be joined with related felonies and gross misdemeanors in the district courts. This bill also provides that a charge for any such misdemeanor erroneously included in a criminal complaint filed in a municipal court shall be deemed to be void and must be stricken.

A.B. 440 (Chapter 482)

Assembly Bill 440 authorizes a proceeding for the involuntary court-ordered admission of a person who is the defendant in a criminal proceeding in the district court to a program of community-based or outpatient services to be commenced by the district court, on its own motion, or by motion of the defendant or the district attorney if certain conditions are met. The measure specifies the circumstances under which the court may suspend the criminal proceedings against a defendant and order the defendant to a program of community-based or outpatient services. If the defendant successfully completes the program, the district court is authorized to dismiss with prejudice the criminal charges against the defendant.

The measure also provides that if the chief judge of a district court designates a district court judge or hearing master to preside over involuntary commitment hearings, that district court judge or hearing master is required to preside over such hearings. Finally, a district judge or hearing master specifically assigned to hear certain involuntary commitment proceedings is exempt from the requirement to attend certain instruction at the National Council of Juvenile and Family Court Judges in Reno, Nevada.

A.B. 453 (Chapter 237)

Assembly Bill 453 provides that upon an unconditional waiver of a preliminary hearing, a defendant and the district attorney may enter into a written conditional plea agreement. Such an agreement is subject to the court accepting the recommended sentence pursuant to the agreement.

A.B. 459 (Chapter 188)

Assembly Bill 459 authorizes a court to order tests for the typing of blood or taking of specimens for the genetic identification of a child who may be in need of protection.

This bill is effective on July 1, 2017.

A.B. 470 (Chapter 483)

Assembly Bill 470 authorizes the creation of a preprosecution diversion program by a justice or municipal court for certain persons who have been accused of committing a misdemeanor, and it establishes conditions for eligibility to participate in such a program, if such a program exists. A defendant charged with vehicular manslaughter is not eligible for such a program. Preprosecution diversion programs may include treatment to rehabilitate the defendant such as educational programs, anger management therapy or counseling, or a program of treatment for veterans and members of the military, persons with mental illness, intellectual disabilities, or persons with substance abuse issues. A justice court or municipal court is authorized to order a defendant to complete a preprosecution diversion program. The court's decision relating to a defendant's participation in the program may not be appealed.

The court is required to dismiss the charge or charges against a defendant after successful completion of the program. A defendant who fails to successfully complete the program is dismissed from the program and can be prosecuted in the normal manner provided by law. Criminal records of a defendant who has successfully completed the program are sealed and confidential except as otherwise required by law. A defendant may request that any biological or DNA sample provided to the State be destroyed upon his or her successful completion of the program.

A.B. 512 (Chapter 446)

Assembly Bill 512 extends to June 30, 2019, the expiration date of a $100 fee that must be imposed by a court if a person pleads guilty, guilty but mentally ill, or nolo contendere to, or is found guilty of, a charge of driving under the influence of intoxicating liquor or a controlled substance that is punishable as a misdemeanor.

This bill is effective on June 8, 2017.

S.B. 29 (Chapter 73)

Senate Bill 29 authorizes a justice or municipal court, upon its own motion, to transfer a criminal case to another justice or municipal court, or to a district court, if:

- The transfer is necessary to achieve justice for the defendant;
- A plea deal or final disposition has been reached in the case; and
- The court enters its findings regarding the necessity for the transfer into the record.

If a district court declines to accept a case on transfer, the case must be returned to the court of original jurisdiction.

This bill is effective on May 22, 2017.

S.B. 133 (Chapter 163)

Senate Bill 133 revises the Uniform Deployed Parents Custody and Visitation Act to govern the circumstances under which a court of this State has jurisdiction to issue orders in custodial matters for civilian employees of the United States Department of Defense.

This bill is effective on July 1, 2017.

S.B. 230 (Chapter 329)

Senate Bill 230 raises the exempt amount of a judgment debtor's disposable earnings to 82 percent if the debtor's gross weekly salary or wage is $770 or less, and it maintains the exemption at 75 percent if the debtor's weekly earnings exceed $770. The bill also sets forth the formula for how weekly earnings are to be determined and provides that a debtor may bring a civil action against a creditor who garnishes a bank account or other personal property without domesticating a foreign judgment.

The period of garnishment served on an employer is extended from 120 to 180 days, and no new application for a writ of garnishment concerning the same debt may be approved unless a proper accounting and report of previous garnishments are submitted with the application.

S.B. 237 (Chapter 182)

Senate Bill 237 requires a court to consider whether a child welfare agency has created an in-home safety plan for the protection of a child as part of its efforts to preserve and reunify a child with his or her family.

This measure is effective on July 1, 2017.

S.B. 377 (Chapter 460)

Senate Bill 377 creates the Nevada Right to Counsel Commission to study the delivery of indigent defense services in the State. The Commission is required to make recommendations for, among other items, minimum standards related to the provision of indigent defense services and the delivery of such services in counties whose population is fewer than 100,000. The bill appropriates $230,000 from the State General Fund to the Nevada Supreme Court for expenses related to the Commission. Further, the Commission must submit a report of its findings and recommendations to the Legislature and the Office of Finance in the Office of the Governor by September 1, 2018. The Commission is authorized to make one bill draft request for consideration by the 2019 Legislature.

This bill is effective on July 1, 2017, and it expires by limitation on June 30, 2019.

CRIMINAL JUSTICE

(See also Courts and Judicial Procedures)

A.B. 74 (Chapter 82)

Assembly Bill 74 authorizes the Medical Director within the Department of Corrections to determine whether a supplemental test is appropriate when an offender has tested positive for human immunodeficiency virus (HIV). The bill also authorizes, rather than requires, the disclosure of the name of the offender to certain persons within the Department when the results of a supplemental HIV test are positive.

This bill is effective on May 23, 2017.

A.B. 146 (Chapter 137)

Assembly Bill 146 enacts the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act. The measure provides for the enforcement and registration of domestic-violence protection orders issued by Canadian courts. A law enforcement officer must, subject to certain exceptions, enforce a Canadian domestic-violence protection order in the same way that he or she would enforce a similar order issued by a court of this State. A person who enforces such an order based upon a reasonable belief that the order is valid, or who refuses to enforce such an order based upon a reasonable belief that the order is not valid, is provided immunity from civil or criminal liability.

This bill is effective on July 1, 2017.

A.B. 420 (Chapter 538)

Assembly Bill 420 authorizes the Director of the Department of Corrections to charge offenders for the use of videoconferencing equipment for conducting visits to defray the costs of operating and maintaining such equipment. The charge is to be established by regulation with the approval of the Board of State Prison Commissioners. The bill also adds exceptions to the current prohibition on access by offenders to telecommunications devices for conducting allowable visits or correspondence, facilitating or participating in correctional activities, or performing educational, vocational, or legal research.

This bill is effective on June 9, 2017, for the purposes of adopting regulations and performing any other preparatory administrative tasks and on January 1, 2018, for all other purposes.

A.B. 421 (Chapter 558)

Assembly Bill 421 requires, with respect to prisoners in custody in Clark County, that a sheriff, chief of police, or town marshal collaborate with the Department of Health and Human Services and providers in the county to arrange for the coordination of mental health care and substance abuse treatment provided to a prisoner while in custody and after release from custody. Mental health and substance abuse treatment provided may include any medication approved by the United States Food and Drug Administration and prescribed by a treating physician as medically necessary. Finally, the measure requires each sheriff and

the Director of the Department to report to the Legislative Committee on Health Care regarding such coordination and oversight.

This bill is effective on July 1, 2017.

A.B. 444 (Chapter 236)

Assembly Bill 444 allows for a search warrant to be issued by a magistrate to search and seize the property of an attorney under certain circumstances. The measure requires the search warrant to be executed in a manner that minimizes the scrutiny of the property that is subject to the attorney-client privilege and authorizes a team of certain officers and attorneys to review property during the search to determine whether the property is covered by the search warrant. A district attorney or the Attorney General is required to ensure that any property seized during a search conducted pursuant to such a search warrant is reviewed to determine whether the attorney-client privilege applies and returned to the attorney from whom the property was seized if the seized property is subject to the attorney-client privilege.

S.B. 35 (Chapter 99)

Senate Bill 35 creates the Subcommittee on Criminal Justice Information Sharing of the Advisory Commission on the Administration of Justice for the purpose of reviewing issues related to the Nevada Criminal Justice Information System and reporting to the Advisory Commission with recommendations to address those issues.

Additionally, the bill requires the Advisory Commission to make recommendations regarding the sharing of criminal justice information in this State and provide those recommendations to the Legislature and the Director of the Department of Public Safety. The bill adds to the Advisory Commission a representative of the Central Repository for Nevada Records of Criminal History. Statutory provisions pertaining to the current Advisory Committee on Nevada Criminal Justice Information Sharing are repealed.

S.B. 125 (Chapter 256)

Senate Bill 125 reduces the waiting period for certain persons to petition a court for the sealing of their criminal records.

S.B. 177 (Chapter 106)

Senate Bill 177 amends the definition of "mental illness" to include hoarding disorder, as described in the fifth edition of the *Diagnostic and Statistical Manual of Mental Disorders*, for the purpose of assigning certain offenders to programs for the treatment of mental illness.

S.B. 182 (Chapter 196)

Senate Bill 182 authorizes a sheriff to charge and collect the same $21 fee that a constable is entitled to collect for each service in a summary eviction, except service of any notice required by law before commencement of the proceeding, and for serving notice of and executing a writ of restitution. The bill further authorizes a constable to collect the same $2 fee that a sheriff is entitled to collect for mailing a notice of a writ of execution.

Finally, the bill prohibits a deputy constable from being a bail agent, bail enforcement agent, or bail solicitor.

This bill is effective on July 1, 2017.

S.B. 277 (Chapter 114)

Senate Bill 277 creates the Subcommittee on Criminal Justice Information Sharing of the Advisory Commission on the Administration of Justice, prescribes the duties thereof, and authorizes the Subcommittee to appoint working groups that are not subject to the Open Meeting Law for reasons of confidentiality. Additionally, the membership of the Advisory Commission on the Administration of Justice is revised to include a representative of the Central Repository for Nevada Records of Criminal History.

The bill authorizes the Division of Public and Behavioral Health, Department of Health and Human Services, to release the name and other identifying information of a person who has applied for a medical marijuana registry identification card to the Division of Parole and Probation, Department of Public Safety, if the Division of Public and Behavioral Health has been notified that the applicant is on parole or probation.

Finally, the bill repeals the Advisory Committee on Nevada Criminal Justice Information Sharing.

S.B. 402 (Chapter 499)

Senate Bill 402 prohibits the Department of Corrections or a private facility or institution from imposing solitary confinement on a person in prison unless the offender is found guilty of an infraction, is provided written notice of the charges, and a hearing is held after the completion of an investigation of the alleged violation. The Department of Corrections shall not place offenders with serious mental illness or other significant mental impairment in solitary confinement, unless the offender poses a safety threat to himself or herself, staff, or other inmates. The bill also establishes a requirement for the psychological evaluation of an offender with a serious mental illness or significant mental impairment prior to holding a hearing concerning charges against the offender.

An offender may request placement into solitary confinement to protect his or her safety after an independent assessment is performed and only for the duration of the threat. In such instances, the offender must receive a health and welfare check at his or her cell at least once daily by a provider of health care.

The use of solitary confinement must be limited to the shortest time possible to address the issue at hand, and an offender may petition the warden of the facility for early release from solitary confinement. The Department is required to provide certain provisions and accommodations to an offender who is subject to disciplinary segregation, and allows an offender the ability to petition the warden of the institution or facility for release from segregation if the offender has demonstrated good behavior.

This bill is effective on July 1, 2017.

Corrections, Parole, and Probation

A.B. 23 (Chapter 404)

Assembly Bill 23 authorizes the Division of Parole and Probation of the Department of Public Safety to establish and operate one or more independent reporting facilities for the purpose of providing certain daily services to any parolee or probationer who is ordered to attend as an intermediate sanction. The Chief of the Division is authorized to contract for any services necessary to operate the independent reporting facilities.

This bill is effective on July 1, 2017.

A.B. 25 (Chapter 503)

Assembly Bill 25 provides that for the purpose of determining whether a probationer or a parolee is allowed a deduction from his or her period of probation or sentence, respectively, the person is deemed to be current with any fee to defray the costs of his or her supervision and any payment of restitution for any given month if, during that month, the person makes at least the minimum monthly payment established by the court, the Division of Parole and Probation of the Department of Public Safety, or the State Board of Parole Commissioners, as applicable.

The bill also provides that, if the Governor determines by executive order that it is necessary, the Governor may authorize the deduction of up to five days from a sentence for each month an offender serves. This provision must be uniformly applied to all offenders under a sentence at the time the Governor makes such a determination.

This bill is effective on July 1, 2017.

A.B. 26 (Chapter 135)

Assembly Bill 26 revises provision related to a service that provides a name-based search of the Central Repository for Nevada Records of Criminal History. The service allows an authorized employment screening service to inquire about, obtain, and provide records of criminal history of an employee, prospective employee, volunteer, or perspective volunteer if the service maintains records of its dissemination of the records of criminal history. The measure also allows out-of-state employers to access the service.

This bill is effective on May 26, 2017.

A.B. 27 (Chapter 31)

Assembly Bill 27 transfers from the Executive Secretary of the State Board of Parole Commissioners to the Department of Corrections the responsibility of preparing a list of offenders eligible for parole. The Department of Corrections must provide the list to the Executive Secretary at least 40 days before any scheduled action by the Board.

This bill is effective on July 1, 2017.

A.B. 76 (Chapter 401)

Assembly Bill 76 revises provisions governing the Central Repository for Nevada Records of Criminal History. The measure clarifies the authority of the Central Repository to inspect certain sealed records in accordance with federal laws and regulations. Biometric identifiers, such as a fingerprint, palm print, scar, bodily mark, tattoo, voiceprint, and facial, retina, or iris image of a person are included as part of a record of criminal history. Certain reporting requirements are changed including the elimination of data collected and maintained that deals with the delinquency of children and establishes reporting requirements in compliance with the policies, procedures, and definitions of the Uniform Crime Reporting Program of the Federal Bureau of Investigation.

The measure adds a county coroner or medical examiner, as needed, to the list of persons and governmental entities that may conduct a death investigation and to whom records of criminal history must be disseminated. Certain members of the press also are added to the list of persons to whom these records must be disseminated. The time period during which the Central Repository may not charge a fee for providing information that had been provided previously on a person is reduced from 6 months to 90 days. The name "Revolving Account to Investigate the Background of Volunteers Who Work With Children" is changed to the "Revolving Account to Process Requests for Information on the Background of Volunteers Who Work With Children." In addition, procedures are clarified for processing requests from agencies for volunteer background information. The bill also clarifies that all reports of the abuse, neglect, exploitation, isolation, or abandonment of older persons in this State are included within the record of the Repository for Information Concerning Crimes Against Older Persons. Finally, certain provisions governing the dissemination of information included in federal laws are repealed from Nevada's statutes.

This bill is effective on January 1, 2018.

A.B. 181 (Chapter 362)

Assembly Bill 181 revises provisions governing the restoration of civil rights to resident offenders in this State. A probationer, parolee, or person who has completed his or her sentence, and was released from prison, with certain exceptions, is immediately restored his or her right to serve as a juror in a civil case and to vote after discharge from probation, discharge from parole, or release from prison. Exceptions are made for a person who was previously convicted of a category A felony or certain category B felonies, in which case the person's right to vote is restored two years after discharge from probation, discharge from parole, or release from prison.

The bill also allows for the restoration of the civil rights of a probationer or a parolee who receives a dishonorable discharge.

This bill is effective on January 1, 2019.

A.B. 291 (Chapter 423)

Assembly Bill 291 revises provisions governing investigation reports. The Division of Parole and Probation of the Department of Public Safety is required to include certain information as it relates to the defendant's offense in the presentence investigation report. The Division also is required to include any score sheets or scales used to determine a recommendation. Lastly, the measure allows the court to order the Division to correct the contents of any general investigation or presentence investigation report within 180 days after the date on which the judgment of conviction was entered.

A.B. 316 (Chapter 171)

Assembly Bill 316 revises provisions governing the services provided to an offender prior to his or her release from prison. The Director of the Department of Corrections is authorized to provide mediation services to the offender and the offender's supporting family and friends and evidence-based or promising practice reentry programs to certain offenders within three months of his or her release. Lastly, the measure encourages the Director to work with the Governor's Nevada Community Re-Entry Task Force to align statewide reentry strategies and implementation.

This bill is effective on July 1, 2017.

A.B. 514 (Chapter 516)

Assembly Bill 514 authorizes the Division of Parole and Probation of the Department of Public Safety, if resources are available, to pay all or a portion of the cost of an indigent prisoner's transitional housing if the prisoner's proposed placement plan indicates that the prisoner will reside in transitional housing upon his or her release.

This bill is effective on July 1, 2017.

S.B. 268 (Chapter 565)

Senate Bill 268 requires the Director of the Department of Corrections to verify the full legal name and age of a person being released from a prison prior to issuing the person a photo identification card. It similarly authorizes a sheriff or other applicable law enforcement authority to provide certain information and assistance relating to obtaining an identification card or driver's license to a person being released from a jail or detention facility.

The bill provides that a prisoner may earn up to a five-day deduction, instead of the current five-day deduction, from his or her sentence for earning a general educational development (GED) certificate or equivalent thereof. A similar deduction is provided for the completion of various other programs, including the completion of a vocational education program in lieu of a GED, and an additional five-day deduction is available for those who perform with meritorious or exceptional achievement.

The bill extends current driver's license fee waivers for persons released from prison within the last 90 days to persons released from county, city, or town jails within the same time period.

This bill is effective on June 12, 2017, for the purpose of performing any preparatory administrative tasks and on October 1, 2017, for all other purposes.

S.B. 306 (Chapter 537)

Senate Bill 306 provides for the creation of an education and training pilot program, directed by the Board of State Prison Commissioners in consultation with the College of Southern Nevada, for a select group of 50 male and 50 female prisoners who meet certain criteria. The purpose of the pilot program is to expand opportunities for offenders to complete the high school equivalency assessment, participate in college and career readiness and related programs, and receive job placement assistance. An appropriation of $300,000 is provided from the State General Fund in order to implement this pilot program.

The bill also authorizes the Department of Corrections to develop a pilot program authorizing offenders to use a telecommunications device for programs for reentry and direct correctional services.

Finally, the bill allows the Director of the Department to adopt regulations with the approval of the Board of State Prison Commissioners on the expanded use of telecommunication devices for offenders who are assigned to transitional housing, restitution centers, or specific educational or vocational training programs.

This bill is effective on June 9, 2017, for the purpose of performing any preparatory administrative tasks and on July 1, 2017, for all other purposes. Provisions concerning the pilot programs expire by limitation on June 30, 2019.

Crime and Punishment

A.B. 132 (Chapter 59)

Assembly Bill 132 revises the definition of "officer" to include certain civilian employees and volunteers of law enforcement agencies, fire-fighting agencies, and political subdivisions of this State for the purpose of enhancing the penalties for the crimes of assault and battery against such a person.

A.B. 148 (Chapter 284)

Assembly Bill 148 increases the criminal penalty for a notary public who willfully violates the restrictions on advertising his or her services or violates the prohibition against using certain terms on an advertisement if he or she is not a licensed attorney. Specifically, a notary public who is not a licensed attorney in Nevada may not use the terms "notario," "notario public," or "licenciado" on any advertisement. This bill increases the penalty from a gross misdemeanor to a category D felony if the offense causes irreparable harm.

Similarly, the penalty for willfully violating the provisions governing document preparation services is increased from a misdemeanor to a category D felony if the offense results in irreparable harm to a client.

A.B. 260 (Chapter 310)

Assembly Bill 260 revises the provisions and penalties for certain acts relating to prostitution. The measure authorizes a justice of the peace or municipal judge to suspend the sentence of a person who is convicted of a misdemeanor that constitutes solicitation for prostitution on the condition that the person actively participates in a treatment program for persons who solicit prostitution and complies with any other conditions ordered by the justice of the peace or municipal judge.

The measure provides that a prostitute who engages in prostitution or solicitation for prostitution under certain circumstances is guilty of a misdemeanor. A customer who is found guilty of engaging in prostitution or soliciting prostitution must pay a mandatory fine based on the number of times the customer has been found guilty.

In addition to any other penalty imposed, the court is required to impose a civil penalty on a customer who is found guilty of such an offense. All civil penalties collected are to be used for enforcing certain crimes relating to solicitation for prostitution and certified treatment programs for persons who solicit prostitution. Community service may be performed in lieu of all or partial payment of the civil penalty.

The court is authorized to discharge the person and dismiss the proceedings against the person upon the person's fulfilling the terms and conditions of the treatment program. The discharge and dismissal may only occur once. In addition, the discharge and dismissal is without adjudication of guilt and is not a conviction for the purposes of employment, civil rights, or other certain purposes. However, the discharge and dismissal is considered a conviction for the purpose of additional penalties imposed for second or subsequent convictions or for the setting of bail. Lastly, the court is required to seal all records, without a hearing, if the person is discharged and the proceedings against the person are dismissed.

A.B. 288 (Chapter 422)

Assembly Bill 288 provides that immunity from civil or criminal liability for certain acts does not extend to a person who abused, neglected, exploited, isolated, or abandoned an older person or vulnerable person who is the subject of a report or investigation or any person who committed certain other acts relating to the abuse, neglect, exploitation, isolation, or abandonment of an older person or vulnerable person. This bill also increases the penalties for committing or conspiring with another person to commit certain acts against an older person or a vulnerable person. A court may determine whether a first offense committed under these provisions constitutes a gross misdemeanor or a category C felony. A second or subsequent offense is a category B felony. An additional penalty imposed under these provisions must not exceed the penalty imposed for the initial crime that was committed and the additional sentence must run consecutively.

Finally, this bill provides that a facility for long-term care that wishes to include as part of any contract relating to the provision of care a clause that specifies or restricts the means by which the parties to the contract are required to resolve any dispute. The clause must be included as an addendum to the contract, which must meet certain requirements pertaining to form and content.

A.B. 377 (Chapter 480)

Assembly Bill 377 prohibits a prosecuting attorney from seeking an indictment of a defendant for any offense while competency proceedings are pending except upon application to the chief judge of the district court and with leave of the court. The prosecuting attorney must demonstrate that adequate cause exists for the court to grant leave to seek an indictment. The prosecuting attorney must give notice of an application to the attorney for the defendant at least 24 hours before the hearing on the application.

The bill also authorizes the Administrator of the Division of Public and Behavioral Health, Department of Health and Human Services, to file a motion to request an extension of the length of commitment to a forensic facility for not more than five additional years for a defendant who has been found incompetent and who has been charged with murder or sexual assault. A court may grant the motion for an extension of commitment after a hearing to determine whether the person meets certain criteria requiring placement at a forensic facility, and a committed person has the right to be represented by counsel at such a hearing and the right to have an attorney appointed for him or her if the person does not have counsel.

The measure also provides for the refiling of charges in cases where the prosecuting attorney applied for and was granted leave of the court and where the State has a good faith belief that the defendant has regained competency and a compelling interest in bringing charges again and the period for commencing the criminal action has not lapsed. Finally, the prosecuting attorney is required to give at least 24 hours' notice of the application to the defendant's attorney.

A.B. 391 (Chapter 86)

Assembly Bill 391 creates the crime of bestiality punishable as a gross misdemeanor or a category D felony, depending upon the circumstances. The bill defines the elements of the crime, requires relinquishment of the animal, and prohibits a person convicted of bestiality from owning, residing, or working in a location where animals are present. The court also may require persons convicted of the crime to undergo psychiatric counseling at their expense and pay any costs associated with care or maintenance of an animal involved in the crime. Finally, the bill defines "sexual conduct" and excludes veterinary medical procedures, animal husbandry practices, or similar activities from the definition.

S.B. 124 (Chapter 490)

Senate Bill 124 provides that a court may order a person who is subject to an extended order for protection related to domestic violence to surrender, sell, or transfer any firearms in that person's possession while the order is in place except in certain circumstances where a firearm

is necessary for employment. Procedures relating to the surrender, sale, or transfer of firearms are provided in the bill. The court must inform a person who is convicted of battery constituting domestic violence or, under certain circumstances, a person convicted of stalking, that he or she is prohibited from owning, possessing, or having a firearm under his or her control and order the person to permanently surrender, sell, or transfer any firearm under his or her control. The penalty for violating these provisions is a category B felony.

If the offender does not own a firearm, the offender must acknowledge understanding of these provisions via affidavit to the court. If a person surrenders a firearm to a person designated by the court, the person must do so within 72 hours or 1 business day, whichever is later. The person who surrenders the firearm must provide the name and address of the person designated in the order, a written description of each firearm surrendered, and the serial number of each firearm, to the court and the appropriate local law enforcement agency. In instances where a firearm is sold or transferred to a licensed dealer, the dealer must provide a receipt detailing the transfer of the firearm and whether the transfer is temporary or permanent, and the offender must provide the receipt and the serial number of each firearm to the court and to law enforcement.

The bill also adds to the list of persons prohibited from possessing a firearm in Nevada any person who has been convicted in Nevada, or any other state, of a crime constituting domestic violence or stalking, and the court has entered a finding in the judgment of conviction or admonishment of rights or who is subject to an extended order for protection against domestic violence on or after October 1, 2017, while the order is in effect.

S.B. 169 (Chapter 375)

Senate Bill 169 prohibits employees and contractors of and volunteers for certain entities from engaging in sexual conduct with children or young adults under the care, custody, control, or supervision of the entity. The prohibition on public disclosure of the identity of sexual assault victims is expanded to include victims of employees, contractors, or volunteers of various child welfare and juvenile justice agencies. A person 25 years of age or older who is in a position of authority with one of these entities as an employee, contractor, or volunteer and who engages in sexual conduct with a person between 16 and 18 years of age with whom he or she has direct contact relating to his or her duties is guilty of a category C felony. Persons who are married to each other and who engage in such sexual conduct are exempted from these provisions.

S.B. 235 (Chapter 598)

Senate Bill 235 revises existing deceptive trade laws to include resellers of tickets to an athletic contest or entertainment event. The website of a secondary ticket exchange or any affiliate of a reseller or secondary ticket exchange is prohibited from:

- Displaying a trademarked or copyrighted URL, title, designation, image, mark, or other symbol without the written consent of the trademark or copyright holder; and

- Using any combination of text, images, web designs, or Internet addresses that are substantially similar to the website of an entertainment facility, athletic contest, or live entertainment event without permission. However, using text containing the name of the venue, artist, athletic contest, or live entertainment event, if necessary, for descriptive purposes is not prohibited.

In addition, the measure prohibits a reseller from: (1) reselling more than one copy of the same ticket to an athletic contest or live entertainment event; or (2) employing another person directly or indirectly to wait in line to purchase tickets for the purpose of reselling the tickets if the practice is prohibited by the sponsor, organizer, or promoter of the athletic contest or live entertainment event or if the venue at which the athletic contest or live entertainment event will occur has posted a policy prohibiting the practice. The use of Internet robots or disguising the identity of the ticket purchaser also is prohibited.

A person injured by a violation of these provisions may bring a civil action to seek declaratory and injunctive relief and actual damages or $100, whichever is greater. The measure requires that a person who willfully and knowingly violates the provisions of the bill relating to the sale of a ticket to an entertainment facility that is operated by a governmental entity or a public-private partnership is guilty of a gross misdemeanor. Finally, the Bureau of Consumer Protection in the Office of the Attorney General is required to establish a toll-free statewide hotline and a website by which a person may file a complaint.

S.B. 259 (Chapter 564)

Senate Bill 259 requires a person whose driver's license, permit, or privilege has been revoked for suspicion of driving under the influence (DUI) to install, at his or her own expense, an ignition interlock device in each vehicle the person owns or operates as a condition to obtaining a restricted license. A court must order a person convicted of an offense involving DUI of alcohol or a controlled substance to install an ignition interlock device, with certain exceptions. A juvenile court is authorized by this bill to order the installation of an ignition interlock device for a child convicted of an offense involving DUI of alcohol or a controlled substance. A person who provides a sample of his or her breath for an ignition interlock device for another person is guilty of a misdemeanor.

Finally, the bill increases the period of revocation of a license, permit, or privilege for DUI of alcohol or a controlled substance from 90 days to not fewer than 185 days for a first offense.

This measure is effective on June 12, 2017, for the purposes of adopting regulations and performing other preparatory administrative tasks and on October 1, 2018, for all other purposes.

S.B. 361 (Chapter 496)

Senate Bill 361 requires an employer to provide paid or unpaid leave to an employee who has been employed by the employer for at least 90 days and who is a victim of domestic violence or whose family or household member is a victim of domestic violence. The leave must be used within one year of the date on which the violence occurred, may be used consecutively or

intermittently, and may be deducted from leave permitted by the federal Family and Medical Leave Act of 1993. An employer must maintain a record of leave days used by each employee for a two-year period and make those records available for inspection by the Labor Commissioner who shall prepare a bulletin setting forth the right to these benefits and require employers to post the bulletin in the workplace.

The Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation may request evidence to support a claim for benefits, and the Administrator is prohibited from disqualifying a person from receiving unemployment compensation benefits if: (1) the person left employment to protect himself or herself or his or her family or household member; and (2) the person actively engaged in an effort to preserve employment.

An employer must provide reasonable accommodations for an employee who is a victim of domestic violence or whose family or household member is a victim of domestic violence, and an employer may not condition employment on or take certain employment actions because the employee or the employee's family or household member is a victim of domestic violence. The measure revises the definition of domestic violence by removing an act committed against or upon any other person who is or was residing with the person.

This bill makes it a category B felony to commit battery constituting domestic violence if the person has been convicted previously of a felony in this State for committing battery constituting domestic violence or a similar violation in any other jurisdiction. Lastly, the bill clarifies that an officer may still arrest an individual for battery upon a cohabitant.

This bill is effective on June 8, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2018, for all other purposes.

S.B. 362 (Chapter 116)

Senate Bill 362 provides that a crime related to racketeering includes:

- Forgery of a credit card or debit card;
- Obtaining and using the personal information of another person; and
- Establishing or possessing a financial forgery laboratory.

S.B. 451 (Chapter 583)

Senate Bill 451 creates the Nevada Sentencing Commission. The duties of the Sentencing Commission include:

- Evaluating the effectiveness and fiscal impact of policies and practices related to sentences for felonies and misdemeanors in this State;
- Advising the Legislature on proposed legislation; and

- Making recommendations with respect to matters relating to the elements of this State's system of criminal justice that affect the sentences imposed for felonies and gross misdemeanors.

Certain duties of the Advisory Commission on the Administration of Justice are transferred to the Sentencing Commission.

Finally, $8,336 is appropriated from the State General Fund to the Legislative Fund for the operating and other costs of the Sentencing Commission. Any remaining balance must be reverted to the State General Fund on or before September 20, 2019.

This bill is effective on July 1, 2017.

S.B. 473 (Chapter 263)

Senate Bill 473 provides that an increased penalty for committing certain sexual offenses in the presence of a child under 18 years of age or a vulnerable person does not apply if the person committing the offense is under 18 years of age.

S.B. 488 (Chapter 569)

Senate Bill 488 establishes the crime of facilitating sex trafficking and provides that a person is guilty of such a crime if he or she facilitates, arranges, provides, or pays for the transportation of a person to or within Nevada with the intent of inducing that person to engage in unlawful sexual conduct or prostitution or, if that person is a child, engaging in certain acts relating to pornography involving minors. Such a crime is punishable as a category B felony and a person found guilty of such a crime is subject to certain minimum and maximum terms of imprisonment depending on whether the victim is an adult or a child. If a person who is 18 years of age or younger commits the crime of facilitating sex trafficking and is prosecuted in a criminal proceeding as an adult, there is a rebuttable presumption that the person acted under duress.

A person is guilty of facilitating sex trafficking if he or she sells travel services that include or facilitate the travel of another person to Nevada with the knowledge that the other person is traveling to this State for the intent of engaging in sexual conduct with a victim of sex trafficking, soliciting a child who is a victim of sex trafficking, or engaging in certain acts relating to pornography involving minors. Additionally, a person is guilty of facilitating sex trafficking if he or she travels to or within Nevada for the purpose of engaging in sexual conduct with the knowledge that the victim has been induced to engage in sexual conduct, prostitution, or acts relating to pornography involving minors.

The definition of "victim" is revised to include a person who alleges that an act of human trafficking has been committed against the person, thereby authorizing the person to assert the privilege of confidential communication between the person and a victim's advocate.

The Department of Health and Human Services is required to develop and to make available a Medicaid service package called the *Sexual Trauma Services Guide*. The Department also is

required to hold periodic informational meetings to coordinate efforts to improve services for victims of sex trafficking and to achieve the goals of the statewide strategic plan developed by the Nevada Coalition to Prevent the Commercial Sexual Exploitation of Children.

S.B. 541 (Chapter 586)

Senate Bill 541 provides that any person who willfully commits certain crimes against a first responder because of the fact that the victim is a first responder may, in addition to any penalty already prescribed by statute for the crime, be punished by imprisonment in the State prison for a term of not less than 1 year and not more than 20 years.

Juvenile Crime and Delinquency

A.B. 180 (Chapter 165)

Assembly Bill 180 enacts the Juvenile Justice Bill of Rights. The measure sets forth certain rights of a child who is detained in a detention facility and requires the facility to inform the child of those rights. However, reasonable restrictions on the rights of a child may be imposed if those restrictions are necessary to preserve order, security, or safety. A child who believes that his or her rights have been violated is authorized to raise and redress a grievance. Lastly, each detention facility must establish policies to ensure that a child who is detained has timely access to clinically appropriate psychotropic medication.

This bill is effective on July 1, 2017.

A.B. 218 (Chapter 231)

Assembly Bill 218 revises provisions related to juvenile offenders. If an offender is convicted as an adult for an offense committed before he or she was 18 years of age, the court may, after considering the differences between juvenile and adult offenders, reduce any mandatory minimum period of incarceration that the offender must serve by not more than 35 percent if the court determines that such a departure or reduction is warranted given the age of the person and his or her prospects for rehabilitation.

A.B. 251 (Chapter 308)

Assembly Bill 251 authorizes the State Board of Pardons Commissioners to commute a sentence of death or imprisonment in the State prison for life without the possibility of parole to a sentence that would allow parole if a person is convicted of any crime which the person committed when he or she was fewer than 18 years of age.

This bill revises existing law to conform with the holding in *Miller v. Ignacio*, 112 Nev. 930, 937 (1996); U.S. Const. Art. I, § 10. The Nevada Supreme Court held that existing law is unconstitutional because it increases the measure of punishment for murder of the first degree and thereby violates the provision of the *United States Constitution* that prohibits the passage of ex post facto laws.

A.B. 341 (Chapter 174)

Assembly Bill 341 authorizes an attorney who represents a child in a juvenile proceeding to consult and seek appointment from a social worker, a mental health professional, an educator, or other expert the attorney deems appropriate.

In addition, this measure urges the Nevada Supreme Court to adopt rules for attorneys who represent juveniles to ensure effective assistance of counsel in proceedings. Rules may include:

- Minimum requirements for courses, programs, and continuing legal education in order to provide effective representation of juveniles;
- Standards for professional conduct specific to juvenile justice; and
- Minimum requirements for attorneys who represent juveniles and are employed by the Office of the State Public Defender.

This measure is effective on May 26, 2017.

A.B. 395 (Chapter 477)

Assembly Bill 395 revises statutes governing registration and community notification concerning certain juvenile sex offenders. The measure sets forth a revised registration and community notification process regarding a child who is 14 years of age or older at the time of an alleged offense and who is adjudicated delinquent for the offense. Procedures concerning the termination of registration and community notification requirements for such juveniles also are provided, as are continuing registration and community notification requirements for a child adjudicated delinquent for an aggravated sexual offense.

The measure authorizes the director of juvenile services and the Youth Parole Bureau to release certain information concerning a child to a law enforcement agency and to a school district under certain circumstances. In addition, the increased penalty for committing certain acts of open or gross lewdness or indecent or obscene exposure does not apply if the person committing the offense is under 18 years of age. Lastly, appropriations from the State General Fund are made to each judicial district in the State to provide treatment to certain juvenile offenders.

This bill is effective on July 1, 2017.

A.B. 411 (Chapter 234)

Assembly Bill 411 allows, rather than requires, a department of juvenile justice services to terminate an employee who has been convicted of certain crimes or against whom certain criminal charges are pending. Before terminating the employee, the department is required to allow the employee a reasonable amount of time to correct the information obtained from the background investigation and not more than 180 days to resolve the pending charges. Upon request from the employee and showing of good cause, the department may allow the employee additional time to resolve the pending charges.

A.B. 472 (Chapter 604)

Assembly Bill 472 creates the Juvenile Justice Oversight Commission, which is further designated as the State advisory group on juvenile justice as required by federal law. The bill requires the Commission to:

- Establish a uniform procedure for the Division of Child and Family Services of the Department of Health and Human Services, the Youth Parole Bureau, and each department of juvenile services to follow when developing performance measures related to the juvenile justice system;

- Establish standard procedures for measuring outcomes for children subject to the jurisdiction of the juvenile court; and

- Perform related functions.

The bill also creates an advisory committee to the Commission and provides for its membership. In addition, the Division of Child and Family Services is required to establish an evidence-based program resource center, and the Division and each department of juvenile services must develop and implement a family engagement plan to increase the participation of the family of a child who is subject to the jurisdiction of the juvenile court in the rehabilitation of the child.

Before the disposition of a child's case, a department of juvenile services is required to conduct a risk assessment and a mental health screening using the validated tool selected by the Commission. A department of juvenile services must develop an individualized case plan for each child under supervision of the juvenile court. The Division must analyze certain information and submit a report to the Governor and the Director of the Legislative Counsel Bureau relating to the trends that exist in the juvenile justice system and evaluating the effectiveness of the system's programs and services.

The bill authorizes the Division to withhold money from a juvenile court that does not comply with the regulations adopted by the Division. The Youth Parole Bureau is required to establish policies and procedures to be used by parole officers and juvenile courts in determining the most appropriate response to a child's violation of the terms and conditions of his or her parole. The bill also revises the list of persons to whom a director of juvenile services and the Youth Parole Bureau may release information. The Youth Parole Bureau is required to create a sliding scale of offenses based on the severity of the violation and prohibits the Chief of the Youth Parole Bureau from recommending to the juvenile court that a child's parole be revoked under certain circumstances.

This bill is effective on July 1, 2018, for the purpose of repealing certain reporting requirements and on July 1, 2017, for all other purposes.

Victims of Crime

A.B. 97 (Chapter 431)

Assembly Bill 97 requires a law enforcement agency to submit a sexual assault forensic evidence (SAFE) kit to the applicable forensic laboratory responsible for conducting a genetic marker analysis within 30 days after receiving the kit. This requirement does not apply to certain noninvestigatory SAFE kits. Each forensic laboratory that receives a SAFE kit must test the kit within 120 days of receiving it and then upon completion of the test include the DNA profile obtained from the genetic marker analysis in the State DNA Database and the Federal Bureau of Investigation's Combined DNA Index System. In addition, each forensic laboratory must submit a report to the Director of the Legislative Counsel Bureau for transmittal to the next session of the Legislature or to the Legislative Commission, as applicable. The bill also requires the Attorney General to designate a department or division of the Executive Branch to establish a statewide SAFE kit tracking program and sets forth requirements related to the program. The word "arrestee" is removed from the name of the Subcommittee to Review Arrestee DNA to reflect the Subcommittee's expanded duties, which include evaluating and reviewing information relating to SAFE kit testing and tracking. The Subcommittee also is required to report to the Advisory Commission on the Administration of Justice on matters relating to the submittal, storage, and testing of SAFE kits.

The measure authorizes a compensation officer of the Department of Administration to order the payment of compensation from the Fund for the Compensation of Victims of Crime to a county for the reimbursement of costs associated with conducting forensic medical examinations of victims of sexual assault. Lastly, the bill appropriates $3 million from the State General Fund to the Office of the Attorney General for the purpose of making payments to forensic laboratories to reduce the backlog of SAFE kits that have not been tested.

Sections of this bill relating to the establishment of a SAFE kit tracking program are effective on January 1, 2021. The remaining sections of the bill are effective on October 1, 2017.

A.B. 122 (Chapter 418)

Assembly Bill 122 removes provisions that prohibit the State Board of Examiners from awarding compensation to certain victims of crime who do not meet certain citizenship or residency requirements.

This bill is effective on July 1, 2017.

A.B. 145 (Chapter 111)

Assembly Bill 145 extends the statute of limitations for filing a civil action to recover damages arising out of sexual abuse committed against a person under 18 years of age. The time is extended from 10 years to 20 years after the person reaches 18 years of age or discovers or should have discovered that an injury was caused by the sexual abuse, whichever is later.

In addition, the bill extends the statute of limitations for filing a civil action to recover damages arising out of the appearance in pornographic material before 16 years of age. The time is extended from 3 years to 20 years after the person reaches 18 years of age or after a court enters a verdict in a related criminal case, whichever is later.

Lastly, if the cause of action has not yet expired, then the statute of limitations is extended, but if the cause of action has expired, then it cannot be revived.

This bill is effective on May 24, 2017.

A.B. 247 (Chapter 109)

Assembly Bill 247 provides for the early termination of a rental agreement if a tenant, cotenant, or household member is a victim of harassment, sexual assault, or stalking. The measure further prohibits a landlord from taking certain retaliatory actions against a victim who terminates a rental agreement for these reasons.

DOMESTIC RELATIONS

A.B. 4 (Chapter 34)
Assembly Bill 4 repeals provisions governing the declaration of a foreign country or political subdivision as a state for the purposes of enforcing certain support orders.

This bill is effective on May 19, 2017.

A.B. 204 (Chapter 285)
Assembly Bill 204 allows applicants for a marriage license and certificate to select the name by which he or she would like to be known after marriage. Additionally, the bill sets forth the names that each spouse may select.

This bill is effective on January 1, 2018.

A.B. 229 (Chapter 167)
Assembly Bill 229 revises State law by authorizing the marriage of two persons, regardless of gender.

This bill is effective on July 1, 2017.

A.B. 314 (Chapter 311)
Assembly Bill 314 makes various changes to provisions concerning estates and trusts. Among the topics addressed in this bill are:

- The value of assets that are exempt from writs of executions by creditors;
- The disposition of assets in a trust;
- Expenses of administration of estates;
- Revival of a prior will;
- Probating a lost or destroyed will;
- No contest clauses in wills or trusts;
- Heir finders;
- Special administrators and personal representatives of estates;
- Time frames for closing an estate;
- Inventories and appraisals of estates; and
- Noncharitable trusts.

A.B. 365 (Chapter 191)

Assembly Bill 365 grants marriage officiants the authorization and responsibility to perform a marriage. A marriage officiant is defined as a person—other than a minister, other church or religious official authorized to solemnize a marriage, or notary public—who obtains a certificate of permission to perform marriages. A county clerk is prohibited from authorizing a marriage officiant to solemnize a marriage until the applicant who desires to be a marriage officiant successfully completes a course established by the clerk as provided for in this bill. The county clerk may establish a policy providing that a certificate of permission to perform marriages expires five years after the date it was issued or renewed. A county clerk also is authorized to revoke a certificate of permission to perform marriages if a minister, other church or religious official authorized to solemnize a marriage, or marriage officiant fails to notify the county clerk within 30 days of changing his or her address.

A county clerk is authorized to establish a program to provide a couple who renews their marriage vows a certificate of vow renewal. The measure sets forth the requirements for the contents of a vow renewal certificate and further exempts the certificate from any requirement for the retention of records. The county clerk may charge and collect a fee to cover the cost of preparing the certificate.

The civil penalty is revised for performing marriages that are not authorized by law. A board of county commissioners is authorized to enact an ordinance delegating to a hearing officer the authority to determine such violations and levy civil penalties for violations.

In addition, the measure requires the county clerk to include on marriage forms language that specifies the marriage certificate is not a certified copy. Finally, in Clark County, the county clerk is required to report to the Board of County Commissioners, rather than submit a report regarding the special revenue fund for the promotion of marriage tourism.

This bill is effective on July 1, 2017.

A.B. 413 (Chapter 511)

Assembly Bill 413 revises provisions relating to electronic wills and trusts, including: (1) establishing when an electronic will is self-proving, the qualifications and duties of a qualified custodian of an electronic will, and requirements relating to a declaration or affidavit of a witness to an electronic will; and (2) providing the methods by which an electronic will may be revoked.

The bill renames the Electronic Notary Public Authorization Act as the Electronic Notarization Enabling Act and makes various changes to provisions governing electronic notaries public. This bill authorizes electronic notaries public to perform electronic notarial acts remotely using audio-video communication and requires a person who represents himself or herself as an electronic notary public to be registered with the Secretary of State and complete an online course on electronic notarization.

Assembly Bill 413 deletes and replaces certain provisions of A.B. 476 of this session concerning requirements for appointment as an electronic notary public, record keeping, and related duties associated with such an appointment.

Additionally, the measure increases from $10 to $25 the fee that an electronic notary public may charge for performing certain electronic notarial acts and authorizes an electronic notary public to charge a reasonable fee to recover any cost of providing a copy of an entry or a recording of an audio-video communication in the electronic journal maintained by the electronic notary public. Lastly, the measure prohibits government employees acting in their official capacity from charging a fee for an electronic notarial act.

Provisions of this bill that delete certain sections of A.B. 476 are effective on June 9, 2017. Provisions concerning electronic wills and trusts are effective on July 1, 2017. Other provisions are effective on June 9, 2017, for the purposes of adopting rules and regulations and performing other preparatory administrative tasks and on July, 1, 2018, for all other purposes.

NOTE: See also Assembly Bill 476 (Chapter 15).

S.B. 25 (Chapter 382)

Senate Bill 25 abolishes the Nevada Council for the Prevention of Domestic Violence and transfers the duties of the Council, and any subcommittees of the Council, to the Committee on Domestic Violence, and it revises the composition of the Committee. The bill transfers to the Committee the duty to review, under certain circumstances, the death of a victim of a crime that constitutes domestic violence and removes that duty from the Attorney General.

The bill transfers, from the Attorney General to the Division of Child and Family Services, Department of Health and Human Services, the authority to issue a fictitious address to a victim, or the parent or guardian of a victim, of domestic violence, human trafficking, sexual assault, or stalking.

The requirement to adopt regulations and to certify programs relating to treatment of persons who commit domestic violence is transferred from the Committee to the Department's Division of Public and Behavioral Health.

This bill is effective on July 1, 2017.

S.B. 229 (Chapter 599)

Senate Bill 229 revises provisions related to guardianships. Specifically, the bill creates a process and model form that a person may use to nominate another person, whether that person is a resident of Nevada or not, to be appointed as his or her guardian. The form must be signed by the person and two impartial adult witnesses and be notarized.

The Office of the Secretary of State is required to make the form available on the Office's website. Such requests are to be included in the Nevada Lockbox, which is the online registry for wills and other documents authorized to be established and maintained on the Secretary of State's website.

If two or more guardian designations exist, the measure establishes the process for a court to designate the valid guardianship. Finally, the measure allows a person to gift, grant, bequest, or contribute to support the maintenance and operation of a specific lockbox, including the guardianship lockbox.

This bill is effective on June 15, 2017, for the purpose of adopting regulations or performing necessary administrative tasks and on January 1, 2018, for all other purposes.

S.B. 433 (Chapter 390)

Senate Bill 433 makes various changes to provisions governing guardianships, including replacing the term "ward" with the term "protected person." The provisions addressed by this bill include:

- Visitation, communication, and interactions among protected persons and family members and other persons of natural affection;

- Rights to petition the court for a violation regarding visitation, communication, and interactions among protected persons and family members and other persons of natural affection;

- When, in the best interest of the protected person, the person's rights may be restricted—such restrictions must be filed with the court within ten days;

- Notifications, including those involving changing the residence of a protected person and those concerning the death, impending death, or funeral arrangements of a protected person;

- Imposition of damages for violating the rights of a protected person, and the imposition of penalties for the misappropriation of money from the estate of a protected person;

- Appointment of a person to represent a protected person as a guardian ad litem and appointment of a person to represent an adult protected person;

- Removal of a guardian and appointment of an attorney to represent a protected person under certain circumstances; and

- Changes to certain fees for filing petitions and recording such documents.

Provisions concerning the additional fee to be charged by county recorders are effective on July 1, 2017, if Assembly Bill 319 of the 2017 Session is approved by the Governor. The remaining provisions of the bill also are effective on July 1, 2017.

NOTE: See also Assembly Bill 319 (Chapter 172).

S.B. 454 (Chapter 262)
Senate Bill 454 enacts the Uniform Powers of Appointment Act, which codifies common law with regard to powers of appointment for estates. The bill provides definitions and sets forth provisions governing:

- The creation, revocation, and amendment of powers of appointment;
- The exercise of a power of appointment;
- The disclaimer or release of a power of appointment; and
- The right of a creditor of a holder of a power of appointment with respect to property subject to that power.

S.B. 510 (Chapter 254)
Senate Bill 510 revises eligibility requirements for the Kinship Guardianship Assistance Program. It eliminates the provision requiring a child to be eligible to receive maintenance payments pursuant to Part E of Title IV of the Social Security Act while residing with a relative for at least six months as a condition of receiving assistance. The bill also clarifies that the relative with whom the child resides must be a licensed provider of foster care.

This measure is effective on May 31, 2017.

Adoption and Child Custody

A.B. 191 (Chapter 63)
Assembly Bill 191 requires the State Board of Health to develop and distribute to hospitals and obstetric centers a declaration for the voluntary acknowledgment of parentage. This declaration is deemed to have the same effect as a judgment or order of a court determining the existence of the relationship of parent and child if the declaration is signed in this or any other state by the parents of the child. A signed declaration is required to show consent by a person who intends to be a parent of a child born by assisted reproduction. The intended parent or parents, the prospective gestational carrier, or the gestational carrier of a child who is the result of a gestational carrier arrangement may commence a proceeding in any district court to obtain an order designating the contents of the birth certificate of the child if certain requirements are met. The measure prohibits the adoption of certain children of whom Nevada is or was the home state except upon an order of a district court. The bill removes the requirement that a petitioner must have resided in Nevada for a period of six months before the granting of the petition for adoption of a child.

This bill is effective on July 1, 2017.

S.B. 40 (Chapter 51)

Senate Bill 40 amends the Uniform Child Custody Jurisdiction and Enforcement Act to provide that a person seeking registration of an out-of-state custody determination in this State is required to serve notice, via registered or certified mail, upon any parent or other person who has custody or visitation rights.

This bill is effective on July 1, 2017.

S.B. 274 (Chapter 330)

Senate Bill 274 makes various changes to sibling visitation in child welfare cases involving certain children who are placed with someone other than a parent and separate from their siblings. Specifically, the bill:

- Requires a child welfare agency to update a child's sibling visitation plan to reflect any change in the placement of the child or his or her siblings;

- Requires the court to provide any sibling granted a right to visitation with notice of a hearing to review the placement of the child and the case number of relevant proceedings and to allow the sibling to inspect records to petition the court for visitation or enforce an order for visitation;

- Revises various provisions concerning agreements for postadoptive contact between a natural parent and a child or the adoptive parents of the child; and

- Requires the court to incorporate a sibling visitation order in the decree of adoption, unless a petition to exclude or amend the order or visitation is filed.

This measure is effective on July 1, 2017.

S.B. 432 (Chapter 568)

Senate Bill 432 makes various changes related to the procedures governing the termination of parental rights. Specifically, the bill:

- Provides that if a juvenile court determines a child is in need of protection, a child welfare agency may file a motion for the termination of parental rights as part of the proceeding concerning the abuse or neglect of the child;

- Clarifies that existing laws governing the termination of parental rights apply to all proceedings concerning the termination of parental rights commenced by a child welfare agency to the extent they do not conflict with this bill;

- Establishes provisions concerning notice of the hearing on the motion for the termination of parental rights and requires the court to ensure any prospective adoptive parent is provided a copy of such notice;

- Requires a court to conduct a hearing to determine whether a transfer of venue for proceedings on a petition for the termination of parental rights is appropriate;

- Authorizes a court to permit a witness or party to the proceeding to testify by telephone or videoconference in an evidentiary hearing on a motion for the termination of parental rights; and

- Requires a court to make a final decision within 30 days of the conclusion of the evidentiary hearing.

This measure is effective on January 1, 2018.

ECONOMIC DEVELOPMENT

A.B. 79 (Chapter 42)

Assembly Bill 79 removes the designation of the Las Vegas Valley Water District and the Southern Nevada Water Authority as the exclusive providers of water service for the Garnet Valley Ground Water Basin in Clark County, Nevada.

This bill is effective on May 19, 2017.

A.B. 94 (Chapter 430)

Assembly Bill 94 makes permanent the NV Grow Program, which was established as a pilot program to provide certain informational and technical assistance to existing small businesses in this State that are expanding or ready to expand. It also recognizes the Small Business Development Center in Clark County as an additional participant in the Program and requires cooperation with the geographic information system specialist. This measure requires the Small Business Development Centers in Clark and Washoe Counties to select the lead counselor and manage the NV Grow Program jointly, expands the goal of the Program from serving 10 businesses annually to 15, and reduces the minimum revenue threshold for participation in the Program to businesses that generate at least $50,000 per year.

Assembly Bill 94 also appropriates $350,000 from the State General Fund to the Nevada System of Higher Education, with $225,000 to be used by the Nevada Small Business Development Centers to assist and carry out the Program and $125,000 to be used by the College of Southern Nevada to hire a geographic information specialist to assist small businesses participating in the Program. Any remaining balance must be reverted to the State General Fund on or before September 20, 2019.

Provisions relating to the appropriation of money are effective on July 1, 2017. All other provisions are effective on June 8, 2017.

A.B. 170 (Chapter 46)

Assembly Bill 170 extends, from July 1, 2017, to June 30, 2020, the period during which the Office of Economic Development, Office of the Governor, must provide quarterly reports to the Governor and the Director of the Legislative Counsel Bureau regarding certain economic development programs authorized by the Legislature for capital investments of at least $1 billion. Reports must include information concerning: (1) the dollar amount of certain tax abatements; (2) employees of qualified projects; (3) investment requirements to support the determination that the project is a qualified project; and (4) any other information requested by the Legislature. Beginning on July 1, 2020, and ending on June 30, 2025, these reports must be filed at least every six months. For programs with at least $3.5 billion in capital investment, the bill changes the reporting requirement from a quarterly report to a report filed at least every six months beginning on July 1, 2017, and ending on June 30, 2024.

The bill provides that these reports are not required if, within 75 days of the end of the period covered by the report, the Office receives an audit of the participants in the project and the audit includes the information required to be in the reports for the specified reporting period.

This bill is effective on May 19, 2017. Provisions concerning the reports for capital investments of at least $1 billion expire by limitation on June 30, 2032, and provisions regarding the reports for capital investments of at least $3.5 billion expire by limitation on June 30, 2036.

A.B. 231 (Chapter 160)

Assembly Bill 231 changes from September 15 to December 1 the date by which the annual report concerning local emerging small businesses must be submitted by the Office of Economic Development, Office of the Governor, to the Governor and the Legislative Counsel Bureau.

This bill is effective on July 1, 2017.

A.B. 417 (Chapter 481)

Assembly Bill 417 creates the Nevada Main Street Program within the Office of Economic Development in the Office of the Governor. The bill requires the Executive Director of the Office of Economic Development to: (1) adopt regulations setting forth the requirements to apply for and receive approval as a designated local Main Street program; and (2) coordinate the Program and approve or deny applications for grants to designated local Main Street programs. Further, the bill creates the Account for the Nevada Main Street Program in the State General Fund to accept donations, grants, and other types of funding for the award of grants and operation of the Program. Finally, the bill makes an appropriation of $350,000 from the State General Fund to the Interim Finance Committee for allocation to the Office of Economic Development for the operation of the Program and to provide grants to designated local Main Street programs.

This bill is effective on July 1, 2017.

A.B. 436 (Chapter 426)

Assembly Bill 436 requires the Office of the Secretary of State to include and maintain on its website information concerning public and private programs that provide financing to small businesses and the criteria for obtaining financing through such programs. In addition, the website must have information concerning the process by which a business may become certified as a disadvantaged business enterprise or a program to provide financing for a disadvantaged business enterprise.

The bill also requires the Office to ensure that applicants for the issuance or renewal of a State business license indicate whether the business is minority owned, woman owned, or veteran owned. If a business is so identified, the measure requires the Office to provide information to the applicant concerning the process by which the business may become

certified as a disadvantaged business enterprise. In addition, the Office must provide information concerning public and private programs that provide financing to such small businesses and the criteria for obtaining financing through such programs.

Finally, this measure requires the Office of Economic Development, Office of the Governor, and the Regional Business Development Advisory Council for Clark County to provide similar financial information to any business certified as a local emerging small business or a business owned and operated by a disadvantaged person.

Provisions relating to the Office of Economic Development and the Regional Business Development Advisory Council for Clark County are effective on July 1, 2017. Provisions relating to the Office of the Secretary of State are effective on January 1, 2018.

S.B. 126 (Chapter 450)

Senate Bill 126 requires the Office of Economic Development, Office of the Governor, to develop and implement a program under which a business certified as a small business enterprise, minority-owned business enterprise, woman-owned business enterprise, or disadvantaged business enterprise may obtain a loan to finance the expansion of its business in this State. The bill also establishes the Small Business Enterprise Loan Account in the State General Fund as a revolving loan account, which must be administered by the Office, and provides a State General Fund appropriation of $1 million to the Account.

This bill is effective on July 1, 2017.

S.B. 516 (Chapter 595)

Senate Bill 516 creates the Office of Workforce Innovation within the Office of the Governor, which is responsible and accountable for apprenticeship in Nevada and serves as the State's registration agency. The measure establishes the duties of the Office and the Executive Director.

The bill requires the State Apprenticeship Council to serve as the regulatory body over the State apprenticeship program. The measure changes the membership, procedures, and duties of the Council and eliminates appeals to the Labor Commissioner of Council determinations regarding violations of program terms and conditions.

This bill is effective on July 1, 2017.

NOTE: See also Assembly Bill 1 (Chapter 1) of the 29th Special Session.
See also Senate Bill 1 (Chapter 2) of the 29th Special Session.
See also Senate Bill 2 (Chapter 3) of the 29th Special Session.
See also Senate Bill 3 (Chapter 4) of the 29th Special Session.

EDUCATION

A.B. 85 (Chapter 21)

Assembly Bill 85 removes a condition that requires instruction in cardiopulmonary resuscitation techniques and the use of an automated external defibrillator be provided as part of a course of study in health taught to pupils in public and private secondary schools only to the extent money is available for that purpose, thereby making such instruction mandatory.

This bill is effective on July 1, 2017.

A.B. 127 (Chapter 405)

Assembly Bill 127 makes various changes to provisions regarding emergencies in schools. The bill:

- Requires each school district in a county whose population is 100,000 or greater (currently Clark and Washoe Counties) to designate a full-time employee as an emergency manager;

- Requires school districts and charter schools to consult with certain emergency or law enforcement personnel before designing, building, remodeling, or purchasing school buildings or related facilities or acquiring sites for such facilities;

- Requires Nevada's Department of Education (NDE) to conduct a conference on school safety at least once a year and the State Public Charter School Authority to organize a similar meeting, which certain persons must attend;

- Directs NDE, to the extent money is available, to provide block grants to school districts and charter schools to employ or contract with social workers and other mental health workers in schools with identified needs;

- Requires consultation with emergency managers, school resource officers, and chiefs of school police, as applicable, when a district or charter school committee develops a plan for responding to emergencies and crises;

- Requires at least half of student drills in emergency procedures to include instruction in appropriate procedures for a "lockdown," a term newly defined in the bill; and

- Removes requirements that certain student emergency drills must be supervised by the chief of the fire department or voluntary fire department of the city or town where a school is located and instead requires those drills to be approved by such persons.

This bill is effective on July 1, 2017.

A.B. 144 (Chapter 594)

Assembly Bill 144 creates the Nevada Advisory Commission on Mentoring to support and facilitate existing mentorship programs in the State and requires the Commission to:

- Appoint committees from its members;
- Engage the services of volunteers and consultants without compensation;
- Enter into public-private partnerships;
- Apply for and receive gifts, grants, contributions and other support funding;
- Establish model guidelines and parameters for existing mentorship programs;
- Develop a financial plan model that provides for the sustainability and financial stability of mentorship programs;
- Develop model protocols for the recruitment, support, and effective management of mentors, mentees, and matches under mentorship programs; and
- Within the limits of legislative appropriations, employ a coordinator for mentorship programs and develop and administer a competitive grant program to award funding to mentorship programs.

The bill also requires the Commission to appoint a Mentorship Advisory Council and submit an annual report outlining its activities and recommendations to the Governor and the Legislature. Lastly, the bill appropriates $7,400 in each year of the 2017-2019 Biennium from the State General Fund to the Department of Education for the cost of Commission meetings.

This bill is effective on July 1, 2017.

A.B. 305 (Chapter 110)

Assembly Bill 305 requires the Division of Child and Family Services of the Department of Health and Human Services to design and distribute to school districts, charter schools, and private schools a poster that prominently displays the toll-free telephone number for the child abuse or neglect hotline and prescribes the requirements for the content of the poster. The bill requires the schools to display conspicuously the poster in an area that is frequently and easily accessed by pupils. In addition, the measure authorizes each school district, the governing body of each charter school, and each private school to promote the child abuse and neglect hotline through electronic means, including social media.

This bill is effective on May 24, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2017, for all other purposes.

A.B. 482 (Chapter 39)

Assembly Bill 482 makes changes related to programs of career and technical education (CTE). The bill:

- Provides that not more than 5 percent of State money appropriated for CTE programs may be distributed to student organizations for CTE;

- Removes a requirement for the State Board for CTE to request that each industry sector council name one representative to make recommendations to the Board's Executive Officer regarding the awarding of grants for CTE programs, and instead it requires the Board to request that the councils' representatives provide such recommendations;

- Allows grants to be awarded for improving existing CTE programs in addition to expanding existing programs or developing new programs;

- Removes requirements that grant awards must be based on certain criteria and instead requires the grants to be awarded based on criteria established by regulation of the State Board of Education;

- Revises provisions relating to the proportion of the total amount of certain State money that a school district or charter school may receive for CTE programs; and

- Requires the Executive Officer, rather than the State Board for CTE, to designate a program professional to perform certain tasks related to CTE programs that have received grants.

This bill is effective on May 19, 2017, for the purposes of adopting regulations and performing administrative tasks and on January 1, 2018, for all other purposes.

S.B. 3 (Chapter 353)

Senate Bill 3 revises provisions governing the Breakfast After the Bell Program by requiring the State Department of Agriculture to notify a school participating in the Program if the school has not maintained or increased breakfast participation rates for pupils who are eligible for free or reduced-price lunches under the National School Lunch Act. The bill removes the requirement for the Department to notify schools if participation rates do not increase by at least 10 percent annually. Schools that receive such a notification must submit a statement to the Department identifying the reasons the school did not maintain or increase the provision of breakfast to eligible pupils and submit a corrective action plan that addresses the reasons identified in the statement.

This measure is effective on July 1, 2017.

S.B. 19 (Chapter 100)

Senate Bill 19 establishes certain requirements for students who wish to enroll in dual credit courses. This bill requires each school district and charter school to enter into a cooperative agreement with at least one community college, State college, or university to offer dual credit courses to students. A student who successfully completes a workforce development program from an authorized postsecondary institution must be allowed to apply the credit received toward a related credential, certificate, or degree.

The bill requires a school district board of trustees to prepare a written notice identifying dual credit courses available to students enrolled within the district, including charter schools. It also requires each academic plan for a student enrolled in a dual credit course to address how the course will enable the student to achieve post-graduation goals.

Finally, S.B. 19 prohibits the State Board of Education from unreasonably limiting the number of dual credit courses in which a student may enroll.

This bill is effective on May 24, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2018, for all other purposes.

S.B. 107 (Chapter 102)

Senate Bill 107 requires the Council to Establish Academic Standards for Public Schools to establish content and performance standards for ethnic and diversity studies in public high schools. It also authorizes high schools to offer instruction in ethnic and diversity studies.

This bill is effective on May 24, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2018, for all other purposes.

S.B. 108 (Chapter 103)

Senate Bill 108 requires the State Board of Education to create a subcommittee to study the manner in which to include in high school social studies coursework instruction in criminal law related to certain crimes that frequently involve persons fewer than 18 years of age. It requires such instruction to emphasize personal responsibility for understanding and complying with the law, and it lists specific topics to be covered. The instruction also must include relevant information to assist victims and witnesses of such crimes.

The bill requires the State Board of Education to submit a report to the Legislative Committee on Education on or before July 1, 2018, outlining recommendations and any actions the Board has taken or intends to take to include the instruction described in the bill. The Committee must then make a related report to the Legislature.

This bill is effective on July 1, 2017.

S.B. 112 (Chapter 75)

Senate Bill 112 requires a course of study in health—for students enrolled in middle school, junior high school, or high school—to incorporate instruction on organ and tissue donation, including:

- How to register as a donor and the rules governing donor gifts in Nevada;
- The societal and individual benefits of organ and tissue donation; and
- Facts about organ and tissue donation.

This bill is effective on July 1, 2017.

S.B. 200 (Chapter 597)

Senate Bill 200 requires each public high school, charter high school, and university school for profoundly gifted students to ensure that a computer science course is available to enrolled students and to allow up to one unit of credit for completion of such a course to be applied toward general mathematics or science requirements for high school graduation, Millennium Scholarship eligibility, and admission to the Nevada System of Higher Education.

The bill further requires each student enrolled in a public school or State facility for the detention of children to receive instruction in computer education and technology prior to the beginning of grade 6. In addition, it requires the Department of Education, in consultation with the Advisory Council on Science, Technology, Engineering and Mathematics, to review computer education and technology instruction and make recommendations to the State Board of Education.

Finally, the bill allows each school district and charter school to provide related professional development training, either directly or through certain other entities, and it appropriates $2.4 million over the 2017-2019 Biennium to the Department of Education from the State General Fund to carry out the provisions of the bill.

This measure is effective on June 15, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks. Provisions relating to professional development, content standards, and students who receive required instruction prior to grade 6 are effective on July 1, 2018. Provisions relating to the availability of a computer science course for high school students and to the review of related courses submitted for approval are effective on July 1, 2022. Other provisions are effective on July 1, 2017.

S.B. 241 (Chapter 101)

Senate Bill 241 establishes the State Seal of Science, Technology, Engineering, and Mathematics (STEM) Program and the State Seal of Science, Technology, Engineering, Arts, and Mathematics (STEAM) Program. The programs provide that a special seal denoting STEM or STEAM be affixed to the high school diploma and noted on the transcript of a student who has achieved a high level of proficiency in related coursework.

School districts, charter schools, and university schools for profoundly gifted students may choose to participate in the programs. The bill requires the Superintendent of Public Instruction to design and distribute the special seals to participating school districts and schools. Further, the measure specifies the academic performance criteria required for a student to qualify for the Programs.

This bill is effective on May 24, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2018, for all other purposes.

S.B. 249 (Chapter 456)

Senate Bill 249 requires financial literacy instruction for students enrolled in grades 3 through 12 and appropriates $2.5 million over the 2017-2019 Biennium from the State General Fund for this purpose. The instruction provided must be age appropriate, include certain topics, and be offered within an established course of study, such as economics, mathematics, or social studies. The Council to Establish Academic Standards must prescribe content and performance standards in financial literacy and revise the standards for American government. Any remaining balance at the end of the respective fiscal years must be reverted to the State General Fund on or before September 21, 2018, and September 20, 2019, respectively.

The bill changes the guidelines for high school social studies, requiring students to enroll in one-half credit in economics, which may be provided through a combined course with American Government. It also creates the Account for Instruction in Financial Literacy in the State General Fund, requiring money in the Account to be generally used only for providing financial literacy instruction.

Finally, school districts and charter schools are encouraged to seek private-sector partnerships to support the overall program of financial literacy, and they must provide professional development training to those who will be teaching financial literacy.

This bill is effective on July 1, 2017, for the purpose of making appropriations; on July 1, 2022, for the purpose of requiring high school students to enroll in an economics course; and on June 8, 2017, for all other purposes.

S.B. 301 (Chapter 115)

Senate Bill 301 makes various changes to education governance. Specifically, the bill:

- Abolishes the State Board for Career and Technical Education and transfers its duties to the State Board of Education and the Superintendent of Public Instruction;

- Requires that the Department of Education include in its annual report of the state of public education certain information related to career and technical education, and it repeals a duplicate report;

- Changes the name of the Advisory Council on Parental Involvement and Family Engagement to the Advisory Council for Family Engagement, and it modifies its annual reporting requirements; and

- Abolishes the Interagency Panel responsible for making recommendations concerning certain students with disabilities.

This bill is effective on July 1, 2017.

S.B. 458 (Chapter 529)

Senate Bill 458 abolishes the P-20W Advisory Council and creates the P-20W Research Data System Advisory Committee. Among other duties, the Committee will assist in the coordination and management of the statewide longitudinal data system that links data relating to early childhood and K-12 education with data relating to postsecondary education and the State workforce. The Committee must prepare a biennial report of its activities and recommendations to be posted online and submitted to the Legislature and the Governor.

The bill also makes conforming changes, should legislation currently under consideration be enacted to require the Executive Director of the Office of Workforce Innovation, Office of the Governor, to maintain and oversee the data system.

This bill is effective on July 1, 2017, for provisions related to repealing the Council and establishing the Committee. All other provisions are effective on July 1, 2017, contingent upon passage and approval of Senate Bill 516 of this session.

NOTE: See also Senate Bill 516 (Chapter 595).

Accountability and School Reform

A.B. 7 (Chapter 501)

Assembly Bill 7 revises various provisions related to education. Among other provisions, the bill makes changes to conform with federal law and updates relevant statutory references. It revises provisions relating to annual reports of accountability, school plans for improving student achievement, assessments used to determine student achievement, and end-of-course examinations.

The bill also makes various changes regarding high school diplomas, including a new requirement for the State Board of Education to prescribe the criteria for a student to receive a college and career ready high school diploma with certain endorsement options. To the extent money is available, Nevada's Department of Education will conduct a public awareness campaign regarding diploma options.

Assembly Bill 7 further revises provisions concerning the college and career readiness assessment taken by students in grade 11 and the purposes for which the assessment may be used. The bill prohibits the counting of certain students in grade 12 as full-time students for apportionment purposes unless particular conditions are met.

Finally, A.B. 7 revises provisions regarding educator evaluations and observations, as well as qualifications of certain teachers and paraprofessionals.

Terminology changes regarding the retention of certain students in grade 3 are effective on July 1, 2019. All other provisions are effective on July 1, 2017, and certain provisions related to the English Mastery Council expire by limitation on June 30, 2019.

A.B. 64 (Chapter 61)

Assembly Bill 64 provides that a student with a disability who does not satisfy certain State Board of Education requirements for a standard high school diploma may receive a standard diploma by demonstrating proficiency through a portfolio of work or may receive an adjusted diploma by satisfying the requirements of his or her individualized education program. A student with a significant cognitive disability may receive an alternative diploma if he or she passes an alternate assessment prescribed by the State Board.

The bill provides that a student with a disability who is fewer than 22 years of age and has not been issued a standard high school diploma on or before July 1, 2017, is entitled to a standard diploma if he or she satisfies the relevant criteria in the bill.

This bill is effective on July 1, 2017.

A.B. 110 (Chapter 509)

Assembly Bill 110 requires Nevada's Department of Education to establish a pilot program for competency-based education (CBE). A school that applies to and participates in the program must meet certain qualifications and must participate in the Competency-Based Education Network, which is created by the bill to consider CBE-related issues and make relevant reports.

The bill further authorizes the Department, through a competitive grants program and to the extent funds are available, to distribute certain money to carry out the pilot program. The Department also is required to conduct a public awareness campaign and hold certain meetings with school district superintendents regarding CBE.

Finally, A.B. 110 allows a student to be granted credit for a course of study without having attended the regularly scheduled classes in the course if the student demonstrates proficiency through a portfolio, the performance of a designated task, or other criteria prescribed by the State Board of Education.

This bill is effective on June 9, 2017, for the purposes of adopting regulations and performing necessary administrative tasks and on July 1, 2017, for all other purposes.

A.B. 447 (Chapter 344)

Assembly Bill 447 continues the Victory schools program for the 2017-2019 Biennium. The bill also adds evidence-based programs, integrated student supports, and wrap-around services to the list of items on which a Victory school must use a majority of certain funding. An obsolete reference to expanding full-day kindergarten is removed from this list.

This bill also requires consultation with a school district when designating a Victory school, and it allows a Victory high school to provide certain additional instruction or other learning opportunities for pupils, and professional development for teachers, at other schools in its zone of attendance that are not designated as Victory schools.

This bill is effective on June 4, 2017, for the purpose of performing preparatory administrative tasks and on July 1, 2017, for all other purposes.

S.B. 66 (Chapter 596)

Senate Bill 66 removes age requirements and the limitation on the number of credits a student may earn for successful completion of a work-based learning program. A school district or charter school may offer a work-based learning program upon application to and with the approval of the State Board of Education.

The bill also authorizes a school district board of trustees, a charter school governing body, or a nonprofit organization to apply for a grant from Nevada's Department of Education to develop and implement work-based learning programs. The State Board of Education must, in consultation with the Office of Economic Development, Office of the Governor, prescribe the fields, trades, or occupations for which a grant may be awarded.

Finally, the bill requires the board of trustees of a school district and the governing body of a charter school that offers a work-based learning program to submit a report concerning the program to the State Board of Education and the Legislature on or before January 15 of each odd-numbered year.

This bill is effective on July 1, 2017.

S.B. 132 (Chapter 491)

Senate Bill 132 requires the board of trustees of each school district and allows the governing body of a charter school that operates as a high school and is in good standing to adopt a policy authorizing the establishment of individual graduation plans for high school students who:

- Are not likely to graduate on time;
- Have scored poorly on the college and career readiness assessment; or
- Have attended or will attend school in another country as a foreign exchange student.

The Superintendent of Public Instruction must establish certain eligibility requirements for a plan that allows a student to remain enrolled in high school for up to three semesters after he or she was otherwise scheduled to graduate. An individual graduation plan may be withdrawn if the student is not making adequate progress or for other good cause. In addition, this bill sets out the manner in which a student with a plan is counted in graduation statistics.

Senate Bill 132 also revises procedures and requirements related to four-year academic plans. These plans, which are developed for all high school students, must be provided at the beginning of each student's ninth grade year. A policy regarding the plans must, to the extent practicable, ensure that students and parents are provided with certain information related to high school and postsecondary education. Additionally, a school counselor must establish and annually revise specific educational goals for each student in consultation with the student and his or her parent or legal guardian.

This bill is effective on July 1, 2018.

S.B. 247 (Chapter 158)

Senate Bill 247 makes several revisions to education reporting requirements, including:

- Changing from September 30 to December 31 the due date for each school district's report of accountability;

- Removing requirements that the Department of Education provide written notice that certain reports have been completed;

- Removing the requirement that the Department submit a copy of the exam security plan to the State Board of Education and the Legislature and instead requiring that the plan be posted on the Department's website each year;

- Requiring a school to post its progressive discipline plan on its website and distribute it to staff;

- Requiring a school district to post its compilation of school discipline plans on its website; and

- Removing the requirement that the Superintendent of Public Instruction submit a separate report on district compliance in adopting school discipline plans.

Senate Bill 247 also reduces from 15 to 13 days the public notice required for policy changes being proposed by the school boards in Clark and Washoe Counties.

This bill is effective on July 1, 2017.

S.B. 303 (Chapter 494)

Senate Bill 303 requires Nevada's Department of Education to audit the assessment tools and examinations used to monitor the performance of public schools and students in kindergarten and grades 1 through 12 to improve and streamline such resources. It also requires school district boards of trustees and charter school governing bodies to collect and provide information requested by the Department to develop and carry out the audit.

This bill further requires Nevada's audit plan to meet the necessary prerequisites for receiving a grant under the federal Every Student Succeeds Act. The Department must submit the plan to the United States Secretary of Education and also must submit the plan and a report of the results to the State Board of Education, the Legislative Committee on Education, and the Interim Finance Committee by December 1, 2017.

The bill appropriates $100,000 from the State General Fund to the Department for the purpose of developing and carrying out the audit plan.

This bill is effective on June 8, 2017.

S.B. 390 (Chapter 544)

Senate Bill 390 extends the Zoom schools program for the 2017-2019 Biennium. The bill also:

- Allows not more than 5 percent of Zoom funds to be used for professional development, family engagement, and teacher incentives;

- Requires a reading skills center in a Zoom elementary school to provide additional instructional supports for students in grades 4 or 5 for whom problems or barriers still exist; and

- Requires progress reporting for Zoom students, as measured by common assessments.

This bill is effective on July 1, 2017, and expires by limitation on June 30, 2019.

S.B. 467 (Chapter 579)

Senate Bill 467 creates the Nevada Ready 21 Technology Program for the purposes of:

- Providing students and teachers with 24-hour access to their own personal, portable technology device connected wirelessly to the Internet; and

- Improving student outcomes through the use of digital teaching and learning technology.

The bill requires the Commission on Educational Technology to administer the Program and requires the Commission to establish:

- Procedures by which the board of trustees of a school district, the governing body of a charter school, or the governing body of a university school for profoundly gifted students may apply for a grant of money; and

- In consultation with each school district, standards and methods for measuring progress in certain areas for students enrolled at public schools that are awarded such a grant.

The Department of Education and public schools receiving a grant are required or authorized to enter into certain agreements with persons or entities to carry out the Program.

This bill is effective on July 1, 2017.

Charter Schools and Educational Scholarships

A.B. 49 (Chapter 506)
Assembly Bill 49 revises various provisions concerning administrative processes, school accountability, and transparency for charter schools and the State Public Charter School Authority.

Provisions removing statutory references to a written charter and providing for the confidentiality of the identity of individuals who review an application to form a charter school are effective on January 1, 2020. All other provisions of the bill are effective on July 1, 2017.

A.B. 221 (Chapter 53)
Assembly Bill 221 requires that the model plan developed by Nevada's Department of Education for the management of a school emergency must include a procedure for evacuating the students and employees of a charter school to an identified district middle, junior high, or high school with a designated space that is sufficiently large and is separate from the general school population. The bill also requires school districts to ensure that each identified school in the district is prepared to accommodate such evacuations.

The bill provides that a charter school will hold harmless, indemnify, and defend the school district to which it evacuates during a crisis or emergency against any claim or liability arising from an act or omission by the school district or an employee or officer of the school district.

This bill is effective on July 1, 2017.

Funding

S.B. 167 (Chapter 452)
Senate Bill 167 appropriates $410,000 in Fiscal Year (FY) 2017-2018 and $205,000 in FY 2018-2019 from the State General Fund to the State Department of Agriculture for the creation and maintenance of school garden programs at certain Title I schools. A school meeting specified criteria may receive up to $10,000 in FY 2017-2018 and up to $5,000 in FY 2018-2019. Any remaining balance at the end of the respective fiscal years must be reverted to the State General Fund on or before September 21, 2018, and September 20, 2019, respectively.

This bill requires the funding to be used for related teacher travel and professional development, to develop a school site food-safety plan, and to fund school garden conferences in Nevada. Programs that receive funding must utilize experiential or project-based learning

that occurs in classroom and outdoor garden settings. As part of the approved curriculum, students may operate a farmers' market and may receive cooking demonstrations using produce grown in the school garden.

This bill is effective on July 1, 2017.

S.B. 178 (Chapter 453)

Senate Bill 178 provides school districts and charter schools with additional resources for supplemental instructional services to improve the academic performance of students who are English learners or are eligible for free or reduced-price lunch, who score in the bottom 25 percent of students on certain assessments, are not enrolled in a Zoom or Victory school, and do not have an individualized education program.

The bill creates the Account for the New Nevada Education Funding Plan in the State General Fund and appropriates $36 million to the Account in each fiscal year of the 2017-2019 Biennium. This money must be used to provide school districts and charter schools with $1,200 per eligible student to be allocated to the schools of eligible students; 90 percent or more of the funding may be used for a menu of authorized services, and up to 10 percent may be used for personnel incentives and professional development.

The Department of Education must contract with an independent evaluator to analyze the results of this funding and report to the Legislature. The Department also must contract with a consultant to update a prior report on school funding, research a variety of related topics, and issue a preliminary report to the Legislative Committee on Education.

This bill is effective on June 8, 2017, for the purposes of adopting regulations and performing other preparatory administrative tasks and on July 1, 2017, for all other purposes.

S.B. 300 (Chapter 458)

Senate Bill 300 appropriates from the State General Fund to the Department of Education $1.2 million in Fiscal Year (FY) 2017-2018 and $1.3 million in FY 2018-2019 to support a program of peer assistance that will provide assistance to teachers in meeting the standards for effective teaching, including:

- Conducting observations and peer assistance and review; and
- Providing information and resources to teachers about strategies for effective teaching.

Any remaining balance of the appropriation must be reverted to the State General Fund.

This measure is effective on July 1, 2017.

S.B. 391 (Chapter 461)

Senate Bill 391 establishes the Nevada Promise Scholarship Account in the State General Fund and provides the eligibility requirements for a student to receive or renew a Nevada Promise Scholarship, including a requirement to complete a program of community service. Each

community college within the Nevada System of Higher Education is required to determine whether it will award Nevada Promise Scholarships to eligible students and, if so, to provide training and mentoring programs for scholarship applicants. Each participating community college or local partnering organization must maintain and post on its website a list of approved community service opportunities.

The bill also requires the State Board of Education's plan to improve the achievement of pupils enrolled in public schools to include strategies to provide information regarding Nevada Promise Scholarships. The scholarship program is subject to audit by the Board of Regents and the State Treasurer, and the Board of Regents must submit an annual report to the Legislature.

Finally, the bill appropriates $3.5 million from the State General Fund to the Account in Fiscal Year 2018-2019 for the purpose of awarding these scholarships.

This bill is effective on June 8, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks; on July 1, 2018, for determining the eligibility of scholarship applicants and awarding scholarships; and on July 1, 2017, for all other purposes.

S.B. 518 (Chapter 368)

Senate Bill 518 removes the provision requiring that any interest and income earned on money in the Contingency Account for Special Education Services be credited to that Account, and it requires any money remaining in the Account at the end of a fiscal year be carried forward to the next fiscal year.

This bill is effective on July 1, 2017.

Higher Education

A.B. 1 (Chapter 19)

Assembly Bill 1 requires the Board of Regents, to the extent money is available, to pay certain fees and expenses associated with undergraduate coursework at a Nevada System of Higher Education institution for a dependent child of a public employee who was killed in the performance of his or her duties.

The bill further specifies that if a public employee was killed in the performance of his or her duties on or after October 1, 2013, his or her dependent child is eligible to receive reimbursement for such fees and expenses.

This bill is effective on July 1, 2017.

A.B. 24 (Chapter 2)

Assembly Bill 24 prohibits the Board of Regents from charging out-of-state tuition for certain veterans and members of the military and their families who attend Nevada System of Higher Education institutions.

This bill is effective on July 1, 2017.

A.B. 202 (Chapter 150)

Assembly Bill 202 requires the Legislative Commission to appoint a committee to conduct an interim study concerning the cost and affordability of higher education in Nevada. The bill requires the committee to consider certain topics and perform certain duties, including preparing a report for submission to the Legislature and making recommendations to the Legislature and the Board of Regents concerning:

- Findings related to the affordability and programs of higher education, including, without limitation, where long-term investments should be made to improve affordability and address workforce needs; and

- Actions needed for the efficient and effective operation of higher education if the State is to progress economically and socially.

This bill is effective on July 1, 2017.

A.B. 475 (Chapter 576)

Assembly Bill 475 requires the Board of Trustees of the College Savings Plans of Nevada to establish the Nevada College Kick Start Program to create college savings accounts for students enrolled in kindergarten in public schools in Nevada who are residents of this State. The Board must, within the limits of available funding, deposit money in these accounts to be used for the costs of higher education for these students.

The bill also transfers the duty to adopt regulations for the Nevada College Savings Program from the State Treasurer to the Board and allows the Board to delegate certain powers and duties to the State Treasurer. It transfers from the State Treasurer to the Board the authority to accept and expend for certain purposes money provided by a private entity to the Nevada Higher Education Prepaid Tuition Trust Fund, and it makes various technical and conforming changes to provisions concerning the Board of Trustees of the College Savings Plans of Nevada and the Nevada College Savings Trust Fund.

Finally, A.B. 475 allows a beneficiary of the Prepaid Tuition Program to use unspent program funds to pay for graduate-level studies, after completion of an undergraduate degree.

Provisions concerning the establishment of the Nevada College Kick Start Program are effective on June 13, 2017. Other provisions are effective on July 1, 2017.

A.B. 484 (Chapter 513)

Assembly Bill 484 relocates the Commission on Postsecondary Education from the Department of Education to the Employment Security Division of the Department of Employment, Training and Rehabilitation. It also reduces from seven to six the Governor-appointed, voting members of the Commission by eliminating a member representing the State Board of Education. The bill adds an employee of the Department of Employment, Training and Rehabilitation as a nonvoting member of the Commission.

Assembly Bill 484 allows a postsecondary educational institution to be considered accredited if the United States Department of Education recognizes it as such. The bill also clarifies that certain unlawful acts associated with postsecondary institutions are gross misdemeanors.

This bill is effective on July 1, 2017.

S.B. 457 (Chapter 603)

Senate Bill 457 requires the Board of Regents of the University of Nevada or its designee to consult with certain entities to establish statewide standards for awarding credit for military education, training, or occupational experience. Such credit must be applicable toward the coursework required for an associate's degree, baccalaureate degree, or certificate at any university, State college, or community college in the Nevada System of Higher Education.

This bill is effective on July 1, 2017.

S.B. 496 (Chapter 367)

Senate Bill 496 authorizes the Board of Regents of the University of Nevada to issue revenue bonds and other securities in a total principal amount not exceeding $58,710,000 to finance the construction of an engineering building and residence hall at the University of Nevada, Reno and in a total principal amount not exceeding $22 million to finance the construction of a fitness complex at Truckee Meadows Community College.

This bill also increases from $45 million to $81 million the bonding authority to finance the construction of student union buildings at the Charleston, Henderson, and North Las Vegas campuses of the College of Southern Nevada.

This bill is effective on June 4, 2017.

S.B. 548 (Chapter 602)

Senate Bill 548 authorizes a college or university within the Nevada System of Higher Education to apply to the State Board of Education for a grant of money to establish the Nevada Institute on Teaching and Educator Preparation. The Institute is required to:

- Establish a highly selective program for the education and training of teachers;
- Conduct research concerning approaches and methods used to educate and train teachers and to teach students; and

- Evaluate, develop, and disseminate approaches to teaching that address the variety of settings in which students are educated in Nevada.

The measure provides that an application to establish the Institute must demonstrate the ability of the applicant to meet the requirements of the program, provide for matching grant funds, and sustain and expand the Institute over time.

In order to fund the program, the measure appropriates from the State General Fund to the State Board of Education $500,000 in each fiscal year of the 2017-2019 Biennium. Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on July 1, 2017.

Personnel

A.B. 77 (Chapter 341)

Assembly Bill 77 revises various provisions concerning the licensure of teachers and other educational personnel to improve the safety of students, streamline administrative processes, and improve teacher recruitment and retention. The bill also modifies the membership and duties of the Commission on Professional Standards in Education.

Specifically, A.B. 77:

- Provides that a teacher who has an endorsement to teach English as a second language qualifies to serve on the English Mastery Council in a certain capacity;

- Requires the reporting and tracking of criminal cases that involve unlicensed teachers and administrators who are employed by a charter school;

- Requires a charter school to terminate the employment of an unlicensed teacher or administrator upon conviction of a felony or crime involving moral turpitude or certain sex offenses;

- Allows Nevada's Department of Education (NDE) to charge a fee of $50 to review and provide feedback on certain information related to a person's qualifications for an educational license before the person applies for such a license;

- Adds requirements for how certain teachers must demonstrate proficiency in a field of specialization or area of concentration;

- Revises provisions related to certain licensure examinations and credential requirements for teachers and educational personnel from another state who obtain a reciprocal license;

- Establishes a license to teach students in a program of early childhood education;

- Requires, rather than allows, the adoption of regulations that provide for provisional licenses;

- Requires the Superintendent of Public Instruction to provide notice within 15 days of the denial of an application for licensure or license renewal to the school district or charter school that employs an applicant if the applicant is so employed;

- Raises from $65 to $100 the minimum fee for issuing or renewing an educational license;

- Allows NDE to waive certain licensure fees for veterans, active-duty members of the military, and spouses of military members;

- Requires school districts to include certain information regarding employee performance ratings in an annual report of information that is provided to NDE;

- Increases from two to three the number of years that a licensed teacher who does not hold an endorsement to teach in a subject area may teach in that subject area if there is a shortage of teachers, and it allows such teachers to teach at any school regardless of its performance rating in that circumstance;

- Provides that if the State Superintendent denies an application for renewal of a license, the relevant employee is not subject to certain statutory provisions regarding the period of time that must pass before he or she is suspended from employment;

- For certain councils and commissions, provides that a school district, charter school, or entity that recommended certain members must pay the costs for employing a substitute teacher while a council or commission member who is a teacher attends a council or commission meeting;

- Repeals a statute that requires a directory of certain educational personnel to be filed with each school district;

- Requires the State Board of Education to adopt regulations regarding statewide professional development standards, giving consideration to the recommendations made by the Advisory Task Force on Educator Professional Development;

- Requires all professional development provided to teachers, administrators, and paraprofessionals to be aligned to the standards and be evidence based as defined by federal law;

- Aggregates existing professional development reports and requires school districts to submit annual reports on their professional development activity;

- Makes various changes to the membership, terms, officers, and appointment process for the Commission on Professional Standards in Education; and

- Assigns to the Commission on Professional Standards in Education certain duties currently assigned to the State Board of Education.

This bill is effective on July 1, 2017. The provision regarding the English Mastery Council expires by limitation on June 30, 2019.

A.B. 124 (Chapter 420)

Assembly Bill 124 requires the Commission on Professional Standards in Education to prescribe by regulation the Nevada Model Code of Educator Ethics concerning interpersonal interactions and communications between educators and students. The bill also creates the Nevada Educator Code of Ethics Advisory Group to provide recommendations regarding the Code and to perform related duties.

The bill sets out certain topics the Code must address and requires educational personnel to receive training. The Code also must be posted online and provided to certain entities.

This bill is effective on July 1, 2017. Provisions relating to the Advisory Group expire by limitation on June 30, 2019.

A.B. 196 (Chapter 213)

Assembly Bill 196 requires the Commission on Professional Standards in Education to establish by regulation the requirements for a teacher, administrator, or other educator to obtain an endorsement in cultural competency on his or her license.

This bill is effective on May 30, 2017, for the purpose of adopting regulations and on January 1, 2018, for all other purposes.

A.B. 292 (Chapter 278)

Assembly Bill 292 changes, from 6 p.m. to the close of a school's office hours, the deadline by which a school must notify the parent or guardian of a student involved in an incident of bullying.

The bill also requires a principal or his or her designee to submit a monthly report to the principal's direct supervisor regarding bullying incidents. A similar report must be submitted each quarter by the principal's supervisor to the Office for a Safe and Respectful Learning Environment, Department of Education.

Finally, A.B. 292 requires a school district board of trustees to assign a bullied student to another school upon request from the student's parent or guardian.

This bill is effective on July 1, 2017.

A.B. 312 (Chapter 215)

Assembly Bill 312 requires the State Board of Education to develop certain nonbinding recommendations for student-to-teacher ratios for kindergarten through grade 12. A school district board of trustees must consider the recommendations in establishing the student-to-teacher ratio in the district.

This bill is effective on July 1, 2017.

A.B. 320 (Chapter 343)

Assembly Bill 320 requires that student growth on learning goals must account for 20 percent of an educator's performance evaluation in Fiscal Year 2017-2018 and 40 percent thereafter. Such data must be generated from a school or school district where the employee was employed during the period covered by the evaluation.

The bill also:

- Requires the State Board of Education to adopt regulations related to student learning goals and certain other matters;
- Requires a postprobationary teacher or administrator who is evaluated as "highly effective" for two consecutive years to receive one evaluation in the next two years;
- Replaces the performance designation of "minimally effective" with a designation of "developing";
- Requires the State Board and local school boards to annually review evaluation outcomes;
- Allows the Department of Education to review implementation of the evaluation system;
- Provides for peer observations, rather than peer evaluations, of teachers;
- Adds a member to the Teachers and Leaders Council of Nevada; and
- Prohibits the use of the statewide performance evaluation system to evaluate a district administrator who provides direct supervision of a school principal and who also serves as district superintendent.

This bill is effective on July 1, 2017.

A.B. 362 (Chapter 556)

Assembly Bill 362 incorporates in State law certain provisions of federal law designed to prevent persons who have engaged in sexual misconduct with a minor from obtaining new employment. Applicants for employment with a public or private school and certain independent contractors are required to provide employment history to the prospective

employer. An applicant who knowingly provides false information or willfully fails to disclose information is subject to discipline and is guilty of a misdemeanor. The prospective employer is required to verify all information. A private school that willfully fails to disclose information is subject to discipline and may be placed on a corrective action plan.

Information submitted to the prospective employer may be used to decide whether to employ an applicant or continue to employ a person. In addition, the information submitted may be reported to the Department of Education, a licensing agency, law enforcement, child welfare, or child protective services. The Superintendent of Public Instruction may deny licensure to an educator who has been arrested for, or charged with, any crime involving sexual misconduct with a minor or student.

A prospective employer is immune from civil or criminal liability for considering the information submitted when deciding whether to employ a person. Additionally, the governing body of the school may allow provisional employment of a person pending review of the employment information submitted.

This bill is effective on July 1, 2017.

A.B. 434 (Chapter 435)

Assembly Bill 434 appropriates from the State General Fund to Nevada's Department of Education:

- $2.5 million to provide incentives for hiring new teachers at Title I or underperforming schools; and

- $2.5 million to provide incentives for teachers who are currently employed to teach at a public school in Nevada that is not a Title I or underperforming school and who transfer to such a school.

This bill is effective on July 1, 2017.

S.B. 20 (Chapter 96)

Senate Bill 20 repeals provisions requiring teachers and other educational personnel to demonstrate knowledge of the *Constitution of the United States* and the *Constitution of the State of Nevada* for initial licensure. Instead, the bill requires teachers new to Nevada or the profession to be trained and demonstrate proficiency in certain aspects of the *Constitution of the State of Nevada* and Nevada's school laws as prescribed through regulations to be adopted by the Commission on Professional Standards in Education; substitute teachers are excluded from this training requirement.

The training and related exam may be offered in person or online, by either a school district or a vendor approved by a district. The Commission on Professional Standards in Education must approve the course content and set the minimum score for proficiency. The training content must be reviewed for update every two years.

Finally, the bill establishes certain time frames within which the required training must be completed.

This bill is effective on May 23, 2017.

S.B. 155 (Chapter 451)

Senate Bill 155 appropriates from the State General Fund to the Department of Education $500,000 in each fiscal year of the 2017-2019 Biennium to support educational leadership training programs. The Department must use the money to contract with the Clark County Public Education Foundation, Inc. for implementation and operation of the training program. The contract is contingent upon the provision of matching funds from sources other than the State General Fund. The money must be used to support personnel, in-person and virtual instruction, research relating to the design and impact of the curriculum, and communication with education leaders. A final report describing the expenditures for the program must be transmitted to the Interim Finance Committee on or before September 20, 2019. Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on June 8, 2017, for the purpose of performing preparatory administrative tasks and on July 1, 2017, for all other purposes.

S.B. 213 (Chapter 493)

Senate Bill 213 requires the Superintendent of Public Instruction to order an inspection of a provider of special education upon determination of good cause. If an inspection shows that the provider is not in compliance with relevant laws or regulations, the Superintendent must take certain actions to ensure the provider becomes compliant. The Superintendent also must take action if a provider does not comply in a timely manner with a plan of corrective action or with certain orders of a hearing officer.

This bill further requires Nevada's Department of Education to adopt regulations concerning certain notifications for parents of students with disabilities, as well as training standards for public school employees who help provide special education services.

In addition, S.B. 213 requires background checks every five years, as a condition of continued employment, for all school employees and for school volunteers who are likely to have regular, unsupervised contact with students.

Finally, the bill authorizes a juvenile court to appoint an educational surrogate parent for a child with a known or suspected disability under certain circumstances.

This bill is effective on July 1, 2017.

S.B. 273 (Chapter 223)

Senate Bill 273 provides additional procedures for the dismissal of a probationary school district employee. It requires a school district superintendent to provide written notice to a probationary employee not fewer than 15 business days before filing with the school district

board of trustees a recommendation to dismiss the employee. It also authorizes a probationary employee to request an expedited, nonbinding arbitration hearing that is limited in scope before a recommendation to dismiss is filed.

Following arbitration, if the superintendent files a recommendation to dismiss the employee, the board of trustees must determine at its next regularly scheduled meeting whether to accept this recommendation. The board of trustees must then provide written notice of its decision to the probationary employee; the decision is not subject to judicial review or appeal.

This bill is effective on July 1, 2017.

S.B. 287 (Chapter 338)

Senate Bill 287 requires employees and volunteers of public and private schools to report certain information regarding abuse, neglect, and certain other prohibited acts against a child.

The bill requires all employees of and volunteers for a public or private school, regardless of whether they are licensed, to report suspect abuse or neglect of a child by a person responsible for the child's welfare. In addition, employees and volunteers must make a report within 24 hours if, in that capacity, they know or have reasonable cause to believe that a child has been subjected to certain sexual conduct, luring, prohibited corporal punishment, or abuse or neglect. Reports must be made to an agency that provides child welfare services and/or a law enforcement agency, as appropriate, and such reports will be assessed and, if appropriate, investigated. Failure to report is a misdemeanor or gross misdemeanor. The school police and the law enforcement agency are required to notify each other regarding certain offenses.

Reports and investigations of abuse, neglect, sexual conduct, luring, and prohibited corporal punishment are confidential. If a report is substantiated, the investigating agency must forward the report to the Department of Education, the governing body of the school or the school district, law enforcement, and the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child.

Senate Bill 287 also requires volunteers at public schools and employees and volunteers at private schools to undergo certain background checks. The bill authorizes certain information obtained by background checks to be used in making personnel decisions.

This measure is effective on July 1, 2017.

S.B. 369 (Chapter 379)

Senate Bill 369 requires the board of trustees of a school district that enrolls more than 75,000 students (currently the Clark County School District) to establish a training program for teachers and principals in working collaboratively with school staff and the families of students. Such training must be attended if so directed by the district superintendent or school principal.

This bill also requires the board—upon petition of a certain percentage of parents or school employees or upon the majority vote of a school organizational team—to investigate whether school employees are effectively engaging with families and whether the culture at the school is focused on student outcomes.

A board that conducts such an investigation must provide related training to school staff, as necessary and appropriate. The petition and investigation provisions are delayed by one year for any school just entering turnaround status.

This bill is effective on July 1, 2017.

S.B. 493 (Chapter 265)

Senate Bill 493 eliminates the use of salary to determine which school administrators are to be excluded from membership in a bargaining unit and instead excludes from such membership any school district administrator above the rank of principal, regardless of salary.

This bill is effective on July 1, 2017.

S.B. 497 (Chapter 530)

Senate Bill 497 creates the 13-member Advisory Task Force on School Leader Management, which is charged with studying the statewide performance evaluation system for school administrators as adopted by the State Board of Education. The Task Force also shall study, among other things, systems of school leader preparation and professional development, the qualifications for licensure and recruitment of administrators, and administrator compensation.

The Task Force may make recommendations ensuring that school leaders are adequately prepared to provide for the college and career readiness of all pupils. The bill requires the Department of Education to provide the Task Force with the staff necessary to carry out its duties. Finally, the Task Force shall, on or before May 31, 2018, prepare and submit a report outlining its activities, findings, and recommendations to the Governor, the Commission on Professional Standards in Education, the Teachers and Leaders Council of Nevada, and the Director of the Legislative Counsel Bureau for transmittal to the 2019 Legislative Session.

This bill is effective on July 1, 2017, and it expires by limitation on June 30, 2018.

School District Finances and Operations

A.B. 451 (Chapter 22)

Assembly Bill 451 requires each person who is elected or appointed to serve as a member of the board of trustees of a school district to complete training for professional development in the first and third years of his or her term. The training must include at least six hours of instruction covering certain topics.

The bill further requires each school district board member to provide certification of completion of the training. If a member fails to complete the training or provide certification, a notice of noncompliance must be posted online and provided to the other board members.

This bill is effective on July 1, 2017.

A.B. 469 (Chapter 11)

Assembly Bill 469 contains various provisions regarding the organization of a "large school district," which is defined as a school district that has more than 100,000 students enrolled in its public schools (currently the Clark County School District).

Among other provisions, the bill repeals A.B. 394 from the 2015 Session and places in statute the requirements for the reorganization of a large school district, including deeming each public school within such a district, other than a charter school or a university school for profoundly gifted pupils, to be a local school precinct that is operated under site-based decision-making and that has authority to carry out certain responsibilities which have traditionally been carried out by the district.

This bill is effective on May 8, 2017.

S.B. 49 (Chapter 489)

Senate Bill 49 requires that an additional apportionment be made from the State Distributive School Account to a school district or charter school if the district or school has reported an enrollment of pupils with disabilities exceeding 13 percent of total pupil enrollment. The apportionment is to be made in an amount equal to one-half of the statewide multiplier then in effect for pupils with disabilities.

In addition, this bill provides that a hospital or other facility which offers residential treatment to children and also operates a licensed private school is entitled to a corresponding percentage of the statewide multiplier included in the basic support guarantee per pupil.

This bill is effective on July 1, 2017.

S.B. 164 (Chapter 295)

Senate Bill 164 allows a school district to enter into an agreement to lease out school buses or other district vehicles for special events taking place in the county where the school district is located. Such agreements must not interfere with providing transportation for students, and the district must determine that a commercial bus is not reasonably available for the event. Not more than 8.5 percent of the total number of a district's vehicles may be leased out at a time.

The bill sets out certain specifications for a lease agreement, including a security deposit, fee requirements, indemnity provisions, responsibility for damage, proof of insurance and driver licensure, acknowledgment that the lessee is not entitled to certain limitations on damages, and

proof of a permit or approval for the event, if required by a governmental entity. District employees must be given preference in hiring for operation of the vehicles.

Money collected from a lease agreement that exceeds district costs may be used at the discretion of the school district, with certain exceptions.

This bill is effective on June 1, 2017.

S.B. 550 (Chapter 466)

Senate Bill 550 creates a disbursement account in the State General Fund to be administered by the Legislative Counsel Bureau. The measure appropriates from the State General Fund to the disbursement account $17 million for the costs of a human resource management information system for the Clark County School District. The measure requires the Superintendent of Clark County School District to transmit progress reports to the Interim Finance Committee (IFC) every six months describing each expenditure made from the appropriation. A final report is due on or before September 17, 2021. In addition, the measure authorizes the Legislative Auditor, upon the request of the Legislative Commission, to conduct an audit of the use of the money appropriated.

The measure also appropriates from the State General Fund to the Washoe County School District $5 million in Fiscal Year 2017-2018 for expenses related to information technology, buses, and school police vehicles.

Finally, the measure appropriates from the State General Fund to the Nevada Alliance of Boys and Girls Clubs, Inc. $1 million in each fiscal year of the 2017-2019 Biennium for a Boys and Girls Club in Nevada to apply for a grant to provide educational and life skills training. Upon acceptance of the money, the Alliance must transmit to the IFC progress reports that describe each expenditure made from the appropriation. A final report is due on or before September 20, 2019. In addition, the measure authorizes the Legislative Auditor, upon the request of the Legislative Commission, to conduct an audit of the use of the money appropriated.

Any balance remaining from the appropriations must be reverted to the State General Fund.

Provisions of this bill relating to the disbursement account and funding for the Clark County School District are effective on June 8, 2017. All other provisions are effective on July 1, 2017.

Students and Parents

A.B. 117 (Chapter 136)

Assembly Bill 117 requires school districts to adopt a policy ensuring that each student in grades 9 through 12 at a public high school meet individually with an educational staff member at least once a year to review the student's academic plan. Such a meeting must use the student's academic records and the results of certain tests and assessments, if results are available, to review areas of the student's academic strengths and weaknesses.

If the student requires remediation, the staff member must coordinate with the student and his or her parent or guardian to revise the student's academic plan in order to ensure that he or she is prepared for college and career success before graduation.

The bill provides that the student's parent or guardian may elect to opt the student out of the meetings.

This bill is effective on July 1, 2017.

A.B. 275 (Chapter 214)

Assembly Bill 275 requires Nevada's Department of Education, to the extent money is available, to establish a statewide framework for providing and coordinating integrated student supports for public school students and their families. Among other requirements, the framework must establish a related protocol that must address certain areas delineated in the bill. Any request for proposals issued by a local educational agency for integrated student supports must require a provider to comply with the protocol.

The bill also makes certain requirements of school districts and charter schools related to integrated student supports, such as conducting an annual needs assessment, ensuring coordination among providers of such supports, and tracking the academic progress of students who receive such supports.

This bill is effective on July 1, 2017.

A.B. 372 (Chapter 314)

Assembly Bill 372 repeals the Uniform Athletes' Agents Act that is currently in statute and enacts the Revised Uniform Athlete Agents Act. Among other provisions, A.B. 372 requires an athlete agent—defined in the bill as an individual who has certain direct or indirect interactions or relationships with a student athlete—to hold a certificate of registration issued by the Secretary of State.

The bill specifies certain information that must be included in the application for such a certificate and also provides for reciprocal registration if an individual is registered as an athlete agent in another state. The Secretary of State may limit, suspend, revoke, or refuse to issue or renew a certificate of registration in certain instances.

Assembly Bill 372 further sets standards for the behavior of an athlete agent and provides that an agent who violates these standards is guilty of a misdemeanor and must pay restitution. The bill allows an educational institution or student athlete to bring an action for damages against an athlete agent in certain circumstances.

Finally, A.B. 372 requires certain information to be included in an agreement in which a student athlete authorizes a person to negotiate or solicit on his or her behalf a professional sports services contract or endorsement contract. The student athlete may cancel such an agreement within 14 days after it is signed, and both the student athlete and the athlete agent must provide notification of such an agreement to the athletic director of the educational

institution where the athlete is enrolled. An athlete agent also must notify the athletic director of certain preexisting relationships with a student athlete before communicating with a student athlete to influence him or her to enter into an agreement.

This bill is effective on July 1, 2017.

A.B. 491 (Chapter 488)

Assembly Bill 491 provides that when a child enters foster care or changes placement while in foster care, the agency providing child welfare services to the child must determine, in consultation with the local education agency (LEA), whether it is in the child's best interest to remain in his or her school of origin.

If it is determined the child should remain in the school of origin, the child welfare agency and the relevant LEA must provide the child with transportation to that school. If a dispute related to transportation arises between the agencies and is not resolved within five business days, the dispute must be resolved by court order.

If it is determined the child should attend a public school other than the school of origin, the child welfare agency must ensure that the child is enrolled in that school. A student who leaves foster care must be allowed to remain enrolled in his or her school of origin until the end of the school year, unless the parent or guardian of the student elects otherwise.

The bill further requires Nevada's Department of Education, each LEA, and each child welfare agency to designate a single point of contact for developing certain policies and procedures relating to children in foster care. The State Board of Education and each LEA must prepare reports concerning children in foster care who attend public school. In addition, a report related to the placement of a child must include information about the child's education.

Finally, the bill eliminates the Program of School Choice for Children in Foster Care and repeals a statute regarding deeming as homeless certain children in the custody of a child welfare agency.

This bill is effective on July 1, 2017.

S.B. 165 (Chapter 257)

Senate Bill 165 defines the term "obesity" as a chronic disease. In addition, S.B. 165 requires the board of trustees in each school district in a county whose population is 100,000 or greater (currently Clark and Washoe Counties) to measure the height and weight of a representative sample of pupils enrolled in grades 4, 7, and 10 in schools within the school district. The bill requires the Division of Public and Behavioral Health, Department of Health and Human Services, to compile a report of the results of the height and weight measurements by region and publish and disseminate the report. A copy must be submitted to the superintendent of each school district in a county whose population is 100,000 or greater. The Division also must submit an annual report regarding obesity to the Nevada Legislature.

This measure is effective on July 1, 2017.

S.B. 212 (Chapter 561)

Senate Bill 212 expands the scope of reporting to the Safe-to-Tell Program to include certain activities that are conducted or threatened by a student who is enrolled at a public school regardless of whether the conduct or threat occurs on school property or at a school-sponsored activity. This bill also establishes a team at each public school to receive and respond to reports submitted to the Program.

Senate Bill 212 further establishes requirements concerning the operation of the Program's support center. It expands the means by which reports can be received by the Program and requires the Director of the Office for a Safe and Respectful Learning Environment, Department of Education, to provide certain training.

Finally, this bill requires an emergency response plan for a school district or charter school—and the model plan developed by Nevada's Department of Education—to address the suicide of a student, teacher, or other member of the school community and to include provisions related to making counseling and other services available for students and school staff after a crisis, emergency, or suicide. The emergency response plan for a private school also must cover responding to a suicide. A State or local agency that provides mental health services must be contacted to help respond to a crisis, emergency, or suicide at any school.

This bill is effective on July 1, 2018.

S.B. 225 (Chapter 577)

Senate Bill 225 clarifies that statutes related to bullying and cyber-bullying apply to all public schools, including charter schools. It requires the statewide policy concerning a safe and respectful learning environment to include:

- Requirements and methods for addressing the rights and needs of persons with diverse gender identities or expressions; and

- Training for employees and governing bodies in the needs of students with disabilities, students with autism spectrum disorder, and persons with diverse gender identities or expressions.

This bill also:

- Allows a school administrator to defer a bullying investigation if a law enforcement agency is undertaking a related criminal investigation;

- Provides alternative measures when a bullying violation is caused by the disability of the student who committed the violation;

- Identifies certain persons to whom the bullying statute does not apply;

- Provides additional time for a school administrator to start or complete a bullying investigation under certain circumstances;

- Provides for an unfounded bullying allegation to be excluded from the alleged aggressor's record; and

- Authorizes private schools to voluntarily comply with statutory provisions concerning bullying and cyber-bullying.

This bill is effective on July 1, 2017.

S.B. 252 (Chapter 159)

Senate Bill 252 authorizes the Nevada Interscholastic Activities Association to, by regulation, allow a student who is enrolled in a charter, private, parochial, or public school to participate in a sanctioned sport or other interscholastic event at another public school. To be eligible to participate in an event at another school:

- A student's school must enroll not more than 30 students collectively in grades 9 through 12;

- The student must reside in the school district or zone of attendance of the public school offering the event;

- The event must not be offered at the student's school; and

- The board of trustees of the school district must provide approval.

This bill is effective on May 26, 2017, for the purposes of adopting regulations and performing any other administrative tasks and on July 1, 2017, for all other purposes.

S.B. 322 (Chapter 337)

Senate Bill 322 requires public high school students, with certain exceptions, to take a civics examination as a condition for graduation beginning in School Year (SY) 2019-2020. The questions on the exam will be identical to questions contained in the civics portion of the naturalization test adopted by the United States Citizenship and Immigration Services of the Department of Homeland Security. The test may be offered voluntarily beginning in SY 2018-2019.

The bill allows a waiver from the exam in certain instances for certain students, including students with disabilities, English learners, and other students who have shown good cause for a waiver.

Provisions of this bill requiring a school to administer the test are effective on July 1, 2019. All other provisions are effective on July 1, 2018.

S.B. 386 (Chapter 334)

Senate Bill 386 requires a public school's plan to provide for the progressive discipline of students to:

- Include the names of each member of the committee to review the temporary alternative placement of students;
- Provide for the temporary removal of a student from nonclassroom premises of a school; and
- Include a policy for school transportation, as adopted by the school district board of trustees.

On or before September 15 of each year, the school principal must distribute a copy of the plan to all educational personnel at the school and submit the plan to the school district superintendent.

The bill adds a school staff member to the relevant committee and specifies that a teacher or staff member who has served on the committee for two consecutive years or more is not eligible to be selected for membership. The committee must be convened if a teacher or staff member who removed a student disagrees with a principal's decision relating to the student's placement. Certain reports regarding committee proceedings must be submitted by school principals to their districts and by school districts to the Legislative Committee on Education.

This bill is effective on July 1, 2017.

S.B. 420 (Chapter 321)

Senate Bill 420 requires the board of trustees of each school district, the governing body of each charter school, the governing body of each university school for profoundly gifted pupils, and the Board of Regents of the University of Nevada to adopt a written policy for student publications, which:

- Establishes reasonable provisions governing the time, place, and manner for distribution;
- Protects the right of expression of student journalists; and
- Includes a disclaimer that content of such publications is not endorsed by the relevant educational institution or other related entities.

The policy also must prohibit certain content restrictions, as well as certain actions against advisers acting in the scope of their position and students acting in accordance with the policy.

ELECTIONS

A.B. 21 (Chapter 502)

Assembly Bill 21 relates to candidate qualifications and residency requirements. The bill provides the following remedies if a candidate fails to meet qualifications required for office or knowingly and willfully files a declaration or acceptance of candidacy that contains a false statement:

- Omitting the name of a candidate from a ballot unless the deadline for revising the ballot has passed, in which case a sign must be posted at each polling place informing voters the candidate is disqualified from taking office; and

- Disqualifying the person from entering into the duties of the office.

The bill revises candidate filing forms to include a statement that a candidate understands filing a false statement is a gross misdemeanor. The measure also clarifies, based on recent Nevada Supreme Court decisions, what constitutes a person's actual and legal domicile. The Secretary of State may establish forms of alternative proof of residence.

The measure clarifies that certain provisions relating to the filing of a declaration or acceptance of candidacy do not apply to candidates for federal office. It also codifies the authority of the Legislature, as set forth in various court rulings, to act with regard to its own members and provides that the Legislature is not subject to certain provisions. Finally, A.B. 21 specifies that campaign accounts must be established in financial institutions located in the United States.

This bill is effective on June 9, 2017, for the purpose of performing any preparatory administrative tasks and on July 1, 2017, for all other purposes.

A.B. 45 (Chapter 505)

Assembly Bill 45 revises provisions relating to election administration, including voter registration, campaign practices, and petitions. The bill provides that the last day an elector may register to vote for an election is determined by the method of registration. Specifically, to register to vote by mail, the elector must do so not later than the fourth Tuesday before an election day. For registering to vote by computer, the elector must do so not later than the Thursday before the early voting period begins. The measure specifies that the county or city clerk is not required to distribute a sample ballot to a person who registers to vote fewer than 20 days before an election. Assembly Bill 45 also provides that a nongovernmental entity that sends a notice to a person indicating that he or she is not registered to vote must state that the notice is not an official mailing from the Secretary of State or a county or city clerk.

With regard to campaign practices, A.B. 45 requires every candidate for office at a primary or general election to report the balance in an account maintained for contributions. The measure clarifies that campaign finance reporting requirements relating to a special election to recall a public officer apply even if the special election is not held. The bill also requires campaign

expenses paid using a credit or debit card to be reported in an itemized format for each transaction. Assembly Bill 45 amends the deadlines for filing campaign finance reports by requiring such reports to be filed on a quarterly basis during an election year. In nonelection years, annual contribution and expense reports must be filed not later than January 15.

Assembly Bill 45 provides that a petition for initiative or referendum may be withdrawn by an authorized person. Before circulating a petition for signatures, the circulator must submit to the Secretary of State his or her name, indicate whether a political action committee to advocate for the petition has been formed, and provide the names of not more than three people who are authorized to withdraw or submit an amended petition. Finally, A.B. 45 provides that if the last day to submit an initiative petition for signature verification to the county clerk falls on the day of the general election, the petition may be submitted the following working day.

Provisions relating to election administration are effective on July 1, 2017. Provisions relating to campaign finance reporting requirements are effective on January 1, 2018, for the purposes of adopting regulations and performing administrative tasks and on January 1, 2019, for all other purposes.

A.B. 392 (Chapter 133)

Assembly Bill 392 revises provisions relating to communications published in support of or in opposition to a candidate in an election. If a communication includes the name and address or other official contact information of a governmental entity, the communication must disclose that it was not endorsed by and is not an official publication of the State of Nevada or a political subdivision, as applicable. A governmental entity includes the State of Nevada or any agency, board, commission, or similar entity, as well as a public officer of the State or a political subdivision. The official name and address or other official contact information of a governmental entity is defined.

A.B. 418 (Chapter 348)

Assembly Bill 418 revises provisions relating to recounting ballots in contested elections and clarifies the grounds for contesting elections. The bill replaces existing provisions that require an initial recount of ballots be conducted in 5 percent of precincts, or at least three precincts, that voted in the election, and it replaces them with a requirement that in future contested elections, all ballots must be recounted. The measure also specifies that a recount must be conducted in the manner in which the ballots were originally tabulated. Voting records, including printed paper records, of votes cast on mechanical devices must be stored by the clerk and are not subject to inspection unless they are relevant to a contested election.

Finally, A.B. 418 provides that no person may be compelled to reveal under oath how he or she voted.

A.B. 478 (Chapter 94)

Assembly Bill 478 revises provisions relating to election administration. To vote in an election, the last day to register is determined by the method of registration as follows:

- By mail, the fourth Tuesday before an election day; and

- By computer, the Thursday before the early voting period begins.

Clerks are not required to distribute sample ballots to persons who register to vote fewer than 20 days before an election.

S.B. 117 (Chapter 195)

Senate Bill 117 requires each polling place to have a separate line for voters with disabilities or who are not physically able to wait in line to vote. Voters in this line must be permitted to vote before any voter who is not disabled and is physically able to wait in line. The bill sets forth an alternative to these provisions by requiring an election board officer at each polling place to allow voters with disabilities or who are not physically able to wait in line to move to the front of the line in order to vote.

S.B. 144 (Chapter 548)

Senate Bill 144 makes changes relating to voter registration, voting at the polls, and voting technology.

A person 17 years of age or older may preregister to vote if that person meets the residency requirement for a qualified elector and will be 18 years of age by the next election. This preregistration may be updated in the same manner as a standard voter registration; however, a clerk is not required to provide a sample ballot or other election materials until the person is eligible to vote.

A voter may use the federal postcard application to register to vote or request a military-overseas ballot, if the application is received by the seventh day before the election. A voter who does not receive a requested military-overseas ballot as a result of a change in duty station may request another ballot and may vote by facsimile, e-mail, or some other means approved by the Secretary of State.

A voter may sign a signature card when applying to vote rather than the roster of voters.

The Secretary of State must ensure that all public information on the Secretary's website is accessible on a mobile device. The site also must enable a person to submit to the Secretary of State any information or form relating to elections using a mobile device.

This bill is effective on June 12, 2017, for the purposes of adopting any necessary regulations and performing any preparatory administrative tasks and on January 1, 2018, for all other purposes.

S.B. 415 (Chapter 389)

Senate Bill 415 provides for the submission of a ballot question at the 2018 General Election seeking approval to amend the Sales and Use Tax Act of 1955 to provide an exemption for feminine hygiene products. If the ballot question is approved by the voters, these products will be exempt from all State and local sales and use taxes between January 1, 2019, and December 30, 2028.

Provisions of the measure relating to the submission of the ballot question at the 2018 General Election are effective on October 1, 2017. If the ballot question is approved by voters, the remaining provisions are effective on January 1, 2019, and expire by limitation on December 31, 2028.

S.B. 447 (Chapter 261)

Senate Bill 447 authorizes a registered voter with a physical disability or who is 65 years of age or older to submit a written request to the appropriate county or city clerk for receipt of an absent ballot for all elections at which the registered voter is eligible to vote. Upon receiving such a request, the voter will be issued an absent ballot for each election that is conducted after the date the written request is submitted. The measure specifies that if the county clerk receives the request, he or she also must inform the city clerk, and if the city clerk receives the request, he or she must inform the county clerk.

The bill also permits any registered voter to request and vote an absent ballot for all elections held during the year he or she requests the absent ballot. A written request for an absent ballot may be made by mail or via an approved electronic transmission.

Senate Bill 447 clarifies existing provisions relating to the written statement of a person who, at the request of the registered voter, either marks and signs an absent ballot or assists the voter in marking and signing his or her absent ballot. Finally, S.B. 447 provides that if a requester of a permanent absentee ballot becomes "inactive" or is removed from the voter rolls at some point after the request is made, the county clerk shall no longer mail that voter an absent ballot.

This measure is effective on July 1, 2017.

S.B. 491 (Chapter 124)

Senate Bill 491 authorizes counties whose population is fewer than 100,000—currently all counties other than Clark and Washoe Counties—to lease mechanical voting systems and mechanical recording devices from the Secretary of State without the option to purchase such systems and devices. Under the bill, the county would agree to maintain and insure the machines for the duration of the lease agreement, but the State would retain ownership. Like existing provisions authorizing a lease-purchase option for voting systems, this option would require a two-year agreement between the county and the Secretary of State, with an exclusive option for the county to extend the term of the agreement for like periods of two years at a time. The measure provides that the aggregate of rental payments under the

two-year agreement must not exceed 10 percent of the purchase price of the systems and devices described in the agreement. Only those mechanical voting systems and mechanical recording devices approved by the Secretary of State may be purchased, leased, or used in Nevada.

Finally, S.B. 491 specifies that all rental payments received under the available lease options must be deposited into a separate account in the State General Fund. The funds must be used to pay the costs of replacing aging and outdated mechanical voting systems and mechanical recording devices in the future.

This bill is effective on May 25, 2017.

S.B. 492 (Chapter 546)

Senate Bill 492 requires county and city clerks, under certain circumstances, to establish at least one polling place for the day of a primary or general election within the boundaries of an Indian reservation or colony at a location approved by the tribe. The request must be submitted by the tribe to the clerk as provided.

Clerks are required to establish at least one permanent polling place for early voting by personal appearance. Under certain circumstances, a clerk must establish at least one temporary polling place for early voting within the boundaries of an Indian reservation or colony.

In lieu of signing the roster when the voter applies to vote in person, a voter is permitted to sign a signature card.

In addition to providing materials in English and any other language necessary to comply with federal law, a clerk may provide voting materials in other languages if the clerk deems there is a significant and substantial need among a minority group that has been subject to historical discrimination and unequal educational opportunities.

This measure is effective on July 1, 2017, for the purposes of adopting any regulations and performing preparatory administrative tasks and on January 1, 2018, for all other purposes.

GAMING

A.B. 75 (Chapter 83)

Assembly Bill 75 makes various changes related to the regulation of gaming. The bill revises the definition of the term "manufacture" to include assuming responsibility for certain actions concerning the design, development, manufacture, and assembly of gaming devices, equipment, or systems either through acquisition or acceptance of legal responsibility for the performance of another manufacturer or independent contractor. The measure exempts persons who are already licensed as a manufacturer or distributor of gaming devices or systems from certain licensing requirements.

The bill authorizes the Nevada Gaming Commission to reject a gaming application in certain circumstances and provides that such a rejection does not constitute a finding of suitability or a denial of the application. Further, the measure authorizes the Commission to exempt a trustee of an employee stock ownership plan from certain requirements for gaming licensing and regulation.

The bill allows for the expenditures from the Nevada Gaming Control Board Revolving Account to exceed the authorized amount only if the Account is used to pass through expenses incurred by the Nevada Gaming Control Board for confidential investigations, and the money for payment of the expenses is derived from State or federal forfeiture funds. Lastly, the bill transfers certain duties from the Commission to the Board.

This bill is effective on July 1, 2017.

A.B. 219 (Chapter 286)

Assembly Bill 219 declares the historic and current importance of the gaming industry to Nevada, declares the value of both heritage tourism and redevelopment, and creates the Historic Las Vegas Gaming District. The bill also sets forth the boundaries of the District and requirements relating to how a property within the District may be deemed a "qualified parcel." The previous designation of this area as a gaming enterprise district expires on October 1, 2017.

S.B. 240 (Chapter 199)

Senate Bill 240 allows the Nevada Gaming Commission and the Nevada Gaming Control Board to establish by regulation the types of events, other than sporting events, horse races, or dog races, that may be suitable for pari-mutuel wagering.

This bill is effective on July 1, 2017.

S.B. 376 (Chapter 567)

Senate Bill 376 provides that certain information and data provided to State regulatory agencies by gaming applicants and licensees are confidential and privileged. The bill clarifies the privileged nature of such information and data when it is provided to such agencies in

connection with their regulatory, investigative, or enforcement authority and grants an applicant or licensee the privilege to refuse to disclose, and to prevent others from disclosing, this information or data. Finally, the bill clarifies that these provisions do not affect any occupation, profession, business, or industry other than the gaming industry regulated pursuant to the Nevada Gaming Control Act.

This bill is effective on June 12, 2017.

GENDER AND RACIAL EQUALITY

A.B. 99 (Chapter 9)

Assembly Bill 99 requires a private or public institution or agency authorized to care for children to treat a child consistent with his or her gender identity or expression. Employees of such facilities, including foster homes, foster care agencies, child care facilities, mental health facilities, juvenile justice detention centers, and emergency shelters must receive training on working with lesbian, gay, bisexual, transgender, and questioning (LGBTQ) children within 90 days of employment and annually thereafter.

In addition, the Division of Child and Family Services in the Department of Health and Human Services must adopt regulations that a court, including a juvenile court, must consider before placing a child in a child care or detention facility, or in a mental health or treatment facility. The bill also requires the Division to adopt regulations establishing protocols to ensure that children in the custody of child welfare agencies are placed appropriately given their gender identity or expression. These regulations shall be developed in consultation with LGBTQ children in the custody of child welfare agencies or the courts, representatives of child welfare agencies and facilities, courts, and LGBTQ organizations, in addition to advocates for children and other persons deemed appropriate by the Division.

Finally, the bill revises the way in which foster children are notified of their rights and requires the Division to establish a process for resolving grievances filed by children in the custody of child welfare agencies.

This bill is effective on April 11, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2017, for all other purposes.

A.B. 141 (Chapter 377)

Assembly Bill 141 changes the name of the Office of Minority Health in the Office for Consumer Health Assistance in the Department of Health and Human Services (DHHS) to the Office of Minority Health and Equity and converts it to an office within DHHS. The bill clarifies that the Manager of the Office serves at the pleasure of the Director of DHHS in the unclassified service of the State and provides administrative support to the Advisory Committee on Minority Health.

The bill also expands the definition of "minority group" to include persons with disabilities, persons who share the same sexual orientation, and transgender persons. The measure gives the Office of Minority Health and Equity authority to make policy recommendations and to engage in advocacy on behalf of minority groups with respect to certain health issues.

Assembly Bill 141 requires the Director of DHHS and the State Board of Health to appoint nine voting members to a restructured Advisory Committee on Minority Health with staggered two-year terms. The terms of the current Advisory Committee members are set by the bill to

expire on July 1, 2017. Finally, the Legislative Commission must appoint a legislator to serve as an ex officio, nonvoting member on the Advisory Committee.

This bill is effective on July 1, 2017.

A.B. 227 (Chapter 72)

Assembly Bill 227 removes the requirement for a legal union that is validly formed in another jurisdiction and is substantially equivalent to a domestic partnership to be registered with the Office of the Secretary of State. The bill also requires that such a legal union be recognized in this State and makes various conforming changes.

This bill is effective on July 1, 2017.

A.B. 229 (Chapter 167)

Assembly Bill 229 revises State law by authorizing the marriage of two persons, regardless of gender.

This bill is effective on July 1, 2017.

A.B. 423 (Chapter 434)

Assembly Bill 423 requires the Secretary of State, in consultation with the Nevada Commission for Women, to design and conduct an annual survey of businesses that are applying for or renewing a State business license to collect data and information related to issues of gender equality in the workplace. The Office of the Secretary of State shall make available on its website the responses to the survey and aggregate data relating to the survey. The bill provides that a business is not required to respond to the survey, and neither the Secretary of State nor the Nevada Commission for Women may penalize or otherwise take any adverse action against a business that does not respond to the survey. If responses are provided, the survey is signed under the penalty of perjury. The Secretary of State shall annually compile the responses to the survey received during the immediately preceding year into a report and submit the report to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature or, if the Legislature is not in session, to the Legislative Commission.

Finally, the bill appropriates $159,134 during the 2017-2019 Biennium from the State General Fund to the Department of Administration for the costs of employing a Management Analyst to assist the Nevada Commission for Women in carrying out its duties and responsibilities.

This bill is effective on July 1, 2017, and expires by limitation on December 31, 2022.

S.B. 110 (Chapter 107)

Senate Bill 110 waives the requirement for a person to publish personal information in a newspaper for several weeks concerning a petition to change the person's name if the stated reason for the change is to conform the person's name to their gender identity.

This bill is effective on May 24, 2017.

S.B. 188 (Chapter 197)

Senate Bill 188 defines the terms "gender identity or expression" and "sexual orientation" and makes these definitions applicable to the *Nevada Revised Statutes* as a whole. Further, the bill revises provisions of existing law that prohibit various types of discrimination and discriminatory practices to include gender identity or expression and sexual orientation.

Among other provisions, the bill:

- Revises the circumstances under which murder of the first degree may be aggravated by adding the circumstance if the murder was committed upon the person because of the person's actual or perceived gender identity or expression;

- Prohibits a polygraph examiner or intern from inquiring about the sexual orientation or gender identity or expression of the person examined unless such information is germane to the issue under investigation and the inquiries are made at the request of the examinee; and

- Prohibits an insurer that uses a consumer credit report from calculating an insurance score based on a person's sexual orientation or gender identity or expression.

This bill is effective on July 1, 2017.

S.B. 201 (Chapter 23)

Senate Bill 201 prohibits a psychotherapist from providing sexual orientation or gender identity conversion therapy to a person who is under 18 years of age.

This bill is effective on May 17, 2017, for the purposes of adopting regulations and performing any other necessary preparatory administrative tasks and on January 1, 2018, for all other purposes.

S.B. 225 (Chapter 577)

Senate Bill 225 clarifies that statutes related to bullying and cyber-bullying apply to all public schools, including charter schools. It requires the statewide policy concerning a safe and respectful learning environment to include:

- Requirements and methods for addressing the rights and needs of persons with diverse gender identities or expressions; and

- Training for employees and governing bodies in the needs of students with disabilities, students with autism spectrum disorder, and persons with diverse gender identities or expressions.

This bill also:

- Allows a school administrator to defer a bullying investigation if a law enforcement agency is undertaking a related criminal investigation;

- Provides alternative measures when a bullying violation is caused by the disability of the student who committed the violation;

- Identifies certain persons to whom the bullying statute does not apply;

- Provides additional time for a school administrator to start or complete a bullying investigation under certain circumstances;

- Provides for an unfounded bullying allegation to be excluded from the alleged aggressor's record; and

- Authorizes private schools to voluntarily comply with statutory provisions concerning bullying and cyber-bullying.

This bill is effective on July 1, 2017.

A.J.R. 2 (File No. 17)

Assembly Joint Resolution No. 2 proposes to amend the *Nevada Constitution* to provide that the State of Nevada and its political subdivisions shall recognize marriages of and issue licenses to couples, regardless of gender. All legally valid marriages shall be treated equally under the law. The resolution also proposes to repeal existing provisions that only a marriage between a male person and female person may be recognized and given effect in Nevada. Finally, the resolution specifies that religious organizations and members of the clergy have the right to refuse to solemnize a marriage, and no person has the right to make any claim against a religious organization or member of the clergy for refusing to perform a marriage.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

HEALTH AND HUMAN SERVICES

A.B. 141 (Chapter 377)

Assembly Bill 141 changes the name of the Office of Minority Health in the Office for Consumer Health Assistance in the Department of Health and Human Services (DHHS) to the Office of Minority Health and Equity and converts it to an office within DHHS. The bill clarifies that the Manager of the Office serves at the pleasure of the Director of DHHS in the unclassified service of the State and provides administrative support to the Advisory Committee on Minority Health.

The bill also expands the definition of "minority group" to include persons with disabilities, persons who share the same sexual orientation, and transgender persons. The measure gives the Office of Minority Health and Equity authority to make policy recommendations and to engage in advocacy on behalf of minority groups with respect to certain health issues.

Assembly Bill 141 requires the Director of DHHS and the State Board of Health to appoint nine voting members to a restructured Advisory Committee on Minority Health with staggered two-year terms. The terms of the current Advisory Committee members are set by the bill to expire on July 1, 2017. Finally, the Legislative Commission must appoint a legislator to serve as an ex officio, nonvoting member on the Advisory Committee.

This bill is effective on July 1, 2017.

A.B. 203 (Chapter 77)

Assembly Bill 203 clarifies that a cemetery authority is not permitted to order the disinterment and removal of human remains from certain burial plots. The bill removes a cemetery authority's ability to determine unilaterally that the further maintenance of all or any part of the cemetery as a burial place is not in accordance with the health, safety, comfort, or welfare of the public.

Before the cemetery authority may order the disinterment and removal of human remains, the governmental authority is required to make certain determinations related to the possible restoration or future maintenance of the cemetery. The measure clarifies certain provisions related to the time in which a cemetery authority may proceed to remove the remains and reinter them. Remains must be reinterred within one year after the date on which they are disinterred.

The bill authorizes the district attorney of the county in which a cemetery that is not owned by a city or county is located, or a relative of any person interred in such a cemetery, to maintain an action in court to enforce the requirement that the cemetery be kept in an orderly condition. The court is authorized, upon finding that the owner of a cemetery has not complied with that requirement, to: (1) order the owner to take any action necessary to bring the cemetery into an orderly condition; or (2) under certain circumstances, transfer the title to the cemetery to the city or county in which the cemetery is located, if the city or county accepts such a transfer.

A city or county to which title to a cemetery is transferred is required to operate or provide for the operation of the cemetery.

This bill is effective on May 23, 2017.

A.B. 214 (Chapter 142)

Assembly Bill 214 requires the Division of Public and Behavioral Health, Department of Health and Human Services, to establish a program to encourage participation in clinical trials of drugs and medical devices by persons who are members of demographic groups that are underrepresented in such trials. This bill also requires each State or local governmental entity that conducts such trials to adopt a policy concerning the identification and recruitment of such persons to participate in those trials.

This bill is effective on July 1, 2017.

A.B. 304 (Chapter 280)

Assembly Bill 304 requires the Autism Treatment Assistance Program within the Aging and Disabilities Services Division of the Department of Health and Human Services to provide and coordinate services for certain individuals who are "diagnosed or determined" to have an autism spectrum disorder. In addition, the measure revises the definition of the term "autism spectrum disorder" to mean a condition that meets the diagnostic criteria for autism spectrum disorder published in the current edition of the *Diagnostic and Statistical Manual of Mental Disorders* published by the American Psychiatric Association or the edition of the *Manual* that was in effect at the time the condition was diagnosed or determined.

In addition, A.B. 304 requires certain health insurers to reimburse an early intervention agency that performs certain services related to screening for and diagnosis and treatment of autism spectrum disorders to certain young people covered by the insurer.

This bill is effective on July 1, 2017.

A.B. 424 (Chapter 315)

Assembly Bill 424 requires that a determination of brain death be made in accordance with the guidelines set forth in "Evidence-based Guideline Update: Determining Brain Death in Adults: Report of the Quality Standards Subcommittee of the American Academy of Neurology," published in *Neurology* by the American Academy of Neurology on June 8, 2010, or subsequent revisions approved by the Academy; or "Guidelines for the Determination of Brain Death in Infants and Children: An Update of the 1987 Task Force Recommendations," published in *Pediatrics* by the Pediatric Section of the Society of Critical Care Medicine, or subsequent revisions approved by the Pediatric Section.

Consent from the person's authorized representative or authorized family member is not required to make a determination of brain death. However, the bill requires reasonable efforts to be made to inform the person's family or authorized representative of such a determination.

The measure prohibits withdrawal of organ-sustaining treatment from a person determined to be brain dead, if that person: (1) is pregnant and it is probable that the pregnancy will result in a live birth with continued use of organ-sustaining treatment; or (2) is an organ donor.

Finally, the bill requires the health care facility to inform the person's family or authorized representative that the cost for continued administration of organ-sustaining treatment for the person declared brain dead may become the responsibility of the person's estate or family.

S.B. 122 (Chapter 164)

Senate Bill 122 establishes the Account for Family Planning in the State General Fund. The Account is administered by the Division of Public and Behavioral Health, Department of Health and Human Services. Money in the Account must be used to award grants to local governmental entities and nonprofit organizations to provide certain family planning services. Grants must be awarded based on a community's need and the local government or nonprofit organization's ability to deliver services effectively.

This measure is effective on May 26, 2017, for the purposes of adopting regulations and performing other administrative tasks and on January 1, 2018, for all other purposes.

S.B. 136 (Chapter 316)

Senate Bill 136 establishes within the Department of Health and Human Services the Palliative Care and Quality of Life Consumer and Professional Information and Education Program. The bill also creates within the Department the Advisory Council on Palliative Care and Quality of Life for the purpose of: (1) consulting with and advising the Department on matters related to the establishment, maintenance, operation, and outcomes of palliative care programs and initiatives in this State; and (2) advising and assisting in the creation and carrying out of the Program.

The Department is required to maintain a website with links to appropriate external websites offering information concerning: (1) the delivery of palliative care in the home and in primary, secondary, and tertiary environments; (2) best practices for the delivery of palliative care; and (3) education materials and referral information for palliative and hospice care.

On or before January 1, 2018, the Department shall encourage all hospitals, assisted living facilities, and facilities for skilled nursing within this State with 100 beds or more to educate their physicians, nurses, and clinical staff members regarding palliative care and provide information to patients or residents regarding palliative care.

This bill is effective on July 1, 2017.

S.B. 295 (Chapter 225)

Senate Bill 295 makes various changes to cemetery endowment care funds. It provides that each cemetery required to establish and maintain an endowment care fund also must operate as an endowment care cemetery and adhere to requirements applicable to such a cemetery. The

trustee of an endowment care fund must make monthly distributions from the fund if no other instruction is provided by the cemetery authority. In addition, the bill authorizes a cemetery authority to: (1) operate an endowment care fund as a unitrust or to cease operating the fund as such; or (2) change the method, rate, or frequency of the distributions from the fund.

S.B. 323 (Chapter 332)

Senate Bill 323 makes various changes to the Supplemental Nutrition Assistance Program. Specifically, the bill requires the Department of Health and Human Services (DHHS) to:

- Calculate the 36-month period for determining a person's eligibility for the program such that it begins and ends on fixed dates that are the same for each beneficiary in the State and runs continuously;

- Seek a work requirement waiver whenever this State or a portion thereof is eligible for such a waiver;

- Establish a voluntary workfare program to assist beneficiaries in meeting work requirements; and

- Authorize the Division of Welfare and Supportive Services, DHHS, to give priority of work requirement waivers to certain classifications of recipients, such as veterans or people who are responsible for child support.

In addition, the measure states that the Division may consider contracting with appropriate persons and entities to determine whether beneficiaries are exempt from work requirements.

This measure is effective on June 3, 2017, for the purposes of adopting regulations, authorizing DHHS to consult with certain persons and entities, and performing other administrative tasks. It is effective on July 1, 2017, for all other purposes.

S.B. 355 (Chapter 495)

Senate Bill 355 creates the Grief Support Trust Account in the State General Fund. The Director of the Department of Health and Human Services is required to administer the Account. The measure increases the fee charged for a copy of a death certificate by 50 cents with the funds being deposited in the Account. Money in the Account must be used to support nonprofit community organizations that provide grief services to children, parents, and adult caregivers.

This measure is effective on June 8, 2017, for the purposes of adopting regulations and performing other preparatory administrative tasks and on July 1, 2017, for all other purposes.

S.B. 400 (Chapter 498)

Senate Bill 400 authorizes the Director of the Department of Health and Human Services to enter into success contracts with a local government or a person to accomplish any purpose within the jurisdiction of the Department. The bill sets forth the required components of a

success contract and requires any success contract to be competitively bid based on a request for proposals from the Department. The Director must, before entering into a contract, make certain determinations and, after entering into the contract, publish the rationale for doing so on its website. The Success Contract Account is created in the State General Fund to be administered by the Director, and the Department is authorized to apply for and accept gifts, grants, and donations.

The Director must submit a biennial report to the Legislature each October before a legislative session, identifying each success contract in the past two years and detailing its outcomes and cost savings.

This measure is effective on June 8, 2017, for the purposes of adopting regulations and performing any necessary preliminary administrative tasks and on January 1, 2018, for all other purposes.

S.B. 509 (Chapter 303)

Senate Bill 509 authorizes the Division of Health Care Financing and Policy of the Department of Health and Human Services, after polling the operators of agencies to provide personal care services in the home and the operators of certain medical facilities in an operator group and receiving an affirmative vote from at least 67 percent of the group, to impose by regulation an assessment on those operators. The revenue generated must be expended to increase payments to Medicaid providers, unless new federal laws or regulations are enacted or adopted prohibiting the use of such revenue for these purposes.

The bill requires the Division to adopt regulations establishing administrative penalties for failure to pay an assessment. If an operator fails to pay a penalty or assessment within 30 days of the date on which it is due, the Division may deduct the unpaid amount from future payments owed to the operator by Medicaid. Before doing so, the Division must notify the operator of the intended deduction and may negotiate a payment plan.

This measure is effective on June 1, 2017.

Children

A.B. 95 (Chapter 90)

Assembly Bill 95 provides that a parent or other person who receives Temporary Assistance for Needy Families (TANF) for the benefit of a dependent child does not incur a debt for child support during the period in which he or she receives such assistance, unless a court finds that the person remained purposefully unemployed. In addition, any child support debt incurred prior to receiving TANF is held in abeyance while the person receives such assistance.

This bill is effective on July 1, 2017.

A.B. 176 (Chapter 149)

Assembly Bill 176 requires the operator of a seasonal or temporary recreation program to ensure that each program site has a complete first-aid kit on-site, an emergency exit plan, and at least one staff member or volunteer on-site and available during the hours of operation who is certified in the use and administration of first aid, including cardiopulmonary resuscitation.

The program operator must complete, for each program staff member, a background and personal history check and a child abuse and neglect screening through the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child. A staff member who has been convicted of certain crimes or has had a substantiated report of child abuse or neglect filed against him or her must be terminated after affording the person an opportunity to correct the information. In addition, the program operator is required to maintain certain records regarding program staff.

A.B. 236 (Chapter 92)

Assembly Bill 236 authorizes certain employees of an agency that provides child welfare services to request from a public or private school or school district the education records concerning a child in the agency's custody. The bill prohibits an agency or employee who makes such a request from disclosing the records except as authorized by law. A public or private school or school district must comply with such a request. Failure to comply may result in the board of trustees or governing body being joined as a party in the proceeding concerning the protection of the child.

This bill is effective on July 1, 2017.

A.B. 278 (Chapter 371)

Assembly Bill 278 creates the Committee to Review Child Support Guidelines and requires the Committee to review existing child support guidelines established in this State and provide any recommendations for revisions to the Administrator of the Division of Welfare and Supportive Services of the Department of Health and Human Services by July 1, 2018. The Committee must review the guidelines at least once every four years.

The Administrator is required to review and consider any recommendations of the Committee and adopt regulations establishing the child support guidelines. The bill repeals existing law concerning the general formula for calculating child support and certain related provisions, and the repeal becomes effective on the effective date of the regulations adopted by the Administrator.

Provisions concerning the child support guidelines to be adopted by the Administrator and the repeal of existing guidelines are effective on the effective date of the adopted regulations. Other provisions of the bill are effective on June 4, 2017.

A.B. 340 (Chapter 48)

Assembly Bill 340 requires the Director of the Department of Health and Human Services to appoint a committee to research opportunities to increase the availability of diapers and diapering supplies to certain recipients of public assistance and low-income families. The committee must report the results of its research and any recommendations for legislation to the Legislature. The Director is authorized to take all necessary action to increase the availability of diapers and diapering supplies and must work collaboratively with diaper banks and similar nonprofit organizations to ensure recipients of public assistance and other low-income families are aware of such organizations and the services they provide.

This bill is effective on July 1, 2017.

A.B. 346 (Chapter 312)

Assembly Bill 346 authorizes a person or governmental entity that wishes to operate or operates a small child care establishment to register with the Division of Welfare and Supportive Services of the Department of Health and Human Services (DHHS). The bill prohibits a person from serving as the operator of a registered small child care establishment if the person has been convicted of certain crimes or has had a substantiated report of child abuse or neglect. In addition, the bill requires the operator of a registered small child care establishment to conduct criminal history background checks for employees and certain residents of the establishment at least once every five years. Assembly Bill 346 also authorizes the Division of Public and Behavioral Health, DHHS, to inspect small child care establishments, whether registered or not, and to impose fines for certain violations.

This bill is effective on July 1, 2017.

S.B. 2 (Chapter 152)

Senate Bill 2 provides anonymity to a parent who delivers a child to a provider of emergency services under the Safe Haven Law, unless there is reasonable cause to believe that the child has been abused or neglected. The bill also removes the right of such a parent to notice that the child has been placed in protective custody and to proceedings related to the termination of parental rights. The nondelivering parent retains the right to such notice if the parent's location is known and to notice by publication if unknown.

S.B. 46 (Chapter 218)

Senate Bill 46 expands the list of offenses the Division of Public and Behavioral Health, Department of Health and Human Services, must identify as part of a background check for an applicant for a license to operate a child care facility, employees or certain adult residents of such facilities, or a participant in an outdoor youth program. Offenses newly required to be included in background checks include any crime against a child, arson, assault, battery, kidnapping, and certain drug-related offenses.

This measure is effective on July 1, 2017.

S.B. 165 (Chapter 257)

Senate Bill 165 defines the term "obesity" as a chronic disease. In addition, S.B. 165 requires the board of trustees in each school district in a county whose population is 100,000 or greater (currently Clark and Washoe Counties) to measure the height and weight of a representative sample of pupils enrolled in grades 4, 7, and 10 in schools within the school district. The bill requires the Division of Public and Behavioral Health, Department of Health and Human Services, to compile a report of the results of the height and weight measurements by region and publish and disseminate the report. A copy must be submitted to the superintendent of each school district in a county whose population is 100,000 or greater. The Division also must submit an annual report regarding obesity to the Nevada Legislature.

This measure is effective on July 1, 2017.

S.B. 189 (Chapter 587)

Senate Bill 189 revises various provisions related to child care facilities. Among other things, the bill:

- Revises training requirements for facility employees;
- Expands background check requirements for certain employees, residents, and participants of such facilities;
- Requires an employee, license applicant or a licensee, resident, or participant of such a facility to provide notification within 24 hours of being charged with or convicted of certain crimes to the applicant or licensee who is then required to notify the Division of Public and Behavioral Health of the Department of Health and Human Services;
- Requires the Division to establish by regulation a rating system that assigns a letter grade to each facility based on certain inspections, including compliance with laws and regulations as to the health, safety, and welfare of children in the care of the facility;
- Authorizes the Division to impose certain administrative sanctions for violations of law or regulation related to the licensure of a facility; and
- Requires the Legislative Auditor to provide certain information to a facility's licensing entity following an inspection, review, or survey that finds deficiencies in policies and procedures that may be detrimental to the health, safety, or welfare of children in its care.

This bill is effective on June 14, 2017, for the purposes of adopting regulations and performing other preparatory tasks and on January 1, 2018, for all other purposes.

S.B. 237 (Chapter 182)

Senate Bill 237 requires a court to consider whether a child welfare agency has created an in-home safety plan for the protection of a child as part of its efforts to preserve and reunify a child with his or her family.

This measure is effective on July 1, 2017.

S.B. 257 (Chapter 457)

Senate Bill 257 provides, with respect to the education and vocational training of a foster child, the right for the child to have reasonable access to participate in extracurricular, cultural, and personal enrichment activities. The measure creates the Normalcy for Foster Youth Account in the State General Fund to be administered by the Division of Child and Family Services of the Department of Health and Human Services. Any money in the account may be used to:

- Provide monetary support to a provider of foster care who offers a child the opportunity to participate in extracurricular, cultural, or personal enrichment activities; and
- Award grants to agencies that provide child welfare services or nonprofit organizations that provide similar opportunities to children in foster care to participate in such activities.

Finally, the measure provides civil and criminal immunity for a person with whom a child has been placed when approving or allowing a child to participate in extracurricular, cultural, and personal enrichment activities if the person acted in accordance with a standard based on the "reasonable and prudent parent standard."

This measure is effective on July 1, 2017.

S.B. 287 (Chapter 338)

Senate Bill 287 requires employees and volunteers of public and private schools to report certain information regarding abuse, neglect, and certain other prohibited acts against a child.

The bill requires all employees of and volunteers for a public or private school, regardless of whether they are licensed, to report suspect abuse or neglect of a child by a person responsible for the child's welfare. In addition, employees and volunteers must make a report within 24 hours if, in that capacity, they know or have reasonable cause to believe that a child has been subjected to certain sexual conduct, luring, prohibited corporal punishment, or abuse or neglect. Reports must be made to an agency that provides child welfare services and/or a law enforcement agency, as appropriate, and such reports will be assessed, and if appropriate, investigated. Failure to report is a misdemeanor or gross misdemeanor. The school police and the law enforcement agency are required to notify each other regarding certain offenses.

Reports and investigations of abuse, neglect, sexual conduct, luring, and prohibited corporal punishment are confidential. If a report is substantiated, the investigating agency must forward the report to the Department of Education, the governing body of the school or the school district, law enforcement, and the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child.

Senate Bill 287 also requires volunteers at public schools and employees and volunteers at private schools to undergo certain background checks. The bill authorizes certain information obtained by background checks to be used in making personnel decisions.

This measure is effective on July 1, 2017.

S.B. 305 (Chapter 242)

Senate Bill 305 requires a court to appoint an attorney to represent a child who is alleged to have been abused or neglected in civil child protection proceedings and in proceedings to terminate parental rights. A child is deemed to be a party to such proceedings. The bill provides for the compensation of the appointed attorney and prohibits the court from appointing an attorney who also serves as the child's guardian ad litem. In addition, S.B. 305 increases from $3 to $6 the maximum fee a board of county commissioners may impose for recording certain documents to fund the provision of legal services to abused and neglected children.

S.B. 325 (Chapter 593)

Senate Bill 325 requires the Director of the Department of Health and Human Services to include in the State Plan for Medicaid and the Children's Health Insurance Program authorization for certain lawfully residing children under 19 years of age, who have resided in the United States for fewer than five years, to enroll in these programs. The measure allows for the reduction or elimination of certain benefits to these children in response to certain changes in federal law.

This measure is effective on July 1, 2017.

S.B. 326 (Chapter 55)

Senate Bill 326 requires a child care facility, to the extent authorized by federal law, to give priority admission to a child whose:

- Parent or guardian is serving on active duty in the Armed Forces;
- Parent was killed or died as a direct result of injuries received while serving honorably on active duty; or
- Parent is currently or was recently missing in action or a prisoner of war.

This measure is effective on July 1, 2017.

S.B. 480 (Chapter 264)

Senate Bill 480 requires certain health care providers to notify a child welfare agency if the provider knows or has reasonable cause to believe that an infant is affected by a fetal alcohol spectrum disorder or prenatal substance abuse—regardless of whether the substance use was legal or illegal. The bill amends existing State law to align it with certain requirements of the federal Child Abuse Prevention and Treatment Act.

This measure is effective on July 1, 2017.

Controlled Substances and Prescription Drugs

A.B. 381 (Chapter 281)

Assembly Bill 381 prohibits certain health insurers from moving a prescription drug from a lower cost tier to a higher cost tier within their formulary under certain circumstances. The bill provides that for individual plans, a drug may be moved from a lower tier to a higher tier on January 1 of a calendar year and, for small employer plans, on January 1 and July 1 of a calendar year, with certain exceptions. Such an insurer may add or remove a drug from a formulary at any time. However, a pharmacist may substitute a generic drug for a drug prescribed by brand name or an interchangeable biological product for a biological product prescribed by brand name.

This bill is effective on January 1, 2019.

A.B. 428 (Chapter 398)

Assembly Bill 428 authorizes a pharmacist to furnish an opioid antagonist without a prescription under certain circumstances. In addition, the bill prohibits the development of standardized procedures and protocols that prevent a pharmacist from dispensing an opioid antagonist without a prescription.

This bill is effective on June 5, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2017, for all other purposes.

A.B. 473 (Chapter 350)

Assembly Bill 473 extends until June 30, 2019, provisions authorizing the Department of Health and Human Services to impose on certain atypical and typical antipsychotic, anticonvulsant, and antidiabetic medications the same restrictions that are imposed on drugs on the list of preferred prescription drugs for the Medicaid program.

This bill is effective on June 4, 2017.

A.B. 474 (Chapter 605)

Assembly Bill 474 makes various changes related to prescribing and dispensing controlled substances. Specifically, it revises certain provisions concerning the prescription drug monitoring program (PDMP), authorizing certain occupational licensing boards to access the PDMP database and requiring them to review and evaluate certain information and impose disciplinary action. Occupational licensing boards may suspend the authority of a practitioner to prescribe, administer, or dispense a controlled substance in certain circumstances. In addition, the bill revises various provisions governing the accessibility of health care records in certain investigations.

Assembly Bill 474 requires a practitioner, other than a veterinarian, who intends to prescribe or dispense a controlled substance listed in schedule II, III, or IV to consider certain factors, take certain actions, and document certain information before initiating such a prescription. Additionally, it revises the information that must be included on certain written

prescriptions and requires certain individuals to report a drug overdose or suspected drug overdose to the Chief Medical Officer.

This bill is effective on June 16, 2017, for the purposes of adopting regulations and performing other administrative tasks and on January 1, 2018, for all other purposes.

S.B. 59 (Chapter 219)

Senate Bill 59 requires a law enforcement officer who has probable cause to believe certain violations concerning prescribed controlled substances have occurred or who receives a report of a stolen prescription for a controlled substance while acting in an official capacity in the regular course of an investigation to report certain information to his or her employer. A coroner, medical examiner, or deputy thereof who determines a person died as the result of using a prescribed controlled substance must upload certain information to the State's prescription monitoring program database or report such information to someone who can upload it. The employer of a law enforcement officer, coroner, or medical examiner who receives such a report must upload the report to the database as soon as practicable and may postpone uploading it if such action will interfere with an active criminal investigation. A law enforcement officer, coroner, or medical examiner who makes a good faith effort to comply with these requirements is immune from civil and criminal liability for any act or omission relating to the transmission of this information. Finally, the bill expands the scope of the prescription monitoring program to also track each prescription for a controlled substance listed in schedule V.

This measure is effective on July 1, 2017.

S.B. 91 (Chapter 153)

Senate Bill 91 creates the Prescription Drug Donation Program by combining the HIV/AIDS Drug Donation Program and the Cancer Drug Donation Program. The new Prescription Drug Donation Program authorizes a person or governmental entity to donate any prescription drug, except marijuana and certain drugs for which a patient must register with the manufacturer, at a pharmacy, medical facility, health clinic, or other provider of health care that participates in the Program. Such participants may impose a handling fee upon patients who receive a donated prescription drug and must comply with specific requirements regarding the acceptance, distribution, and dispensing of these drugs.

This measure is effective on May 26, 2017, for the purposes of adopting regulations and performing any other preparatory administrative tasks and on January 1, 2018, for all other purposes.

S.B. 131 (Chapter 112)

Senate Bill 131 requires a retail community pharmacy that dispenses a drug to: (1) notify the person to whom the drug is dispensed of the availability of a prescription reader; and (2) upon request, provide to that person a prescription reader or directions or advice on obtaining a prescription reader.

This bill is effective on January 1, 2018.

S.B. 159 (Chapter 221)

Senate Bill 159 prohibits a person from knowingly selling or offering to sell a substance containing dextromethorphan, a common ingredient in cough syrup, to a minor under certain circumstances. It also prohibits a minor from knowingly purchasing a substance containing the drug. A retail establishment must, before selling such a substance, demand a valid identification if the purchaser appears to be under 25 years of age. The bill also prohibits a local government from enacting a local ordinance or regulation that conflicts with this bill or further regulates the sale, receipt, or possession of dextromethorphan.

S.B. 171 (Chapter 339)

Senate Bill 171 requires a retail community pharmacy to post in a conspicuous place on the premises of the pharmacy, or provide upon request, written instructions for safely disposing of unused drugs.

S.B. 539 (Chapter 592)

Senate Bill 539 requires the Department of Health and Human Services to annually compile and post on its website a list of drugs essential for treating diabetes, along with certain pricing and related information. Drug manufacturers included on the list also are required to submit an annual report to the Department.

Pharmacy benefit managers (PBMs) are required to report to the Department information concerning rebates negotiated with the manufacturers of prescription drugs included on the list. In addition, S.B. 539 clarifies that a PBM has a fiduciary duty to an insurer with which it contracts to manage prescription drug coverage and prohibits PBMs from engaging in certain practices.

The measure requires an insurer that issues a plan of individual health insurance and uses a formulary to provide a notice of any essential diabetes drugs that have been or will be removed from the formulary during the current or next plan year. The bill requires drug manufacturers to provide to the Department a list of pharmaceutical sales representatives and requires each representative on the list to submit an annual report. The Department is authorized to adopt any regulations concerning the reporting of information for inclusion on the Department's website.

A nonprofit organization that advocates for patients or funds medical research is required to provide information concerning payments, donations, and anything else of value received from a manufacturer, and that information must either be posted on its website or provided to the Department for posting on its website.

Finally, the measure requires private schools to allow a pupil who has asthma, anaphylaxis, or diabetes to carry and self-administer medication to treat his or her disorder while in school, participating in school activities, or on a school bus.

This bill is effective on June 15, 2017, for the purposes of adopting regulations and performing any administrative tasks necessary to carry out the provisions of this bill and on the following dates for all other purposes:

- July 1, 2017, for pupils to carry and self-administer certain medications;

- October 1, 2017, for the purposes of submitting annual reports and certain pricing information to the Department from drug manufacturers and pharmaceutical sales representatives;

- January 1, 2018, for insurers using a formulary to provide notices of drugs that have been or will be removed from the formulary; and

- May 1, 2018, for making certain information available on the Department's website.

Marijuana

A.B. 422 (Chapter 540)

Assembly Bill 422 transfers the responsibility for regulating medical marijuana establishments, owners, and agents from the Division of Public and Behavioral Health (DPBH), Department of Health and Human Services, to the Department of Taxation. The measure also revises certain procedures for renewal applications of a medical marijuana establishment and individuals with ownership interests in a medical marijuana establishment. Further, the bill requires the Department of Taxation to consider the diversity of a proposed owner, officer, or board member of a medical marijuana establishment on the basis of race, ethnicity, or gender during the certification process.

The bill prohibits impracticable regulations on dual license holders and prohibits a local government from enacting or enforcing any ordinance that is more restrictive than State law relating to matters such as packaging, testing, dosage, type of products to be sold, pesticide use, tracking, and transportation of products. The bill enacts a cap of 3 percent of gross revenue for a license tax that local governments can charge in addition to certain other taxes and fees.

An independent marijuana testing laboratory must be accredited pursuant to standards developed by the International Organization for Standardization and must be able to demonstrate the validity and accuracy of the testing methods used. Additionally, the bill authorizes excess program funds to be used by the Nevada System of Higher Education for research on alcohol and drug abuse.

Assembly Bill 422 retains the medical marijuana registry program within DPBH and eliminates the requirement for the Central Repository for Nevada Records of Criminal History to conduct a criminal history check for registry card applicants. The bill requires an applicant's attending provider of health care to maintain certain documentation and allows the health care provider to select a time period of either one or two years for the issuance of a registry identification card. The measure requires the Administrator of DPBH to adopt regulations necessary to carry out provisions governing the issuance and regulation of registry identification cards and the holders of such cards. The bill also lowers the maximum fee for processing and issuing a

registry identification card from $75 per year to $50 per year and eliminates the initial $25 fee for requesting an application. Further, the bill repeals portions of *Nevada Revised Statutes* 453A.200 concerning the prospective expiration of the ability for a valid medical marijuana registry card holder to cultivate marijuana.

Assembly Bill 422 restricts to 1 ounce the amount of marijuana a medical dispensary may sell to a person in a single transaction. The bill allows, but does not require, a medical marijuana dispensary to track the purchases of marijuana for medical purposes to ensure the person does not exceed the legal limits on the possession of marijuana for medical purposes. Medical marijuana establishments must install video systems that meet certain minimum requirements and are accessible by law enforcement entities.

Finally, A.B. 422 prohibits a medical or recreational marijuana establishment from dispensing or selling marijuana products from a vending machine.

The provisions of the bill prohibiting the sale of marijuana by vending machine at recreational marijuana establishments are effective on January 1, 2020. Provisions relating to certain background checks for prospective owners, officers, and board members are effective on June 12, 2017. The bill's remaining provisions are effective on June 12, 2017, for the purposes of adopting regulations and performing administrative tasks and on July 1, 2017, for all other purposes.

S.B. 344 (Chapter 539)

Senate Bill 344 revises various provisions concerning the production, packaging, and labeling of edible marijuana products and marijuana-infused products, which are applicable to both medical marijuana establishments and recreational marijuana establishments.

Additional requirements are set forth for recreational marijuana establishments, including:

- Requiring each marijuana product to be sold in a single package;
- Limiting the amount of THC such products may contain per package and, if applicable, per unit; and
- Imposing certain requirements and restrictions on advertising.

In addition, this measure prohibits a local government from regulating a marijuana establishment or medical marijuana establishment in a manner that is more restrictive than or conflicts with State law or regulation.

Provisions relating to medical marijuana establishments are effective on October 1, 2017; provisions relating to recreational marijuana establishments are effective on January 1, 2020; and all other provisions are effective on July 1, 2017.

S.B. 375 (Chapter 305)

Senate Bill 375 authorizes the Governor or his or her designee to enter into agreements with tribal governments within this State to facilitate cooperation in the implementation of State laws and tribal laws governing the use of marijuana. An agreement may address various matters including, but not limited to:

- Criminal law and law enforcement;
- Regulatory matters concerning possession, delivery, production, processing, or use of marijuana products;
- Medical and pharmaceutical research;
- Taxation;
- Immunity, preemption, or conflicts of law; and
- Dispute resolution.

Any agreement entered into under these provisions must preserve public health and safety, ensure the security of marijuana establishments, and establish provisions regulating business involving marijuana that passes between tribal and non-tribal lands in Nevada.

This bill is effective on June 2, 2017.

S.B. 396 (Chapter 259)

Senate Bill 396 creates a program for the growth and handling of industrial hemp and agricultural hemp seed that is separate from the existing agricultural hemp pilot research program. The bill establishes registration requirements for hemp growers, handlers, and producers through the State Department of Agriculture; requires testing of hemp products by an independent laboratory; and allows existing marijuana establishments to acquire and use hemp in certain products.

The Division of Public and Behavioral Health of the Department of Health and Human Services is required to adopt regulations governing hemp that is used in the production of marijuana or marijuana-infused products. A person who grows or handles hemp in violation of the provisions of this measure is guilty of a misdemeanor.

This bill is effective on July 1, 2017.

S.B. 487 (Chapter 541)

Senate Bill 487 transfers the responsibility for licensing and regulation of medical marijuana establishments from the Division of Public and Behavioral Health of the Department of Health and Human Services to the Department of Taxation. The bill also adds an incorporated city in a county with less than 100,000 in population (all counties other than Clark and Washoe) to the entities that may apply for a medical marijuana establishment registration

certificate. All medical and recreational marijuana establishments are required to report to the Department of Taxation certain statistical information relating to the production and sale of marijuana by the establishment.

The bill revises the current 2 percent excise tax on the sales price of marijuana to a rate of 15 percent cent of the fair market value at wholesale of the marijuana. The bill revises the distribution of the proceeds of the excise tax imposed on wholesale sales of marijuana for medical use by a cultivation facility to another medical marijuana establishment to be similar to the distribution of the proceeds of the excise tax on a marijuana cultivation facility for the retail sale of marijuana or marijuana products. Any remaining money is required to be deposited in the State Distributive School Account. The measure deems $5 million to be sufficient to pay the costs of all local governments to carry out the provisions of State law governing the medical and recreational use of marijuana.

The measure also abolishes the current 2 percent excise tax on sales by a facility for the production of edible marijuana products or marijuana-infused products or a medical marijuana dispensary and instead imposes a 10 percent excise tax on the sales price of the marijuana or product. All revenues collected are required to be deposited in the Account to Stabilize the Operation of Government in the State General Fund. The measure also limits license taxes that a city, town, or county may impose on a marijuana or medical marijuana establishment to 3 percent of the gross revenue of such an establishment.

This measure is effective on July 1, 2017.

Medical and Related Facilities

A.B. 65 (Chapter 184)

Assembly Bill 65 authorizes the boards of county commissioners in Clark and Washoe Counties to use money from the fund for medical assistance to indigent persons to provide supplemental payments to certain public hospitals in those counties. The bill also authorizes the Board of County Commissioners in Clark County to make grants from the fund to any public hospital in the county for the construction or acquisition of capital assets and the renovation of facilities.

This bill is effective on May 27, 2017.

A.B. 89 (Chapter 131)

Assembly Bill 89 prohibits the Department of Health and Human Services (DHHS) from suspending programs and duties relating to the collection and dissemination of information relating to surgical centers for ambulatory patients. In addition, the measure requires the Division of Public and Behavioral Health, DHHS, to submit a quarterly report to the Legislature concerning information submitted to the Division by a surgical center for ambulatory patients relating to the discharge location of its patients.

This bill is effective on July 1, 2017.

A.B. 183 (Chapter 573)

Assembly Bill 183 makes various changes to provisions concerning the collection of amounts payable to a hospital for patient care. Among other things, the bill:

- Limits the amount that a hospital may collect or attempt to collect from a patient or other responsible party under certain circumstances;
- Requires a hospital to collect from a person's health insurance before collecting from a statutory lien;
- Requires a hospital to provide notification to the injured person, under certain circumstances, prior to filing a lien;
- Specifies the procedures a hospital must follow before perfecting a lien and provides that if the lien is perfected in violation of these procedures the lien is void;
- Provides that any amount received from a lien constitutes the complete satisfaction of any debt owed by the injured person to the hospital for the care provided; and
- Prohibits a hospital from collecting more than 55 percent of the charges billed by the hospital if the injured person may be eligible for Medicaid, Medicare, the Children's Health Insurance Program, or any other public program that may pay all or part of the bill.

Sections of this bill relating to Medicaid, Medicare, the Children's Health Insurance Program, or other public programs are effective on July 1, 2017. The remaining sections of the bill are effective on October 1, 2017.

A.B. 347 (Chapter 78)

Assembly Bill 347 prohibits a hospital, independent center for emergency care, psychiatric hospital, or surgical center for ambulatory patients from employing a person as a surgical technologist who is not a Certified Surgical Technologist or does not meet certain other qualifications. The measure provides certain exemptions and authorizes a health care facility to employ a person who does not meet the qualifications if the person is a recent graduate of a surgical technology program but has not yet obtained certification, or if after a diligent and thorough search, a facility is unable to employ a sufficient number of surgical technologists who meet the requirements. The bill requires facilities to maintain certain records and ensure that surgical technologists who work at the facility receive certain continuing education.

This bill is effective on May 23, 2017, for the purpose of adopting regulations and on January 1, 2018, for all other purposes.

S.B. 71 (Chapter 326)

Senate Bill 71 makes various changes to provisions governing licensing and regulation of medical facilities and other related entities. Specifically, the bill:

- Includes a program of hospice care in the definition of "medical facility," enabling such a program to be licensed and regulated as a medical facility;

- Revises the definition of "psychiatric hospital," eliminating the requirement that residential care be provided at such a facility;

- Requires a person who is employed at or applies for a license to operate a psychiatric hospital that provides inpatient services to children or a psychiatric residential treatment facility to undergo a criminal background check, and it prohibits a person who has been convicted of certain crimes from being licensed to operate or be employed at such a facility;

- Revises the administrative and civil penalties the Division of Public and Behavioral Health, Department of Health and Human Services, may impose against a medical facility or facility for the dependent that violates certain provisions of its licensure; and

- Specifies that certain facilities, which are required to be licensed by regulation, are subject to the same administrative and civil penalties as a medical facility or facility for the dependent, and it authorizes the Division to take control of medical records at such a facility if the facility ceases to operate.

This measure is effective on July 1, 2017.

S.B. 318 (Chapter 226)

Senate Bill 318 authorizes an employee of an agency that provides personal care services in the home who is required to be on duty for 24 hours or more to agree not to be paid for a sleeping period of up to 8 hours if adequate sleeping facilities are provided. If the sleeping period is interrupted to provide personal care services, the interruption must be counted as hours worked. If the sleeping period is less than five hours, the employee must be paid for the entire sleeping period.

S.B. 324 (Chapter 373)

Senate Bill 324 requires the State Board of Health, Division of Public and Behavioral Health, Department of Health and Human Services, to adopt regulations authorizing an employee of a residential facility for groups, an agency to provide personal care services in the home, a facility for the care of adults during the day, or an intermediary service organization to check vital signs, administer insulin, and perform a blood glucose test.

This measure is effective on June 4, 2017, for the purposes of adopting regulations and performing other administrative tasks and on January 1, 2018, for all other purposes.

S.B. 482 (Chapter 578)

Senate Bill 482 makes various changes related to medical facilities and facilities for the dependent. It requires the Division of Public and Behavioral Health of the Department of Health and Human Services to post on its website links to: (1) the most recent star rating

assigned to each Nevada medical facility or facility for the dependent by the federal Centers for Medicare and Medicaid Services (CMS); and (2) the Ambulatory Surgical Center Quality Reporting Program maintained by CMS. Facilities that receive such a CMS star rating must post the most recent rating on the facility's website and in a conspicuous location near each facility entrance regularly used by the public. Each ambulatory surgical center must post in the same locations the website address for the CMS Ambulatory Surgical Center Quality Reporting Program.

In addition, S.B. 482 requires the State Board of Health to establish a system for rating certain hospitals and health care facilities based on compliance with certain requirements. This rating also must be posted on the Division's website and in a conspicuous location near each public entrance of such facilities.

Finally, the bill revises the membership of the staffing committee certain hospitals are required to establish. The committee must be comprised of one nurse and one nursing assistant of each unit of the hospital, elected by their peers who provide direct patient care. The bill provides for the election of alternate members and requires a hospital's written policy concerning refusal of or objection to work assignments and the staffing plan of a hospital be signed by each member of the staffing committee.

This measure is effective on June 13, 2017, for the purposes of adopting regulations and performing other administrative tasks and on January 1, 2018, for all other purposes.

A.J.R. 14 (File No. 46)

Assembly Joint Resolution No. 14 proposes to amend the *Nevada Constitution* to provide that no hospital or independent facility for emergency medical care shall deny medically necessary emergency treatment or services to a person, regardless of whether the person has health insurance and regardless of the person's ability to pay for such services.

The resolution provides all persons in Nevada have a right to receive emergency medical care at a reasonable cost. No hospital or independent facility shall charge an amount greater than 150 percent of the lowest rate the hospital or facility has agreed to accept from a federal insurer or the rate provided by law, whichever is greater.

If the Legislature has not provided a rate by law, the State agency authorized to regulate hospitals or independent facilities may allow an increase in the rate if the facility proves it is necessary to avoid a rate deemed confiscatory under the *United States Constitution*.

These provisions may not be waived or varied by agreement. They may be enforced by the State of Nevada or a political subdivision. They may also be enforced by a civil action brought by a person who is denied any protected rights. The Legislature shall provide for the administration and enforcement of the provisions and may provide for a different rate if it establishes a commission to ensure compliance.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

Mental and Behavioral Health

A.B. 46 (Chapter 269)

Assembly Bill 46 imposes certain requirements for community-based living arrangement services provided to persons with a mental illness or related conditions. The measure requires a person, government, or governmental agency to obtain a certificate from the Division of Public and Behavioral Health of the Department of Health and Human Services before providing community-based living arrangement services. The State Board of Health and the Division are authorized to enforce requirements set forth in applicable statutory provisions or adopted regulations.

The bill clarifies that a home in which community-based living arrangement services or supported living arrangement services are provided does not constitute a residential facility for groups or a home for individual residential care subject to regulation as such. Similarly, entities that provide temporary respite services are not subject to regulation as agencies providing personal care services in the home.

Finally, A.B. 46 requires any person or entity that determines the placement of a person with a mental illness or a person with a related condition to consider the ability of a facility or provider of services to meet the person's needs and ensure his or her safety.

This bill is effective on July 1, 2017.

A.B. 253 (Chapter 309)

Assembly Bill 253 revises various provisions governing mental health adjudications. The bill requires a court to conduct a hearing as soon as practicable if an application for a writ of habeas corpus is made before the initial hearing on a petition for the involuntary court-ordered admission of a person who has or is alleged to have a mental illness to a mental health facility or a program of community-based or outpatient services.

In addition, the measure revises the definition of a "person with mental illness" to clarify that the person presents a clear and present danger of harm to himself or herself if there is a reasonable probability that the person will harm himself or herself, unless required to participate in a program of community-based or outpatient services. The physician or psychologist who examines and evaluates a person who has been involuntarily admitted to a mental health facility or certain other services is required to submit a written summary of findings and evaluation 24 hours before the hearing on the petition. The court must transmit a record of the order to each law enforcement agency of this State with which the court has entered into an agreement for such transmission for inclusion in certain databases. Finally, the bill establishes a procedure for a public or private hospital or a mental health facility to request and obtain a copy of a court order of involuntary admission that relates to a person alleged to be a person with mental illness who has been admitted to the hospital or facility.

This bill is effective on July 1, 2017.

A.B. 301 (Chapter 190)

Assembly Bill 301 provides, with limited exceptions, that communications made between parties during a peer support counseling session are confidential. The bill creates a testimonial privilege allowing, with limited exceptions, a counselor or participant in a peer support counseling session to refuse to disclose or prevent another party from disclosing any communication made during a peer support counseling session. The bill also provides that any notes, records, or reports of any peer support counseling session are not public records. Finally, the bill provides immunity from liability to a law enforcement or public safety agency for any disclosure made in violation of the provisions of this bill by any personnel of the agency who participate in a peer support counseling session.

This bill is effective on May 27, 2017.

A.B. 366 (Chapter 479)

Assembly Bill 366 creates four behavioral health regions and a regional behavioral health policy board for each region. Each board is required to:

- Advise the Department of Health and Human Services, the Division of Public and Behavioral Health, and the Commission on Behavioral Health on certain regional behavioral health issues;
- Promote improvements in the delivery of behavioral health services;
- Coordinate and exchange information with other policy boards to provide unified recommendations regarding behavioral health services;
- Review data collection and reporting standards relating to behavioral health information; and
- Submit a report to the Commission, which includes the priorities and needs of the policy board's behavioral health region.

The measure requires a report that is currently submitted by the Commission on Behavioral Health to include:

- Recommendations from each policy board;
- The epidemiologic profiles of substance use and abuse, problem gambling, and suicide;
- Relevant behavioral health prevalence data for each behavioral health region; and
- The health priorities set for each behavioral health region.

This bill is effective on July 1, 2017.

A.B. 421 (Chapter 558)

Assembly Bill 421 requires, with respect to prisoners in custody in Clark County, that a sheriff, chief of police, or town marshal collaborate with the Department of Health and Human Services and providers in the county to arrange for the coordination of mental health care and substance abuse treatment provided to a prisoner while in custody and after release from custody. Mental health and substance abuse treatment provided may include any medication approved by the United States Food and Drug Administration and prescribed by a treating physician as medically necessary. Finally, the measure requires each sheriff and the Director of the Department to report to the Legislative Committee on Health Care regarding such coordination and oversight.

This bill is effective on July 1, 2017.

A.B. 429 (Chapter 173)

Assembly Bill 429 enacts the Psychology Interjurisdictional Compact of the Association of State and Provincial Psychology Boards. The interstate compact allows a person who is licensed as a psychologist in a state that is a member of the Compact to provide services to patients in other states that are members of the Compact through telehealth or in person under certain conditions. Before providing such services, the Compact requires a psychologist to meet certain specified requirements.

The governing body of the Compact, the Psychology Interjurisdictional Compact Commission, is authorized to access certain information and make certain determinations regarding the provision of services by a psychologist in a state that is a member of the Compact, under certain circumstances. Psychologists who provide services in states other than those in which they are licensed under the Compact are subject to the jurisdiction of the state in which they provide services, and such a state can revoke the authorization to practice in that state. The Commission is authorized to:

- Collect an annual assessment from each state that is a member of the Compact to fund the operations of the Commission;

- Make rules concerning the administration of the Compact and the practice of psychology across state lines under the Compact; and

- Resolve disputes among states that are members of the Compact related to the Compact.

Finally, the measure clarifies that a psychologist who is authorized to practice in this State pursuant to the Compact is authorized to engage in the same activities as a psychologist who is licensed in this State.

This bill is effective on October 1, 2017, but the Compact is effective upon ratification by seven states.

A.B. 440 (Chapter 482)

Assembly Bill 440 authorizes a proceeding for the involuntary court-ordered admission of a person who is the defendant in a criminal proceeding in the district court to a program of community-based or outpatient services to be commenced by the district court, on its own motion, or by motion of the defendant or the district attorney if certain conditions are met. The measure specifies the circumstances under which the court may suspend the criminal proceedings against a defendant and order the defendant to a program of community-based or outpatient services. If the defendant successfully completes the program, the district court is authorized to dismiss with prejudice the criminal charges against the defendant.

The measure also provides that if the Chief Judge of a district court designates a district court judge or hearing master to preside over involuntary commitment hearings, that district court judge or hearing master is required to preside over such hearings. Finally, a district judge or hearing master specifically assigned to hear certain involuntary commitment proceedings is exempt from the requirement to attend certain instruction at the National Council of Juvenile and Family Court Judges in Reno, Nevada.

A.B. 457 (Chapter 363)

Assembly Bill 457 requires the Board of Psychological Examiners, Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors, Board of Examiners for Social Workers, and the Board of Examiners for Alcohol, Drug and Gambling Counselors to submit certain reports to the Legislative Committee on Health Care. The bill also requires each new member of these behavioral health care boards to complete an orientation, and it requires these boards to establish policies concerning compensation and reviewing staff performance. Further, A.B. 457 allows these boards to enter into agreements with the Department of Health and Human Services to carry out or improve the performance of their duties.

These behavioral health care boards also are required to adopt online application forms for the issuance or renewal of a license or certificate, and the bill provides an appeals process for persons aggrieved by a determination of a board in refusing to issue or renew a license or certificate or imposing discipline. Additionally, A.B. 457 requires these boards to adopt certain regulations, and it further requires the Commission on Behavioral Health to review the regulations before they are submitted to the Legislative Commission for approval. Finally, the bill alters the composition of the Commission on Behavioral Health.

Provisions of the bill revising the qualifications and terms of certain members of the Commission on Behavioral Health are effective on October 1, 2017. The remaining provisions are effective on June 4, 2017, for the purposes of adopting regulations and performing other necessary administrative tasks and on January 1, 2018, for all other purposes. Provisions of the bill authorizing an appeal to the Commission by a person aggrieved by an order of a board under certain circumstances expire by limitation on December 31, 2019.

S.B. 27 (Chapter 97)

Senate Bill 27 revises the definition of "mental illness" to mean a clinically significant disorder of thought, mood, perception, orientation, memory, or behavior that seriously limits the capacity of a person to function in the primary aspects of daily living, including, without limitation, personal relations, living arrangements, employment, and recreation. The term does not include other mental disorders that result in diminished capacity, including, without limitation, epilepsy, intellectual disability, dementia, delirium, brief periods of intoxication caused by alcohol or drugs, or dependence upon or addiction to alcohol or drugs.

This measure is effective on July 1, 2017.

S.B. 50 (Chapter 154)

Senate Bill 50 authorizes a person who is of sound mind and at least 18 years of age or an emancipated minor to execute an advance directive for psychiatric care to direct any provider of health care on how he or she wishes psychiatric care to be provided if incapable of making or communicating decisions concerning such care. The bill also authorizes a person to designate another person to make decisions for him or her if incapable of making such decisions. In addition, S.B. 50:

- Establishes the circumstances under which an advance directive for psychiatric care becomes operative;
- Authorizes a person to revoke such a directive;
- Sets forth the conditions under which a provider of health care may not comply with an advance directive for psychiatric care;
- Requires a provider of health care to make a reasonable inquiry as to whether a person determined to be incapable of making decisions related to psychiatric care has executed such a directive; and
- Shields providers from civil or criminal liability under certain circumstances.

This measure is effective on May 26, 2017.

S.B. 120 (Chapter 521)

Senate Bill 120 makes various revisions to the nine-member Advisory Committee on Problem Gambling, including adding a requirement that two members be qualified mental health professionals and that at least one of those members be a practicing problem gambling counselor.

The measure also revises the duties of the Advisory Committee to include:

- Providing advice and information to the Governor, the Legislature, the Department of Health and Human Services, and other State agencies regarding issues and trends in the area of problem gambling;

- Reviewing and making recommendations for granting money or contracting for services for the treatment and prevention of problem gambling;

- Reviewing reports by the Department regarding the evaluation of the problem gambling program; and

- Assisting in the research and development of strategic plans to fund and provide programs and services to prevent and treat problem gambling.

Provisions governing the appointment of members to the Advisory Committee are effective on June 9, 2017. All other provisions are effective on July 1, 2017.

S.B. 192 (Chapter 455)

Senate Bill 192 requires any facility within the Division of Public and Behavioral Health, Department of Health and Human Services, that provides mobile mental health services in a county whose population is 100,000 or greater (currently Clark and Washoe Counties) to provide those services from 8 a.m. or earlier to 12 a.m. or later, seven days a week, including holidays. In addition, the bill appropriates $1,400,528 from the State General Fund to the Division for Fiscal Year (FY) 2017-2018 and $1,417,080 for FY 2018-2019 for the expansion of mobile mental health services.

Provisions related to service expansion are effective on July 1, 2017, for the purposes of adopting regulations and performing other administrative tasks and on October 1, 2017, for all other purposes. Provisions appropriating funding also are effective on July 1, 2017.

Professions and Occupations (see also Commerce)

A.B. 19 (Chapter 10)

Assembly Bill 19 requires the Department of Veterans Services to submit to the Interagency Council on Veterans Affairs certain statistical information concerning veterans services and requires that certain regulatory bodies collect and report to the Interagency Council statistical information concerning the number of veterans and service members who have applied for, have been issued, or have been denied a license. The measure reduces from annually to biennially the frequency with which the Interagency Council must submit to the Governor and the Legislative Commission a report of its activities, including the statistical information required to be provided by various State agencies and regulatory bodies.

Finally, the bill changes from annually to biennially the frequency with which certain reports of activities must be submitted by the Nevada Veterans Services Commission and the Women Veterans Advisory Committee; provides that both reports must be submitted to the Governor, the Interagency Council, and the Legislative Commission; and changes the deadline by which the Nevada Veterans Services Commission must submit its report to coincide with the reporting deadline for the Interagency Council and the Advisory Committee.

This bill is effective on July 1, 2017.

A.B. 105 (Chapter 176)

Assembly Bill 105 requires certain health care providers to obtain continuing education in suicide prevention and awareness at regular intervals. It also removes a provision that allows some providers to substitute courses in ethics to meet the requirements and further repeals the prospective expiration of existing requirements that certain health care providers complete a course of instruction on suicide prevention and awareness.

This bill is effective on May 26, 2017, for the purposes of adopting regulations and performing administrative tasks and on July 1, 2017, for all other purposes.

A.B. 179 (Chapter 275)

Assembly Bill 179 makes various changes to the Board of Massage Therapists and the types of professions regulated by the Board. It authorizes the Board to issue licenses in two new practice areas: (1) structural integration; and (2) reflexology. The measure changes the name of the Board to the Board of Massage Therapy and modifies the composition of the Board to include a member licensed to practice in each of the two new areas. It also allows local governments to regulate a massage, reflexology, and structural integration establishment in a manner that is more stringent than regulations adopted by the Board. Finally, A.B. 179 provides that licenses issued by the Board are valid for two years and allows the Board to, by regulation, charge up to $350 for a license renewal.

This bill is effective on June 1, 2017, for the purposes of adopting regulations and performing other necessary administrative tasks and on July 1, 2017, for all other purposes.

A.B. 199 (Chapter 104)

Assembly Bill 199 changes the name of a "Physician Order for Life-Sustaining Treatment" to a "Provider Order for Life-Sustaining Treatment" (POLST) throughout *Nevada Revised Statutes* and authorizes a physician assistant or an advance practice registered nurse to make certain determinations regarding and executing such a form. The bill also provides for surrogates to request and execute a POLST on a patient's behalf and revises the standard for determining whether a patient has the capacity to execute or revoke the form. The bill further requires a health care provider to honor a POLST under certain circumstances.

This bill is effective on July 1, 2017.

A.B. 245 (Chapter 143)

Assembly Bill 245 requires a pharmacist, including a certified Internet pharmacy, to dispense an interchangeable biological product in substitution for a prescribed biological product, under certain circumstances. The dispensing pharmacist also must provide certain information to a patient's prescribing practitioner concerning the specific product dispensed.

This bill is effective on May 26, 2017, for the purposes of adopting regulations and performing other necessary administrative tasks and on January 1, 2018, for all other purposes.

A.B. 339 (Chapter 425)

Assembly Bill 339 makes changes to certain requirements of the Board of Medical Examiners and the professionals it regulates. The bill authorizes the Board to take possession of a licensee's records in the event of the death, disability, incarceration, or other incapacitation leaving the licensee unable to continue to practice. The bill requires the Board to adopt policies and procedures relating to the placement of information on its website and clarifies that each applicant for a license must submit a complete set of fingerprints to the Board. In addition, the measure provides that any communication between the Board of Medical Examiners or the State Board of Osteopathic Medicine and the Interstate Medical Licensure Compact Commission relating to verification of a physician's eligibility under the Compact must not include any information received by either Board in a report from the Federal Bureau of Investigation relating to a state and federal criminal records check. Finally, A.B. 339 revises certain requirements related to the reporting of sentinel events arising from certain surgeries.

This bill is effective on July 1, 2017.

A.B. 387 (Chapter 14)

Assembly Bill 387 clarifies that a licensed social worker must complete two hours of instruction in evidence-based suicide prevention training and awareness every two years.

This bill is effective on July 1, 2018, and expires by limitation on June 30, 2026.

A.B. 425 (Chapter 144)

Assembly Bill 425 makes various changes to the regulation of alcohol, drug and gambling counselors. The bill authorizes the Board of Examiners for Alcohol, Drug and Gambling Counselors to place licensees on inactive status in certain circumstances, while prohibiting a licensee who has requested inactive status from practicing and providing a penalty for failure to comply. Additionally, A.B. 425 authorizes the Board to impose certain sanctions or penalties for providing services while not holding a license or certificate or falsely claiming to hold a license or certificate. Finally, the bill allows a certified alcohol and drug abuse counselor who meets certain requirements to supervise a certified intern.

This bill is effective on July 1, 2017.

A.B. 457 (Chapter 363)

Assembly Bill 457 requires the Board of Psychological Examiners, Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors, Board of Examiners for Social Workers, and the Board of Examiners for Alcohol, Drug and Gambling Counselors to submit certain reports to the Legislative Committee on Health Care. The bill also requires each new member of these behavioral health care boards to complete an orientation, and it requires these boards to establish policies concerning compensation and reviewing staff performance. Further, A.B. 457 allows these boards to enter into agreements with the Department of Health and Human Services to carry out or improve the performance of their duties.

These behavioral health care boards also are required to adopt online application forms for the issuance or renewal of a license or certificate, and the bill provides an appeals process for persons aggrieved by a determination of a board in refusing to issue or renew a license or certificate or imposing discipline. Additionally, A.B. 457 requires these boards to adopt certain regulations, and it further requires the Commission on Behavioral Health to review the regulations before they are submitted to the Legislative Commission for approval. Finally, the bill alters the composition of the Commission on Behavioral Health.

Provisions of the bill revising the qualifications and terms of certain members of the Commission on Behavioral Health are effective on October 1, 2017. The remaining provisions are effective on June 4, 2017, for the purposes of adopting regulations and performing other necessary administrative tasks and on January 1, 2018, for all other purposes. Provisions of the bill authorizing an appeal to the Commission by a person aggrieved by an order of a board under certain circumstances expire by limitation on December 31, 2019.

S.B. 101 (Chapter 238)

Senate Bill 101 prohibits any person other than a physician, physician assistant, registered nurse, or advanced practice registered nurse from injecting a neuromodulator derived from Clostridium botulinum or neuromodulators that are biosimilar to or the bioequivalent of such a neuromodulator. However, a dentist or podiatric physician who has received training prescribed by the appropriate licensing board may perform such injections. The same prohibitions apply to injecting dermal or soft tissue fillers. Qualified health care providers may inject such substances within their scope of practice and only in a medical facility or the office of an authorized medical professional. The bill provides penalties for violations and also authorizes applicable licensing boards to impose disciplinary action against licensees who violate these provisions.

This measure is effective on July 1, 2017.

S.B. 162 (Chapter 385)

Senate Bill 162 requires a person who wishes to obtain postdoctoral experience in psychology to register as a psychological assistant with the Board of Psychological Examiners. A person who is in a doctoral program in psychology may register with the Board as a psychological intern or a psychological trainee, as applicable. An applicant for such a registration must submit an application, an application fee, and his or her fingerprints. A person registered by the Board is required to perform professional activities and services under the supervision of a licensed psychologist.

The bill authorizes the Department of Health and Human Services to reimburse a licensed psychologist, under the State Plan for Medicaid and to the extent authorized by federal law, for services rendered by a registered psychological assistant, psychological intern, or psychological trainee who is under the supervision of the psychologist.

This bill is effective on July 1, 2017.

S.B. 163 (Chapter 247)

Senate Bill 163 expands upon the current exceptions to the requirement that a professional entity only provide one type of professional service by authorizing practitioners in the fields of medicine, homeopathy, osteopathy, and psychology to join together in any combination to offer their services through a single entity. Further, the measure prohibits an owner of such a professional entity from engaging in certain acts relating to the professional services provided by practitioners, including any act that interferes with their professional judgment.

S.B. 201 (Chapter 23)

Senate Bill 201 prohibits a psychotherapist from providing sexual orientation or gender identity conversion therapy to a person who is under 18 years of age.

This bill is effective on May 17, 2017, for the purposes of adopting regulations and performing any other necessary preparatory administrative tasks and on January 1, 2018, for all other purposes.

S.B. 227 (Chapter 318)

Senate Bill 227 authorizes a qualified advanced practice registered nurse (APRN) to sign, certify, stamp, verify, or endorse certain documents when a signature, certification, stamp, verification, or endorsement by a physician is required.

The measure also authorizes an APRN to make certain qualifications, diagnoses, and determinations required to be made by a physician or other provider of health care.

This bill is effective on June 2, 2017, for the purpose of adopting regulations and on January 1, 2018, for all other purposes.

S.B. 256 (Chapter 181)

Senate Bill 256 requires the Board of Dental Examiners of Nevada to appoint a three-person panel to review investigations and informal hearings conducted by an investigator of the Board. The panel must consist of one member of the Board who is licensed to practice dentistry, one member of the Board who is licensed to practice dental hygiene, and one person who is not a member of the Board who is licensed to practice in the same profession as the subject of the investigation or informal hearing.

Any records or information obtained by a review panel are confidential. A hearing officer or panel to which the Board has delegated its authority to take disciplinary action must review and consider the findings and recommendations of the review panel before taking such action against a person.

This bill is effective on May 26, 2017, for the purposes of adopting regulations and performing any other necessary preparatory administrative tasks and on January 1, 2018, for all other purposes.

S.B. 260 (Chapter 386)

Senate Bill 260 authorizes a pharmacist to engage in a collaborative practice of pharmacy or collaborative drug therapy management pursuant to a collaborative practice agreement entered into with one or more practitioners who practice within 100 miles of the primary location of the pharmacist. A pharmacist who engages in such a practice must maintain certain records and obtain the informed, written consent of patients.

This bill is effective on July 1, 2017.

S.B. 286 (Chapter 588)

Senate Bill 286 transfers the regulation of applied behavior analysis from the Board of Psychological Examiners to a newly created Board of Applied Behavior Analysis. The Board may adopt regulations governing the licensure of behavior analysts and assistant behavior analysts, the certification of State certified behavior interventionists, the registration of registered behavior technicians, and the practice of applied behavior analysis.

The measure prescribes the duties of the Aging and Disability Services Division of the Department of Health and Human Services to keep certain records and enforce provisions of law governing applied behavior analysis and the regulations of the Board of Applied Behavior Analysis. The measure authorizes the Division to prescribe fees for the licensure of behavior analysts and assistant behavior analysts, the certification of State certified behavior interventionists, and the registration of registered behavior technicians.

In addition, the measure revises the composition of the Board of Psychological Examiners and removes references to applied behavior analysis from the provisions of statute administered by this Board.

The provisions of this bill concerning the expiration of the term of a member of the Board of Psychological Examiners and the appointment of members to the Board of Applied Behavior Analysis are effective on June 14, 2017. Most other provisions are effective on January 1, 2019.

S.B. 291 (Chapter 415)

Senate Bill 291 requires a custodian of health records to:

- Retain the health care records of patients for at least five years;
- Make available to investigators certain health care records of a patient who is suspected of having operated a motor vehicle while intoxicated;
- Maintain a record of information provided by a patient relating to health insurance coverage; and
- Provide to the Department of Corrections the health care records of an offender at the State prison.

A custodian of health care records is defined as any person having primary custody of records or a facility that maintains the health care records of patients.

The measure requires a custodian of health care records to make the relevant records available for inspection, including any records that reflect the amount charged for medical services or care provided to a patient. A health-care records custodian who is not licensed and violates the requirements of this bill is guilty of a gross misdemeanor, and a civil penalty of not more than $5,000 may be collected for each violation as applied to a patient's entire health care record.

The bill authorizes the Board of Medical Examiners to take possession of health care records of a licensee's patients in the event of the licensee's death, disability, incarceration, or other incapacitation that renders the licensee unable to continue his or her practice. The Board may provide a patient's records to the patient or the patient's subsequent provider of health care. A licensee must provide certain disclosures to patients concerning such records. Finally, the measure revises various provisions related to the completion of a death certificate.

This bill is effective on July 1, 2017.

S.B. 337 (Chapter 360)

Senate Bill 337 authorizes a registered pharmacist to manipulate a person for the collection of specimens and perform any laboratory test that is classified as a waived test pursuant to federal regulations without obtaining certification as an assistant in a medical laboratory. The bill requires the State Board of Pharmacy to adopt regulations to specify a registered pharmacist may only use a fingerstick or oral or nasal swab to carry out such tests and establish procedures and requirements of registered pharmacists when performing the authorized duties.

This bill is effective on July 1, 2017.

S.B. 388 (Chapter 298)

Senate Bill 388 requires an employment agency that contracts with persons who provide nonmedical personal care services in the home to elderly individuals and individuals with disabilities to obtain a license from the State Board of Health. The bill also:

- Specifies the nonmedical services such agencies may perform;
- Requires the Board to adopt regulations governing licensure of such employment agencies;
- Requires an employment agency to conduct certain background checks on persons with whom it contracts; and
- Imposes civil penalties on such an agency for failing to conduct required background checks.

This measure is effective on July 1, 2017.

S.B. 437 (Chapter 300)

Senate Bill 437 changes the name of the State Board of Physical Therapy Examiners to the Nevada Physical Therapy Board to reflect that the Board no longer administers, but merely designates, examinations as provided for in this bill. The measure revises the composition and duties of the Board. The Board may issue a citation to a licensee for certain violations of law or regulation.

A physical therapist must provide immediate supervision of a physical therapist technician while the technician performs treatment. The Board also must adopt regulations prescribing the activities a physical therapist technician may perform only under the immediate supervision of a physical therapist.

The measure also combines similar provisions governing physical therapists and physical therapist assistants. A physical therapist and physical therapist assistant must use a certain designation. The Board may issue licensure by endorsement of a physical therapist assistant.

The bill provides that if the Board is seeking an injunction against a person improperly holding himself or herself out as a licensed physical therapist or physical therapist assistant or practicing physical therapy, the Board must only show that the person violated existing law to establish that immediate and irreparable injury, loss, or damage will result from the person's continued action.

S.B. 466 (Chapter 255)

Senate Bill 466 exempts a person licensed as an allopathic or osteopathic physician from registration under the provisions governing the State Board of Oriental Medicine. The bill provides that Board members serve at the pleasure of the Governor, and it increases the membership of the Board from five to seven members. Finally, the Board must submit a biannual report to the Sunset Subcommittee of the Legislative Commission containing certain information relating to the proceedings and duties of the Board.

Provisions of this bill related to appointing Board members are effective as soon as practicable after October 1, 2017. Provisions requiring the Board to submit a biannual report to the Sunset Subcommittee expire by limitation on January 1, 2019, and all other provisions are effective on October 1, 2017.

Seniors and Persons With Disabilities

A.B. 20 (Chapter 67)

Assembly Bill 20 revises the provision of certain employment services, including vocational rehabilitation services, delivered by the Bureau of Services to Persons Who Are Blind or Visually Impaired and the Bureau of Vocational Rehabilitation in the Rehabilitation Division of the Department of Employment, Training and Rehabilitation (DETR). The measure specifies that the purpose of vocational rehabilitation services is to prepare certain individuals with

disabilities to engage in competitive integrated employment, and it provides that the term "competitive integrated employment" has the meaning ascribed to it in federal law.

In addition, the bill:

- Revises the process for appealing actions and determinations of the Bureau of Services to Persons Who Are Blind or Visually Impaired and the Bureau of Vocational Rehabilitation;

- Revises the circumstances in which the receipt, use, or disclosure of information related to applicants for services is authorized;

- Establishes a penalty for unauthorized receipt, use, or disclosure of such information;

- Expands the purposes for which money in the Rehabilitation Gift Account in DETR's Gift Fund may be used; and

- Removes the designation of the Rehabilitation Division as the State unit for carrying out certain programs for independent living and the authority of the Bureau of Vocational Rehabilitation to: (1) establish or construct rehabilitation facilities and workshops; and (2) provide for the establishment, supervision, management, and control of small business enterprises to be operated by persons with severe disabilities.

This bill is effective on July 1, 2017.

A.B. 31 (Chapter 41)

Assembly Bill 31 changes the name of the Specialist for the Rights of Elderly Persons to the Attorney for the Rights of Older Persons and Persons with a Physical Disability, an Intellectual Disability or a Related Condition. The bill expands the powers and duties of the Attorney to include:

- Providing services to older persons, persons with a physical disability, persons with an intellectual disability, and persons with a related condition; and

- Acting as the State legal assistance developer for the purposes of satisfying certain requirements of federal law.

In addition, A.B. 31 authorizes the administrator of the Aging and Disability Services Division, Department of Health and Human Services, to direct the Community Advocate for Elder Rights to provide assistance to individuals who are fewer than 60 years of age and do not reside in facilities for long-term care.

This bill is effective on May 19, 2017.

A.B. 224 (Chapter 421)

Assembly Bill 224 revises certain provisions governing persons with intellectual disabilities and related conditions by replacing the term "related condition" with the term "developmental disability." The bill clarifies that a developmental disability includes autism, cerebral palsy, epilepsy, or any other neurological condition diagnosed by a qualified professional that:

- Is manifested before 22 years of age and is likely to continue indefinitely;
- Substantially limits certain major life activities; and
- Results in a lifelong or protracted need for individually planned and coordinated services, support, or other assistance.

The bill also prohibits certain contracts that provide jobs and day training services from employing persons with intellectual or developmental disabilities who are under 25 years of age unless they are paid at least the State minimum wage, except under certain conditions outlined in the bill to align State law with federal law.

This bill is effective on June 6, 2017, for the purposes of adopting regulations and performing other administrative tasks and on January 1, 2018, for all other purposes.

S.B. 123 (Chapter 155)

Senate Bill 123 makes various changes to provisions governing the State Long-Term Care Ombudsman within the Aging and Disability Services Division (ADSD) of the Department of Health and Human Services.

Specifically, the bill:

- Authorizes the Ombudsman to independently analyze, monitor, and provide recommendations for changes to federal, State, and local governmental actions and policies related to facilities for long-term care;
- Transfers authority from the administrator of ADSD to the Ombudsman to appoint advocates and create and administer a volunteer advocacy program;
- Requires the Ombudsman and his or her advocates to comply with certain federal regulations related to obtaining consent before inspecting medical and personal financial records and provides that such consent may be obtained orally, visually, in writing, or through auxiliary aids;
- Exempts the Ombudsman and his or her advocates and volunteers from the requirement to report the abuse, neglect, isolation, or abandonment of an older person when federal regulations require such an exemption; and

- Authorizes the Ombudsman to advocate for any resident of a long-term care facility, regardless of the person's age.

This measure is effective on July 1, 2017.

S.B. 360 (Chapter 387)

Senate Bill 360 provides for the imposition of an additional penalty upon a person who commits certain crimes or criminal violations against a vulnerable or elderly person. The measure provides that the sentence prescribed runs consecutively with the sentence prescribed by statute for the crime or criminal violation. The bill clarifies that immunity from prosecution for those who report suspected abuse or neglect of a vulnerable or elderly person does not extend to a person who was involved in the neglect or abuse. The penalties for the abuse, neglect, exploitation, isolation, or abandonment of a vulnerable or elderly person are revised. In addition, the penalty is increased for a person who conspires with another to commit abuse, exploitation, or isolation of a vulnerable or elderly person. The bill also establishes a Wards' Bill of Rights, which addresses several matters including, but not limited to:

- Receiving proper legal representation;
- Receiving proper notice of proceedings involving the ward;
- Being involved in developing a plan for the ward's care;
- Giving due consideration to the ward's preferences for health care, medical treatment, and religious and moral beliefs;
- Remaining as independent as possible; and
- Having control over his or her financial affairs.

Provisions addressing the Wards' Bill of Rights are effective on June 5, 2017, for the purpose of performing preparatory administrative tasks and on January 1, 2018, for all other purposes. All other provisions are effective on October 1, 2017.

S.B. 443 (Chapter 528)

Senate Bill 443 requires the Aging and Disability Services Division of the Department of Health and Human Services, to the extent money is available, to employ one or more interpreters in the unclassified service of the State to assist the Executive, Judicial, and Legislative Branches of State government in providing access to persons who are deaf or hard of hearing. The bill requires the Division of Human Resource Management of the Department of Administration to examine the duties and responsibilities of the positions and to submit the information to the Interim Finance Committee. Based on that information, the Interim Finance Committee shall establish a salary for the positions.

This measure is effective on July 1, 2017.

S.B. 481 (Chapter 429)

Senate Bill 481 makes various changes to the Subcommittee on Communication Services for Persons Who Are Deaf or Hard of Hearing and Persons with Speech Disabilities. Specifically, the bill:

- Changes the Subcommittee's name to the Nevada Commission for Persons Who Are Deaf, Hard of Hearing or Speech Impaired;
- Requires the Governor to appoint the Director of the Commission and provides that the director serves without compensation;
- Revises membership requirements and the duties of the Commission;
- Requires the Legislative Committee on Health Care to study during the 2017-2018 Interim, grants and other sources of money that may be available to transform the director position into a full-time, paid position. The Committee must report its findings to the Department of Health and Human Services, the Governor, and the Director of the Legislative Counsel Bureau; and
- Appropriates $25,000 from the State General Fund to the Commission in each fiscal year of the 2017-2019 Biennium for per diem, travel, and administrative costs.

This measure is effective on July 1, 2017.

HOUSING AND REAL PROPERTY

A.B. 133 (Chapter 71)

Assembly Bill 133 provides that a request for emergency assistance by a tenant does not constitute a nuisance. A landlord is prohibited from taking adverse action against a tenant who has called for emergency assistance, including evicting, imposing a fine, or taking any other punitive action. In addition, a local government or other political subdivision of this State is prohibited from taking adverse action against a landlord based solely on the request of a tenant or other person for emergency assistance. However, the provisions of the bill do not prohibit a landlord from taking any actions necessary to cure a breach of a rental agreement or a provision of law by a tenant. Furthermore, a local government or other political subdivision of this State is not prohibited from taking any action against a landlord or a tenant to abate a nuisance or a violation of any local law, ordinance, or regulation.

This bill is effective on July 1, 2017.

A.B. 161 (Chapter 345)

Assembly Bill 161 requires any written rental agreement for a single-family residence that is not signed by an authorized agent of the landlord who at the time of signing holds a permit to engage in property management to include a disclosure advising the tenant that:

- There is a rebuttable presumption that the tenant does not have lawful occupancy of the residence unless the agreement is notarized or is signed by an authorized agent of the landlord who at the time of signing holds a permit to engage in property management and includes the current address and telephone number of the landlord or his or her authorized representative; and

- The agreement is valid and enforceable without regard to whether it is notarized or is signed by an authorized agent of the landlord who at the time of signing holds a permit to engage in property management, or includes the current address and telephone number of the landlord or his or her authorized representative.

The bill specifies that a person who forcibly enters or takes up residence in an uninhabited or vacant dwelling is presumed to know that entry into a home is without permission, unless the person provides a rental agreement that is notarized, or is signed by an authorized agent of the owner who at the time of signing holds a permit to engage in property management and includes the current address and telephone number of the owner or authorized representative.

This bill is effective on July 1, 2017.

A.B. 235 (Chapter 232)

Assembly Bill 235 enacts the Uniform Commercial Real Estate Receivership Act to establish provisions governing the appointment and powers of a receiver for real property that is used for certain commercial purposes and any personal property related to or used in operating that real property.

A.B. 247 (Chapter 109)

Assembly Bill 247 provides for the early termination of a rental agreement if a tenant, cotenant, or household member is a victim of harassment, sexual assault, or stalking. The measure further prohibits a landlord from taking certain retaliatory actions against a victim who terminates a rental agreement for these reasons.

A.B. 380 (Chapter 485)

Assembly Bill 380 allows an owner of real property, who has improved the property specifically for pedestrian use and has opened the property to the public for such use, to record a notice in the office of any county recorder providing that any such use of the owner's real property is with the permission of and subject to the control of the owner. A land owner may post notice stating that the right to pass over such land is by permission and subject to the control of the owner. In addition, the measure prohibits a person from maintaining an action constituting an easement by prescription regardless of whether the owner posts certain notice on the property or records a notice. Lastly, a governing body of a city or county is authorized to adopt ordinances governing the composition of a sign posted by a land owner under certain circumstances.

S.B. 500 (Chapter 532)

Senate Bill 500 consolidates the functions of the Manufactured Housing Division under the Housing Division of the Department of Business and Industry. The bill creates the Account for Housing Inspection and Compliance and requires that existing fees and administrative fines collected by the Housing Division be deposited in the Account.

The bill also eliminates the Fund for Low-Income Owners of Manufactured Homes and directs the money from the Account for Low-Income Housing to be used for purposes provided for the Fund under existing law. Additionally, S.B. 500 expands the purpose for which the Account for Low-Income Housing may be used to include assisting eligible individuals by supplementing their monthly rent for the manufactured home lot on which their manufactured home is located, but the Division may expend not more than $75,000 per year of the money deposited in the Account for that purpose.

Finally, the bill creates an Affordable Housing Advocate position within the Housing Division to help resolve issues and provide assistance to residents of affordable and manufactured housing.

This bill is effective on June 9, 2017, for the purposes of adopting regulations and performing any other preparatory tasks and on July 1, 2017, for all other purposes.

Common-Interest Communities (Homeowners' Associations)

S.B. 195 (Chapter 198)

Senate Bill 195 revises the methods by which executive board vacancies are filled, elections are conducted, and a special declarant's rights are transferred in an involuntary sale. It also requires an association to maintain directors and officers insurance and grants boards additional

powers to manage the parking and storage of recreational vehicles. Depending on the purpose for which an executive session is being held, notice for an executive board session must be:

- Given only to the person who may be the subject of a hearing for that meeting; or

- Be posted within the common elements of the association and be provided electronically to all unit owners who have provided an electronic mail address.

The bill requires additional disclosures be made regarding both the purchase and resale of a time share and requires a time-share manager to disclose to the association and make available upon request a report describing all fees, compensation, or other property the manager is entitled to receive for services rendered.

S.B. 239 (Chapter 296)

Senate Bill 239 provides that a unit-owners' association or its employee or agent may enter upon vacant property without liability for trespass to abate water leaks, sewage leaks, or mold that threatens imminent damage or is damaging the common elements of the property or another unit. If an association or its employee enters upon the grounds or interior of a unit to conduct remediation, it may only do so to the extent reasonably necessary to protect health and safety, avoid blight or deterioration of the unit or surrounding units, or protect the use and enjoyment of nearby units.

If the unit in question is vacant, the association may enter the grounds and interior to remove damage or remediate if the unit's owner refuses to do so only after notice is given but before a hearing.

If the unit in question is vacant and not in the foreclosure process, the association may not remove any damage or remediate the damage unless the association notifies each holder of a recorded security interest of its intent to maintain the exterior of the unit or abate a public nuisance.

S.B. 255 (Chapter 248)

Senate Bill 255 eliminates the specific methods for delivering to unit owners in a common-interest community a copy of a change to the governing documents of a unit-owners' association and instead allows delivery in a manner generally required by other provisions of law.

The measure authorizes a purchaser of a unit in a common-interest community to deliver a notice of cancellation of sale to a seller by electronic transmission. It also adds to the information statement provided as part of a purchase of a unit in a common-interest community a statement concerning a purchaser's option to deliver a notice of cancellation of a contract of purchase by electronic transmission.

This bill is effective on July 1, 2017.

S.B. 258 (Chapter 563)
Senate Bill 258 authorizes an executive board of a common-interest community to send a written notice to cure a violation without imposing a fine and requires the notice to meet several requirements. Specifically, the notice must explain any applicable provisions that form the basis for the alleged violation; describe the alleged violation and proposed cure; provide a clear photograph of the violation, if applicable; and provide the unit owner or tenant a reasonable opportunity to cure the violation before taking further action.

The bill also provides that certain property owners who own additional property jointly with certain other property owners or who own a fractional interest in additional property as a tenant in common with certain other property owners may act on behalf of all such property owners in certain circumstances.

Provisions concerning jointly owned property are effective on July 1, 2017. Provisions concerning certain notice requirements of common-interest communities are effective on October 1, 2017.

S.B. 281 (Chapter 331)
Senate Bill 281 revises provisions relating to the distribution of excess proceeds from the sale of property to recover delinquent taxes. The measure provides that a waste management company, a unit-owners' association of a common-interest community, a unit-owners' association of a condominium hotel, or an owner of a unit of a condominium hotel may receive excess proceeds from the sale of a property. The measure clarifies that if a unit-owners' association recovers excess proceeds from the sale of a residential unit in the common-interest community, the association may not recover in a civil action or otherwise collect any deficiency remaining due to the association from the owner of the residential unit. Finally, the measure provides that the 10 percent limit on any fee charged for locating, delivering, recovering, or assisting in the recovery of excess proceeds from a sale shall apply only to transactions where the person entering the agreement is a natural person who is the owner and occupier of the property at the time of the sale.

This measure is effective on July 1, 2017.

S.B. 476 (Chapter 252)
Senate Bill 476 requires certain members of the Commission for Common-Interest Communities and Condominium Hotels to not only be unit owners, but also reside in a unit within Nevada.

Foreclosure

S.B. 33 (Chapter 202)
Senate Bill 33 prohibits the foreclosure of a military servicemember's residential mortgage loan, including the foreclosure of a lien against a unit in a common-interest community, while the member is on active duty, and for one year immediately following active duty so long as

the loan was entered into before the servicemember was called to active duty or deployed. These protections also apply to a servicemember's dependent in certain circumstances. A person who knowingly violates these provisions is guilty of a misdemeanor and is liable for damages.

This bill is effective on May 29, 2017.

S.B. 267 (Chapter 123)

Senate Bill 267 removes an existing population cap so that a foreclosure sale in a county with a population of fewer than 100,000 people can be held at a location designated by the governing body of the county rather than at the county courthouse. A mortgagee or beneficiary of a deed of trust under a residential mortgage loan is required to provide the Division of Financial Institutions, Department of Business and Industry, with certain contact information. The bill also extends to June 30, 2021, the expiration date of provisions governing the expedited process for the foreclosure of abandoned residential property.

This bill is effective on May 25, 2017.

S.B. 490 (Chapter 571)

Senate Bill 490 makes the Foreclosure Mediation Program permanent. It requires that the program be administered by Home Means Nevada, Inc., and sets forth the specific functions that the administrating entity must undertake, including meeting various reporting and auditing requirements, submitting to the district court the terms of any loan modification or settlement agreement, and developing and maintaining an Internet portal for a program of foreclosure mediation to streamline the process of foreclosure mediation. The bill also separates in statute the additional requirements for residential foreclosures from provisions that apply to real property foreclosures generally.

The Account for Foreclosure Mediation is renamed the Account for Foreclosure Mediation Assistance, which is to be administered by the Interim Finance Committee of the Legislature. Any money collected for the Program may only be expended to support the Program and the development and maintenance of an Internet portal for a program of foreclosure mediation. The notice of default filing fee is increased from $45 to $95 and is to be paid by the trustee to the county treasurer for deposit into the Account for Foreclosure Mediation Assistance. The bill requires a $25 filing fee from certain persons who wish to take part in the Program and increases the fee for mediation services from $400 to $500. In addition, S.B. 490 requires $100 of the fee collected for mediation services to be deposited into the Account for Foreclosure Mediation Assistance and requires the parties to pay their share of the fee.

This bill is effective on June 12, 2017.

INSURANCE

A.B. 12 (Chapter 40)

Assembly Bill 12 makes changes to the regulation of insurance adjusters. The bill requires individuals and employees of insurers and third-party administrators who adjust workers' compensation claims to obtain a license as an adjuster. It also requires certain adjusters to obtain continuing education in order to renew a license and to adhere to certain standards of conduct. The measure provides for the issuance of a nonresident license as an adjuster and a temporary emergency license in the event of a catastrophe.

This bill is effective on May 19, 2017, for the purposes of adopting regulations and performing any other preparatory administrative tasks and on July 1, 2018, for all other purposes.

A.B. 35 (Chapter 12)

Assembly Bill 35 expands the authority of Nevada's Commissioner of Insurance to examine and supervise insurers. The bill adopts portions of the National Association of Insurance Commissioners' (NAIC) Corporate Governance Annual Disclosure Model Act, which increases the disclosure requirements for all insurers domiciled in Nevada. It also adopts portions of the NAIC's Insurance Holding Company System Regulatory Act, which allows the Commissioner to act as a supervisor for an internationally active insurance group in certain circumstances. Finally, A.B. 35 makes changes to provisions governing captive insurers, including, without limitation, state-chartered risk retention groups.

This bill is effective on May 8, 2017, for the purpose of adopting regulations. Provisions of the bill related to the adoption of model acts are effective on January 1, 2018, and the remaining provisions are effective on July 1, 2017.

A.B. 83 (Chapter 376)

Assembly Bill 83 is the omnibus bill of the Division of Insurance, Department of Business and Industry. The bill makes numerous changes to provisions governing insurance including:

- Establishing provisions concerning the administrative supervision of insurers whose financial condition may be hazardous to insureds or creditors of the insurer or to the general public;

- Providing for the regulation of network plans under which the financing and delivery of health care services are provided through a defined set of providers of health care under contract with a health carrier;

- Revising various provisions related to insurance producers;

- Revising various provisions concerning the discontinuation of certain insurance products;

- Providing certain consumer protections to purchasers of service contracts;

- Revising minimum net worth and surety bond requirements for dental care organizations and prepaid limited health service organizations; and

- Making various other technical changes affecting the regulation of insurance.

Provisions of this bill relating to the discontinuation of certain insurance products are effective on June 5, 2017. Provisions relating to minimum net worth and surety bond requirements for dental care organizations and prepaid limited health service organizations are effective on June 5, 2017, for the purposes of adopting regulations and performing administrative tasks and on January 1, 2018, for all other purposes. The remaining provisions are effective on June 5, 2017, for the purpose of adopting regulations and performing administrative tasks and on July 1, 2017, for all other purposes.

A.B. 244 (Chapter 287)
Assembly Bill 244 allows certain insurance companies and their employees and agents to provide goods, prizes, gifts, and other items not to exceed $100 in value per customer or prospective customer in any one year.

This bill is effective on July 1, 2017.

A.B. 455 (Chapter 134)
Assembly Bill 455 allows a notice or other document required by law to be provided as part of an insurance transaction or which serves as evidence of insurance to be delivered by electronic means in certain circumstances. The bill requires insurers to deliver notices or other documents in physical form to insured persons if the insurers do not receive verification or acknowledgment of receipt of electronic notice within three days of delivery. The bill also allows an insurer to post a standard policy of property or casualty insurance or a standard endorsement of such a policy on its website rather than mailing or delivering it if the policy or endorsement does not contain personally identifiable information and the insurer satisfies certain conditions.

S.B. 209 (Chapter 560)
Senate Bill 209 allows the Commissioner of Insurance to accept an independent audit in lieu of an examination of a nonprofit organization of surplus lines brokers if the Commissioner deems an independent audit to be in the best interest of the residents of Nevada. The Commissioner may adopt regulations to allow for the charging and collection of a fee by an insurance broker, consultant, or financial planner for consultation or related advice on the purchase of individual or group life or health insurance for an individual or group annuity.

The measure allows an employee or authorized representative of a vendor to receive certain incidental compensation from the vendor for offering coverage and enrolling a customer under a policy of portable electronics insurance. Additionally, S.B. 209 requires that a notice of intent to withdraw from an association of self-insured public or private employers be deemed rescinded if the member does not provide proof to the association before the expiration of the

120-day period that he or she has replaced his or her membership to the association with some other type of insurance. Finally, the bill repeals the law authorizing the Commissioner, with the approval of the State Board of Examiners, to enter into a multi-state agreement to preserve the ability of this State to collect premium tax on multi-state risks.

This bill is effective on July 1, 2017.

Health Insurance and Medicaid

A.B. 108 (Chapter 44)

Assembly Bill 108 requires the Division of Health Care Financing and Policy of the Department of Health and Human Services to review the adequacy of Medicaid reimbursement rates every four years. If the Division finds that the rate of reimbursement for a service or item does not accurately reflect the actual cost of providing the service or item, the Division must calculate the rate of reimbursement that accurately reflects the actual cost of providing the service or item and recommend that rate to the Director of the Department for possible inclusion in the State Plan for Medicaid.

This bill is effective on July 1, 2017.

A.B. 249 (Chapter 553)

Assembly Bill 249 makes various changes to health insurance coverage for contraception. Specifically, the bill aligns Nevada law with certain provisions of the federal Patient Protection and Affordable Care Act, requiring all public and private health insurance plans in the State to cover certain benefits related to contraception without any copay, coinsurance, or a higher deductible, in most instances. In addition, health insurance plans must cover up to a 12-month supply of certain contraceptive drugs, devices, and services approved by the federal Food and Drug Administration. The bill also requires a pharmacist to dispense up to a 12-month supply of drugs for contraception or a therapeutic equivalent pursuant to a valid prescription or order if certain conditions are met. Finally, an insurer may not use medical management techniques to require an insured to use a method of contraception other than that prescribed by the insured's health care provider.

This measure is effective on January 1, 2018.

A.B. 304 (Chapter 280)

Assembly Bill 304 requires the Autism Treatment Assistance Program within the Aging and Disabilities Services Division of the Department of Health and Human Services to provide and coordinate services for certain individuals who are "diagnosed or determined" to have an autism spectrum disorder. In addition, the measure revises the definition of the term "autism spectrum disorder" to mean a condition that meets the diagnostic criteria for autism spectrum disorder published in the current edition of the *Diagnostic and Statistical Manual of Mental Disorders* published by the American Psychiatric Association or the edition of the *Manual* that was in effect at the time the condition was diagnosed or determined.

In addition, A.B. 304 requires certain health insurers to reimburse an early intervention agency that performs certain services related to screening for and diagnosis and treatment of autism spectrum disorders to certain young people covered by the insurer.

This bill is effective on July 1, 2017.

A.B. 381 (Chapter 281)

Assembly Bill 381 prohibits certain health insurers from moving a prescription drug from a lower cost tier to a higher cost tier within their formulary under certain circumstances. The bill provides that for individual plans, a drug may be moved from a lower tier to a higher tier on January 1 of a calendar year and for small employer plans, on January 1 and July 1 of a calendar year, with certain exceptions. Such an insurer may add or remove a drug from a formulary at any time. However, a pharmacist may substitute a generic drug for a drug prescribed by brand name or an interchangeable biological product for a biological product prescribed by brand name.

This bill is effective on January 1, 2019.

S.B. 60 (Chapter 356)

Senate Bill 60 authorizes the Director of the Department of Health and Human Services (DHHS) to include in Medicaid managed care plans a voluntary program in which certain qualified local governmental entities and Indian tribes may receive supplemental reimbursements for ground emergency medical transportation services provided to Medicaid recipients, in addition to the payments they would otherwise receive. The bill also requires the Director of DHHS to develop a voluntary program to provide increased per patient payments to Medicaid managed care plans for ground emergency medical transportation services provided by a governmental entity or Indian tribe pursuant to a contract or other arrangement. Such a program would require the governmental entity or Indian tribe to make certain intergovernmental transfers of money to the Department in an amount equal to the total spent to render ground emergency medical transportation services or to pay the nonfederal share of expenditures on the program.

This measure is effective on June 4, 2017.

S.B. 233 (Chapter 323)

Senate Bill 233 revises health insurance coverage requirements in Nevada. The bill includes in Nevada law various requirements of the federal Patient Protection and Affordable Care Act. It requires all private health insurance plans and certain public health insurance plans made available in the State to provide coverage for certain preventive services without a copay, coinsurance, or higher deductible. An insurer may require an insured to pay a higher deductible, coinsurance, or copay for a contraceptive drug or device if the insured refuses to accept a therapeutic equivalent.

In addition, the bill:

- Requires health insurance plans to include at least one contraceptive drug or device approved by the Food and Drug Administration for each method of contraception without a deductible, copay, or coinsurance;

- Authorizes an insurer to use medical management techniques, including step therapy or prior authorization to determine the frequency of the preventive services required in the bill or the type of health care provider who will provide those services;

- Prohibits the use of medical management techniques to require an insured to use a method of contraception other than that prescribed or ordered by the insured's health care provider;

- Requires an insurer to provide a process for the insured to request an exemption from a medical management technique required by an insurer to obtain contraception;

- Applies existing religious exemptions to the new provisions related to coverage of contraception; and

- Requires a pharmacist to dispense up to a 12-month supply of contraceptives or the balance of the plan year, whichever is shorter.

This measure is effective on January 1, 2018.

S.B. 262 (Chapter 359)

Senate Bill 262 requires payments made pursuant to a health insurance policy for mental health or alcohol or drug abuse treatment be made directly to the provider of the treatment rather than to the person receiving the treatment, if the provider is an out-of-network provider who has an assignment of benefits that meet certain qualifications. A licensed clinical alcohol and drug abuse counselor must, if applicable, be directly reimbursed for treatment relating to the abuse of alcohol or drugs, in accordance with an applicable assignment of benefits. The measure requires the provider to refund to a person who pays the provider directly for treatment certain amounts that the person paid the provider.

This bill is effective on January 1, 2018.

S.B. 325 (Chapter 593)

Senate Bill 325 requires the Director of the Department of Health and Human Services to include in the State Plan for Medicaid and the Children's Health Insurance Program authorization for certain lawfully residing children under 19 years of age, who have resided in the United States for fewer than five years, to enroll in these programs. The measure allows for the reduction or elimination of certain benefits to these children in response to certain changes in federal law.

This measure is effective on July 1, 2017.

S.B. 366 (Chapter 246)
Senate Bill 366 requires the Director of the Department of Health and Human Services to prepare an annual report that lists all employers in the State that have 50 or more employees, the number of their full-time employees who are enrolled in Medicaid, and whether their employees have access to an employer-based health plan. The report must not contain individually identifiable health information, must comply with the federal Health Insurance Portability and Accountability Act, and must be submitted to the Governor and the Legislature.

In addition, the bill creates the Advisory Committee on Medicaid Innovation within the Department's Division of Health Care Financing and Policy. The Advisory Committee must study and provide recommendations on issues such as public or private prescription purchasing coalitions, access to health insurance, and any federal Medicaid waivers for which the State may apply.

This measure is effective on July 1, 2017.

S.B. 394 (Chapter 369)
Senate Bill 394 requires, upon written request, a health maintenance organization to provide certain data to the person responsible for overseeing the health care plan for a group purchaser. The data must be provided in an aggregated form that complies with federal and State law, including the Health Insurance Portability and Accountability Act of 1996. The bill prohibits the further disclosure of this data to any person other than a person responsible for making decisions about the health care plan, except as otherwise authorized by the health maintenance organization that provided the data or as ordered by a court.

The bill also requires the Legislative Committee on Health Care to study, during the 2017-2018 Interim, opportunities to establish a program similar to the Medicaid managed care program and make the program available through the Silver State Health Insurance Exchange, among other things. The Committee must report the results of the study and any recommendations to the Legislature by September 1, 2018.

This measure is effective on June 4, 2017.

Workers' Compensation

A.B. 54 (Chapter 13)
Assembly Bill 54 revises the circumstances under which an employer is required to report certain accidents or motor vehicle crashes to the Division of Industrial Relations, Department of Business and Industry. The bill requires an employer to report an accident or crash if it results in the hospitalization of at least one employee, rather than the current standard of three or more. Additionally, if the accident or crash causes the loss of at least one eye or an amputation, the employer must report it to the Division within 24 hours.

A.B. 267 (Chapter 551)

Assembly Bill 267 modifies certain provisions relating to claims for occupational illness or disease. The bill allows a claimant with an occupational disease of cancer, lung disease, or heart disease to obtain temporary total disability benefits, regardless of whether the claimant was incapacitated for at least 5 cumulative days within a 20-day period.

The bill also provides that if an employer, insurer, or third-party administrator denies an occupational disease claim for lung disease or heart disease and the claimant ultimately prevails, the employer, insurer, or third-party administrator may be ordered to pay the claimant a benefit penalty of up to $200 each day the claim is under appeal. An employer, insurer, or third-party administrator must pay all medical costs associated with the occupational disease incurred by the claimant on or after the date of the hearing before the hearing officer, but the employer, insurer, or third-party administrator may recover such amounts paid to the claimant if the employer, insurer, or third-party administrator ultimately prevails. The bill requires the Administrator of the Division of Industrial Relations of the Department of Business and Industry to review a claim for the occupational disease that has been in the appeals process for longer than six months to determine the circumstances causing the delay in processing the claim.

Finally, A.B. 267 restricts the dissemination and use of certain information from physical examinations required to be obtained by firefighters, arson investigators, and police officers.

A.B. 458 (Chapter 216)

Assembly Bill 458 makes various changes to the administration of workers' compensation claims. The bill:

- Expands the reasons for which an injured employee may obtain an independent medical examination;
- Modifies certain requirements related to vocational rehabilitation;
- Increases from $300 to $800 the maximum amount of a medical only claim;
- Provides a definition for "retired" for purposes of determining whether an employee with a reopened claim is entitled to vocational rehabilitation services or temporary total disability benefits;
- Clarifies the method used to rate a body part that was included in a previous permanent partial disability award;
- Codifies the maximum amount of a lump sum payment that a person injured on or after July 1, 1995, may elect to receive as compensation; and

- Requires the tables used to calculate the lump sum payment to be adjusted on July 1 of each year.

This bill is effective on July 1, 2017.

LABOR AND MANAGEMENT

A.B. 113 (Chapter 271)

Assembly Bill 113 requires each public and private employer in this State—other than the Department of Corrections, certain small employers, and certain licensed contractors—to provide reasonable break time and an appropriate place for an employee who is a nursing mother to express breast milk. This break time may be provided with or without compensation, except if such break time is otherwise required to be compensated pursuant to a collective bargaining agreement. The bill prohibits employers from retaliating against an employee who takes advantage of the bill's provisions.

If a public or private employer would face an undue hardship relating to these requirements, the measure authorizes the employer to meet with the employee to discuss potential alternatives. The measure outlines the process for resolving an impasse, if an alternative is not reached, and it authorizes the Labor Commissioner to enforce these requirements for private employers. The measure provides a process for a public employee to file a complaint and requires the Local Government Employee-Management Relations Board to create an expedited procedure to resolve such a complaint. Finally, certain small employers and contractors are exempt from various requirements of this measure.

This bill is effective on July 1, 2017.

A.B. 190 (Chapter 105)

Assembly Bill 190 expands certain statutory requirements related to the completion of safety and health hazard recognition and prevention training to workers and supervisors at sites related to the entertainment industry. Not later than 15 days after an individual is hired, a worker or supervisory employee is required to obtain a card stating that he or she has completed an approved training course, and the completion card must be presented to the employer. If a worker or supervisory employee fails to do so, the employer must suspend or terminate the employment of the individual. The bill provides that an employer who fails to suspend or terminate an employee, as required, is subject to an administrative fine.

The measure also provides that, for the first year after the effective date of the bill, employees may satisfy the safety training requirements by completing an alternative course provided by an employer, and it requires such an employer to maintain certain records. Finally, A.B. 190 requires the Division of Industrial Relations of Nevada's Department of Business and Industry to approve courses for fulfilling the requirements of the bill and directs the Division to establish a registry of providers of approved courses.

This bill is effective on January 1, 2018. The provisions of the bill allowing an employee to satisfy the safety training requirements by completing an alternative course provided by an employer expire on December 31, 2018.

A.B. 276 (Chapter 324)

Assembly Bill 276 prohibits an employer with 15 or more employees, an employment agency, or a labor organization from discriminating against a person's employment or membership for inquiring about, discussing, or voluntarily disclosing information about his or her wages. This provision does not apply to any person who has access to wage information of other persons as part of their job function and discloses such information to a person who does not have access, except as ordered by the Labor Commissioner or a court of competent jurisdiction.

Finally, the measure adds requirements governing noncompetition covenants, including when the covenant is considered void and unenforceable.

This bill is effective on June 3, 2017.

S.B. 253 (Chapter 319)

Senate Bill 253 establishes the Nevada Pregnant Workers' Fairness Act, which provides protections to female employees similar to the protections of the federal Pregnancy Discrimination Act. The Act makes it an unlawful employment practice, with certain exceptions, for an employer to refuse to provide reasonable accommodations, upon request, to female employees and applicants for employment for a condition relating to pregnancy, childbirth, or a related medical condition, unless the accommodation would impose an undue hardship on the business of the employer. The measure applies to employers with 15 or more employees and also applies to State and local governments.

A person injured by an unlawful practice within the scope of the Act may file a complaint with the Nevada Equal Rights Commission. The Commission may investigate any unlawful employment practice by an employer under the Act. If the Commission does not conclude that an unfair employment practice has occurred, a person may file an action in district court. The Commission must carry out programs to educate employers and others about their rights and responsibilities under the Act.

This bill is effective on June 2, 2017, for the purpose of requiring an employer to provide written notice to existing employees of the rights that will be effective on October 1, 2017, and on October 1, 2017, for all other purposes.

LEGISLATURE

A.B. 296 (Chapter 381)
Assembly Bill 296 requires the Legislative Counsel to assign a number to a bill draft request in the order in which the request is received. The prohibition against assigning a number until sufficient detail has been received by the Legislative Counsel to allow complete drafting of the legislative measure is eliminated.

This bill is effective on July 1, 2017.

A.B. 464 (Chapter 192)
Assembly Bill 464 repeals a number of provisions relating to obsolete or redundant reports mandated by the Legislature but ensures that the information provided by certain reports remains publicly available on pertinent websites. It also revises the frequency with which some reports are submitted to the Legislature.

This bill is effective on July 1, 2017.

S.B. 540 (Chapter 585)
Senate Bill 540 directs the Legislative Commission to permit the Professional Firefighters of Nevada to construct or install a memorial to firefighters on the Capitol Complex. After consulting with other professional and volunteer firefighter organizations, the Professional Firefighters of Nevada shall submit to the Legislative Commission three alternative designs for the memorial. The Commission shall review the designs and select the one it considers most suitable for the Capitol Complex and determine the appropriate location for the memorial. Finally, S.B. 540 specifies that no public money may be spent for the design, construction, or installation of the firefighter memorial.

This bill is effective on June 14, 2017.

Legislative and Other Studies Directed by the Legislature

A.B. 202 (Chapter 150)
Assembly Bill 202 requires the Legislative Commission to appoint a committee to conduct an interim study concerning the cost and affordability of higher education in Nevada. The bill requires the committee to consider certain topics and perform certain duties, including preparing a report for submission to the Legislature and making recommendations to the Legislature and the Board of Regents concerning:

- Findings related to the affordability and programs of higher education, including, without limitation, where long-term investments should be made to improve affordability and address workforce needs; and

- Actions needed for the efficient and effective operation of higher education if the State is to progress economically and socially.

This bill is effective on July 1, 2017.

A.B. 299 (Chapter 279)

Assembly Bill 299 requires the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs to conduct a study during the 2017-2018 Interim concerning standards of training for unlicensed persons who provide care at certain facilities or homes or through certain agencies. In addition, the bill requires the Committee to study the creation of a competency evaluation for a person who receives such training concerning the provision of care.

This measure is effective on July 1, 2017.

A.B. 343 (Chapter 417)

Assembly Bill 343 requires the Legislative Committee on Health Care to conduct an interim study of the current rates paid by the State to group homes contracted with Southern Nevada Adult Mental Health Services. The study must include an evaluation of the impact of a change in rates, including the impact on federal and State funding for group homes.

This bill is effective on July 1, 2017.

A.B. 452 (Chapter 118)

Assembly Bill 452 requires the Legislative Committee on Energy to conduct a study during the 2017-2018 Interim concerning energy choice. The study must include:

- Consideration of any issue, policy, or requirement identified in Ballot Question No. 3, the Energy Choice Initiative, approved by the voters at the 2016 General Election; and

- A review of the work of the Governor's Committee on Energy Choice established by the Governor after the voters' approval of the Energy Choice Initiative.

S.B. 92 (Chapter 7)

Senate Bill 92 makes permanent the Task Force on Alzheimer's Disease, which was set to expire by limitation on June 30, 2017.

This measure is effective on March 30, 2017.

S.B. 118 (Chapter 220)

Senate Bill 118 creates the Nevada Task Force on Financial Security, consisting of nine voting members, to conduct a comprehensive examination during the 2017-2018 Legislative Interim of the financial security of individuals and families in Nevada, including their opportunities to build assets and reduce debt. The costs of the Task Force will be paid only from gifts, grants,

and donations received by the Task Force. Additionally, the Task Force must submit a report of its findings and recommendations to the Legislative Counsel Bureau on or before September 1, 2018.

This bill is effective on May 30, 2017, for the purpose of appointing voting members to the Task Force and on July 1, 2017, for all other purposes. The bill expires by limitation on June 30, 2019.

S.B. 121 (Chapter 522)

Senate Bill 121 establishes an interim study concerning the needs relating to the behavioral and cognitive care of older persons. The interim study committee, consisting of six legislators appointed by the Legislative Commission, is required to research and identify potential sources of State funding available to support evidence-based statewide community programs to aid caregivers and assist Nevada's Care Connection and Nevada 2-1-1 in the creation of a "No Wrong Door" program for caregivers. In addition, the interim study committee must evaluate the possibility of establishing a higher rate of reimbursement by Medicaid for nursing facilities that support older adults with behavioral and cognitive health needs. Finally, the committee must examine and research the provision of education and training for health care professionals in the screening, diagnosis, and treatment of behavioral and cognitive diseases prevalent in older persons.

In conducting the study, the committee may consult with and solicit input from a number of persons and organizations, including: (1) employees of the Division of Public and Behavioral Health and the Aging and Disability Services Division of the Department of Health and Human Services; (2) a representative from an association that provides services to persons with Alzheimer's Disease; (3) a representative from a nonprofit community agency that provides caregiver support and services to older persons with behavioral or cognitive health issues; and (4) a medical professional, as well as a representative from the Nevada System of Higher Education, with expertise in cognitive disorders.

This bill is effective on July 1, 2017.

A.C.R. 9 (File No. 41)

Assembly Concurrent Resolution No. 9 directs the Legislative Commission to appoint an interim committee to study certain violations of traffic laws. The committee shall consider existing laws relating to licensing of drivers and registering and insuring motor vehicles. The committee also shall consider:

- Existing laws that treat such violations as criminal offenses;
- The elements of a system that treats these violations as civil infractions; and
- The anticipated fiscal impact on the State and its political subdivisions.

The committee shall submit its report to the 2019 Session of the Legislature.

S.C.R. 1 (File No. 40)

Senate Concurrent Resolution No. 1 directs the Legislative Commission to appoint a committee to conduct an interim study relating to affordable housing in Nevada. The resolution specifies that the study must include, among other things, an examination of the present and prospective need for affordable housing, any impediments to the development of affordable housing, methods to increase the availability of affordable housing, and other relevant matters relating to affordable housing. The interim study committee must solicit input from interested stakeholders, including agencies and organizations that provide access to and assistance with affordable housing, and the Legislative Commission must submit a report of the results of the study and recommended legislation to the 2019 Session.

S.C.R. 6 (File No. 45)

Senate Concurrent Resolution No. 6 directs the Legislative Commission to appoint a committee of six legislators to conduct an interim study concerning the appropriate salaries for certain positions in the unclassified and nonclassified service of the State. Also on the committee, as a nonvoting member, is the Administrator of the Division of Human Resource Management of the Department of Administration.

The committee shall review any position within the Judicial Branch of State government, the Commission on Ethics, the Nevada Gaming Control Board, the Public Utilities Commission of Nevada, and any other department, commission, or agency of the State of Nevada as determined by the committee. The committee shall perform a market salary analysis for each position selected for review. Finally, the committee may consider whether any position that is currently designated within the classified, unclassified, or nonclassified service of the State should be redesignated to a more appropriate classification.

The Legislative Commission shall submit a report of the results of the study and any recommendations for legislation to the Director of the Legislative Counsel Bureau for transmittal to the 2019 Session of the Legislature.

LOCAL GOVERNMENTS

S.B. 84 (Chapter 384)

Senate Bill 84 reorganizes much of Chapter 281A ("Ethics in Government") of *Nevada Revised Statutes* to separate procedures relating to the handling of advisory opinions from the ethics complaint process. Provisions relating to investigative panels are removed or repealed and review panels are created. A review panel can approve a deferral agreement, which provides that if the public officer or employee complies with the terms and conditions of an agreement, that person will not be subject to a full hearing of the Commission on Ethics.

The measure provides that certain confidential materials related to a request for an advisory opinion that are in the possession of the requester are not public records. The Commission is required to adopt regulations regarding discovery requests and the confidentiality of investigatory materials, including the type of evidence that must be provided by the Executive Director to the subject of an ethics complaint prior to an adjudicatory hearing before the Commission.

Senate Bill 84 also gives the Commission additional remedial options, depending on the scope and severity of the ethics complaint, including the issuance of a public apology, confidential letter of caution, public reprimand, or censure. In addition, S.B. 84 gives the Commission jurisdiction over independent contractors who serve in positions that would ordinarily be filled by public officers or employees. The measure expands provisions of the *Code of Ethical Standards* so that a public officer or employee cannot engage in certain unethical conduct when such conduct benefits his or her own private interests or the interests of another person with whom the public officer or employee has a commitment in a private capacity.

The measure eliminates the filing of an annual disclosure statement as it relates to counseling or representing private persons before public agencies. Instead, certain public officers or employees must make a public disclosure on the record before any action may be taken by certain public agencies. Finally, S.B. 84 clarifies that, during the cooling-off period, the public officer or employee cannot seek, negotiate, or enter into any such employment agreement, even if such an agreement does not or will not become effective until after the cooling-off period.

Provisions applying the Nevada Ethics in Government Law to independent contractors who fill positions ordinarily held by public officers or employees are effective on January 1, 2018. All other provisions are effective on July 1, 2017.

Bills Applying Generally to Local Governments

A.B. 8 (Chapter 88)

Assembly Bill 8 expands the authority of a governing body of a city that provides utility services to have delinquent charges for utility services collected with the county's general taxes.

A.B. 57 (Chapter 108)

Assembly Bill 57 requires a coroner to make a reasonable effort to notify the next of kin who is authorized to order the burial or cremation of the human remains of a decedent upon the death of the decedent. The bill also authorizes a coroner to notify the parents, guardians, adult children, or custodians of the decedent of the decedent's death and provide a copy of the report of the coroner to the parents, guardians, adult children or custodians, as applicable.

This bill is effective on July 1, 2017.

A.B. 113 (Chapter 271)

Assembly Bill 113 requires each public and private employer in this State—other than the Department of Corrections, certain small employers, and certain licensed contractors—to provide reasonable break time and an appropriate place for an employee who is a nursing mother to express breast milk. This break time may be provided with or without compensation, except if such break time is otherwise required to be compensated pursuant to a collective bargaining agreement. The bill prohibits employers from retaliating against an employee who takes advantage of the bill's provisions.

If a public or private employer would face an undue hardship relating to these requirements, the measure authorizes the employer to meet with the employee to discuss potential alternatives. The measure outlines the process for resolving an impasse, if an alternative is not reached, and it authorizes the Labor Commissioner to enforce these requirements for private employers. The measure provides a process for a public employee to file a complaint and requires the Local Government Employee-Management Relations Board to create an expedited procedure to resolve such a complaint. Finally, certain small employers and contractors are exempt from various requirements of this measure.

This bill is effective on July 1, 2017.

A.B. 147 (Chapter 84)

Assembly Bill 147 creates procedures governing the disposal of property in the custody of a law enforcement agency. A metropolitan police department is required to perform an annual audit of the disposition of property and present a report of that audit to the metropolitan police committee on fiscal affairs. The measure clarifies that the term "property" includes any property that is owned by another person or that another person is entitled to possess that:

- Is in the custody of a law enforcement agency;
- Has been stolen, embezzled, lost, found, abandoned, or unclaimed; and
- Is otherwise unrelated to an active criminal case.

In addition, the bill authorizes a board of county commissioners or its authorized representative to donate any property previously in the custody of a law enforcement agency to certain organizations.

This bill is effective on July 1, 2017.

A.B. 169 (Chapter 162)

Assembly Bill 169 provides that a county recorder has the discretion to accept and record a document that does not meet formatting requirements and removes the fee charged for such documents. The bill also sets the recording fee for certain documents at $25 and increases the additional fee collected for recording certain documents from $3 to $5.

A.B. 205 (Chapter 406)

Assembly Bill 205 enacts provisions governing cremation using alkaline hydrolysis, which is defined as the reduction of human remains through the use of alkaline chemicals and agitation. The bill makes certain fee and penalty provisions applicable to this type of cremation. In cities and towns where existing zoning laws limit the location of a crematory, the bill authorizes a crematory using alkaline hydrolysis to apply to a local board of county commissioners or the governing body of the city or town for an exemption from zoning restrictions. The operator of a crematory must provide advance notice to the Division of Environmental Protection of the State Department of Conservation and Natural Resources and any operator of a sanitary sewer in the area of its intent to use alkaline hydrolysis, and the Division must ensure that the equipment to be used complies with laws relating to water pollution. Finally, conforming changes are made to other sections of the law to account for differences between cremation by incineration and cremation by alkaline hydrolysis.

This bill is effective on June 5, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2018, for all other purposes.

A.B. 241 (Chapter 276)

Assembly Bill 241 requires each governmental entity to include in its building code a requirement that every permanent building or facility used by the public that has a public restroom and is constructed on or after October 1, 2017, must be equipped with one or more baby changing tables accessible to men and women. The bill also requires a county or city that has no building code to adopt this requirement by ordinance. Finally, the bill provides that the building code or ordinance, as applicable, must provide an exception for any building or facility that does not have a public restroom or has been issued a permit or license that restricts admission of children to the building or facility on the basis of age.

This bill is effective on June 1, 2017, for the purposes of adopting regulations and performing any other administrative tasks and on October 1, 2017, for all other purposes.

A.B. 297 (Chapter 65)

Assembly Bill 297 requires each board of county commissioners to designate at least one sheriff's office, and each city and town to designate at least one police station, as a site at which two or more persons may meet to complete the sale of personal property that was

initiated on the Internet. The bill bars any action against a county, a city, a law enforcement agency, or any employee of those entities based on any incident that occurs when two or more persons meet at a designated location to complete such a sale.

A.B. 321 (Chapter 347)

Assembly Bill 321 authorizes a local government to adopt an ordinance requiring the submission of quarterly reports related to transient lodging, not including timeshares. Specifically, the reports are to be submitted by an online hosting platform that facilitates the rental of a residential unit or a room or space within a residential unit for the purposes of transient lodging and owners and lessees of such property who use hosting platforms. The quarterly report must include certain information concerning the rentals facilitated by the hosting platform including the revenue from such rentals. This bill further requires the ordinance to authorize an agency of the local government to issue a subpoena requiring a hosting platform, owner, or lessee to produce documents, records, or materials necessary for determining whether a rental of a residential unit or a room or space within a residential unit has violated the laws of this State.

This bill is effective on July 1, 2017.

A.B. 379 (Chapter 403)

Assembly Bill 379 authorizes, under certain circumstances, the governing body of a local government to create a parks, trails, and open space district. Before creating a district, the governing body must create a service plan. The district may be created by: (1) a resolution adopted by the governing body; or (2) a petition to a governing body, subject to the governing body's approval, by an owner of property within the proposed boundaries of the district. Further, the bill authorizes property owners within the proposed district to protest the creation of the district. The bill also provides for the appointment of initial members of the board of trustees of a district and prohibits members of the board from being interested in the purchase or sale of property belonging to the district or entering into certain contracts.

Finally, the bill authorizes a board to impose and collect fees, special assessments, or ad valorem taxes for facilities, improvements, or projects of the district. Ad valorem taxes shall not be levied or collected related to the district unless the board of the district has entered into an interlocal agreement with each county in which the district is located.

This bill is effective on July 1, 2017.

A.B. 384 (Chapter 340)

Assembly Bill 384 provides, with exceptions, that the criminal history of an applicant or other qualified person under consideration for employment in a State agency or local government may be considered only after the earliest of:

- The final in-person interview;

- A conditional offer of employment; or

- If applicable, the applicant's certification by the Administrator of the Division of Human Resource Management of the Department of Administration.

Consideration may be given to the criminal history of an applicant at the outset of the selection process if he or she is disqualified from employment pursuant to a specific State or federal law. These provisions do not apply to peace officers, firefighters, or any applicant for a job that allows direct or indirect access to certain criminal databases or information.

The bill also sets forth factors that must be considered by an appointing authority or the Administrator before the criminal history of an applicant may be used as the basis for rescinding a conditional job offer or for rejection of the applicant. Additionally, if an applicant's criminal history serves as the basis for rescinding a conditional offer of employment, such rescission must:

- Be made in writing;

- Specify that the criminal history was the reason for the rejection; and

- Provide an opportunity to discuss the rescission with the human resources director for the appointing authority.

Finally, the bill provides that it is unlawful for an employer to fail to follow certain procedures when considering the criminal history of an applicant and provides that the applicant in such a case may file a complaint with the Nevada Equal Rights Commission, regardless of whether the complaint is based on race, color, sex, or some other characteristic enumerated in existing law.

This bill is effective on January 1, 2018.

S.B. 38 (Chapter 217)

Senate Bill 38 authorizes local and other government entities to use the services of the Central Mailing Room operated by the Division of State Library, Archives and Public Records, Department of Administration. A government entity choosing to use these services must pay the cost of such services.

This bill is effective on May 30, 2017.

S.B. 79 (Chapter 294)

Senate Bill 79 adds to the list of persons and entities authorized to request that certain personal information contained in the records of a county assessor, county recorder, the Secretary of State, or a county or city clerk remain confidential. These include:

- Any senior justice or senior judge;

- Any court-appointed master;

- Any prosecutor;
- Any State or county public defender; and
- The spouse, domestic partner, or minor child of any of these people.

Additionally, a nonprofit entity that maintains a confidential location for the purpose of providing shelter to victims of domestic violence may request that certain personal information remain confidential.

Similarly, the bill adds these persons and entities to the list of individuals authorized to request that the Department of Motor Vehicles display an alternate address on the person's driver's license, commercial driver's license, or identification card.

S.B. 245 (Chapter 222)

Senate Bill 245 expands the method by which the facsimile signature of a county treasurer is authorized to be produced to allow use of the most efficient device or other method of facsimile reproduction reasonably available. It imposes requirements for the safekeeping of any facsimile image or impression or any registered key, password, or other securing device or procedure if severable from the device or other method of facsimile reproduction.

This measure is effective on July 1, 2017.

S.B. 314 (Chapter 244)

Senate Bill 314 deletes the provision specifying that the governing body of a city or county may impose reasonable restrictions on the use of a system for obtaining wind energy that are related to the height of the system. Instead, a governing body of a city or county is not precluded from denying an application for a permit for the installation of a system for obtaining wind energy if it determines, based on the size, height, or configuration of the system, that installation of the system represents a danger to the health, safety, or welfare of the public or is not compatible with the character of the area in which the system is located.

S.B. 399 (Chapter 370)

Senate Bill 399 authorizes State and local governmental entities to accept a tribal identification card that is issued by a tribal government for the purpose of identifying a person if the tribal identification card meets certain requirements. Further, a business that accepts a driver's license or identification card issued by the Department of Motor Vehicles for the purpose of identifying a person is required to accept a tribal identification card for the same purpose. Finally, the bill allows certain types of businesses to decline the tribal identification if a business reasonably determines that a federal statute or regulation requires a different form of identification.

This bill is effective on July 1, 2017.

S.B. 429 (Chapter 260)

Senate Bill 429 authorizes a governing body of a city or county to establish by ordinance an urban agriculture zone for the purpose of promoting the development and operation of urban agriculture. This bill provides that a master plan also may include an urban agricultural element, which must include a plan to inventory any vacant lands owned by the city or county and blighted lands in the city or county to determine if such lands may be suitable for urban farming or gardening.

A governing body of a city or county is authorized to establish by ordinance the terms and conditions for the use of vacant or blighted land owned by the city or county for the purpose of community gardening.

This bill is effective on July 1, 2017.

S.B. 460 (Chapter 413)

Senate Bill 460 revises provisions governing the Local Government Employee-Management Relations Board by:

- Increasing the membership of the Board from three to five members;
- Increasing the number of members of the Board who may belong to the same political party from two to three members;
- Requiring that at least three members of the Board reside in southern Nevada;
- Requiring that whenever less than five members of the Board meet, not more than two of the members may be of the same political party;
- Allowing a quorum of three members of the Board to hold hearings; and
- Providing that a majority vote of the entire membership is required to take certain actions.

This bill is effective on July 1, 2017.

S.B. 477 (Chapter 336)

Senate Bill 477 requires that in any ordinance adopted by a city or county, the definition of the term "single-family residence" must include:

- A residential facility for groups in which fewer than 11 persons with disabilities reside with house parents;
- A home for individual residential care; and
- A halfway house for recovering alcohol and drug abusers in which fewer than 11 persons reside.

A residential facility for groups must be equipped with a fire sprinkler system if the facility has three or more residents who would have difficulty perceiving danger or moving to safety in the event of a fire.

This bill is effective on July 1, 2017.

S.B. 551 (Chapter 476)

Senate Bill 551 bill establishes the State's share of the costs of premiums or contributions for group insurance for active State officers and employees who participate in the Public Employees' Benefits Program. This bill also establishes the base amount for the share of the costs of premiums or contributions for group insurance under the Program that is required to be paid by the State and local governments for retired public officers and employees. In addition, it establishes the share of the cost of qualified medical expenses for individual Medicare insurance plans through the Program that must be paid by the State and local governments for retired public officers and employees.

This bill is effective on July 1, 2017.

S.B. 552 (Chapter 536)

Senate Bill 552 changes the method of calculating the amount of the subsidy paid by a local governmental agency for coverage of retired persons of the local governmental agency under the Public Employees' Benefits Program. The bill requires the local governmental agency to pay the portion of the total cost of that coverage that is equal to the difference between the total cost of coverage and the amount of the premium paid by a similarly situated retired person with State service for coverage under the Program.

The bill also expresses the intent of the Legislature with respect to transitional responsibility for any increased cost to a local government agency as a result of the revised calculation set forth in this bill. Beginning in Fiscal Year (FY) 2017-2018, 100 percent of the difference in the cost of coverage must be paid from the State General Fund. Each fiscal year thereafter the percentage to be paid from the State General Fund is reduced by 25 percentage points until FY 2021-2022 when 100 percent of the difference in the cost of coverage must be paid by the local government agency.

Finally, for the plan year commencing on July 1, 2017, this bill provides an exemption from the requirement that the Board of the Public Employees' Benefits Program provide at least 30 days' written notice to all Program participants of any change in the premium or contribution charged for coverage.

This measure is effective on June 9, 2017, for the purpose of providing an exemption regarding written notice concerning any change in the premium or contribution charged. It is effective on July 1, 2017, for all other purposes.

Bills Applying to Specific Local Entities

A.B. 36 (Chapter 584)

Assembly Bill 36 amends the Charter of the City of Reno. The bill increases the number of wards in the City from five to six and replaces the single existing at-large Council Member with a Council Member to represent the newly created sixth ward. The City Council must establish boundaries for the newly created ward and alter the boundaries of the existing five wards accordingly.

The bill also provides that all candidates for City Council representing a particular ward must be elected in a general election only by the registered voters of that ward. If a special election is held to fill the vacancy of a Council Member who represents a ward, only registered voters of that ward may vote at the special election. In addition to existing reports required of candidates for public office, the Reno City Council must adopt an ordinance requiring the Mayor and each Council Member to report the campaign contributions received during every year other than the year in which the general election for that office is held.

Finally, the bill prohibits the City Council or its members from dictating the appointment, suspension, or removal of any employee unless specifically authorized in the Charter and requires the City Council to:

- Deal directly with the City Manager; and

- Not give any order to any subordinate of the City Manager.

This bill is effective on July 1, 2017, for the purposes of passing ordinances and performing other preparatory administrative tasks related to establishing a sixth ward and drawing new boundaries for the existing wards. The revised ward boundaries are effective on January 1, 2024. The remaining provisions of the bill are effective on July 1, 2017.

A.B. 65 (Chapter 184)

Assembly Bill 65 authorizes the boards of county commissioners in Clark and Washoe Counties to use money from the fund for medical assistance to indigent persons to provide supplemental payments to certain public hospitals in those counties. The bill also authorizes the Board of County Commissioners in Clark County to make grants from the fund to any public hospital in the county for the construction or acquisition of capital assets and the renovation of facilities.

This bill is effective on May 27, 2017.

A.B. 70 (Chapter 148)

Assembly Bill 70 limits to 18 percent the amount of the property tax revenue collected in a redevelopment area in a city in Clark County that must be set aside to improve and preserve public educational facilities located within the redevelopment area or serving pupils who reside

within the redevelopment area. In the City of Las Vegas, the same limit applies to improving, preserving, or enhancing housing for low-income households. Additionally, the bill removes the requirement that educational facilities be existing facilities; expands the purposes for which money may be spent in connection with such facilities; and authorizes such spending for facilities, educational programs, and activities that are located in or within one mile of the redevelopment area or that serve pupils who reside in or within one mile of the redevelopment area.

This bill is effective on July 1, 2017.

A.B. 80 (Chapter 508)

Assembly Bill 80 authorizes, if adopted by ordinance, a city whose population is 220,000 or more located in a county whose population is 100,000 or more but less than 700,000 (currently the City of Reno) to extend the date of termination of a redevelopment plan adopted before January 1, 1991, to the later of the retirement of the last maturing securities or 60 years after the date on which the original redevelopment plan was adopted, whichever is later. The adoption of an extension of a redevelopment plan has no effect on the allocation of revenues among taxing authorities within the redevelopment area.

The bill requires that the boundaries of a redevelopment area created after July 1, 2017, and the boundaries of an area added to a redevelopment area after July 1, 2017, follow visible ground features or extensions of visible ground features, except where the boundary coincides with the official boundary of the State or a county or city; and be regular in shape, except to the extent of physical or political boundaries.

Finally, the bill requires certain cities, if the city adopts an ordinance extending the date of termination of its redevelopment plan, to set aside a portion of the revenues from taxes imposed on property in certain redevelopment areas to be used to improve and preserve existing public educational facilities.

This bill is effective on June 9, 2017.

A.B. 310 (Chapter 170)

Assembly Bill 310 requires the board of county commissioners, in certain counties where the salary of a public administrator is not set by law, to set and pay the annual compensation of a public administrator for certain costs and expenses. This bill also authorizes such public administrators to retain all fees provided by law.

This bill is effective on July 1, 2018.

A.B. 393 (Chapter 185)

Assembly Bill 393 sets forth legislative findings relating to proposed changes in zoning and hillside development standards on the undeveloped lands adjacent to the Sunrise and Frenchman Mountains. The bill declares that it is consistent with the Legislature's intent for the Board of Commissioners of Clark County to strengthen, as necessary to promote

responsible development and preserve important natural resources, the existing zoning and hillside development standards on the undeveloped desert lands adjacent to the western faces of Sunrise and Frenchman Mountains.

This bill is effective on May 27, 2017.

A.B. 436 (Chapter 426)

Assembly Bill 436 requires the Office of the Secretary of State to include and maintain on its website information concerning public and private programs that provide financing to small businesses and the criteria for obtaining financing through such programs. In addition, the website must have information concerning the process by which a business may become certified as a disadvantaged business enterprise or a program to provide financing for a disadvantaged business enterprise.

The bill also requires the Office to ensure that applicants for the issuance or renewal of a State business license indicate whether the business is minority-owned, woman-owned, or veteran-owned. If a business is so identified, the measure requires the Office to provide information to the applicant concerning the process by which the business may become certified as a disadvantaged business enterprise. In addition, the Office must provide information concerning public and private programs that provide financing to such small businesses and the criteria for obtaining financing through such programs.

Finally, this measure requires the Office of Economic Development and the Regional Business Development Advisory Council for Clark County to provide similar financial information to any business certified as a local emerging small business or a business owned and operated by a disadvantaged person.

Provisions relating to the Office of Economic Development and the Regional Business Development Advisory Council for Clark County are effective on July 1, 2017. Provisions relating to the Office of the Secretary of State are effective on January 1, 2018.

S.B. 54 (Chapter 193)

Senate Bill 54 expands the uses for which certain infrastructure sales tax proceeds may be expended by a county with a population of less than 100,000 (currently all except Clark and Washoe Counties). Specifically, the bill authorizes such taxes to be expended for ongoing expenses of operating and maintaining certain governmental facilities or for the acquisition, establishment, construction, expansion, improvement, or equipping of facilities related to health and welfare. The board of county commissioners in a county that uses infrastructure tax proceeds for these purposes must, every four years, conduct a review of its expenditure plan for such proceeds.

This measure is effective on July 1, 2017.

S.B. 56 (Chapter 325)

Senate Bill 56 provides a charter for the City of Mesquite. The charter:

- Establishes the structure of the City's governance, including provisions relating to the legislative, executive, and judicial departments of the City;
- Authorizes the City Council to establish and impose various fees; and
- Establishes other provisions concerning the ongoing operation of the City.

The bill also provides that the effective date of the charter is July 1, 2017.

This bill is effective on June 3, 2017, for the purpose of performing any preparatory administrative tasks that are necessary to carry out the provisions of the bill and on July 1, 2017, for all other purposes.

S.B. 57 (Chapter 62)

Senate Bill 57 revises provisions governing the Nevada Commission for the Reconstruction of the V & T Railway. Specifically, the bill:

- Removes the Boards of County Commissioners of Douglas, Lyon, and Washoe Counties from the governing bodies of the Commission;
- Relieves Douglas, Lyon, and Washoe Counties from any requirement to fund the Commission's budget. However, the provisions of this bill do not apply to impair any existing bond or bond obligations if a county has issued bonds to fund its share of the Commission's budget before October 1, 2017;
- Reduces from nine to five the number of members of the Commission; and
- Eliminates the authority of the Commission to enter into an agreement with the District Attorney or Treasurer of Douglas, Lyon, and Washoe Counties as of October 1, 2017, and terminates any agreement between the Commission and those persons as of that date.

S.B. 149 (Chapter 492)

Senate Bill 149 revises provisions governing regional transportation commissions (RTCs) in a county whose population is 700,000 or more (currently Clark County) to allow for the construction, operation, and maintenance of a high-capacity transit system if certain conditions are met. Such an RTC must seek approval from a county or city that owns any public right-of-way needed for construction of any such projects. The bill authorizes such an RTC to enter into agreements with other local governments for the development of projects and to share the costs related to any such projects. An RTC may recommend the imposition of an additional tax to fund the projects and is authorized to:

- Provide grants to conduct research for and otherwise develop and implement certain innovative transportation projects and enter into agreements with private entities for certain transportation projects in accordance with federal law;

- Use a turnkey procurement process or competitive negotiation process in connection with a high-capacity transit project; and

- Impose civil penalties for the unauthorized parking of a vehicle at a transportation facility and impose fees for the use of RTC services or facilities that are to be used for the construction or operation of transportation facilities.

Finally, the bill repeals provisions requiring the RTC in a county whose population is 700,000 or more to establish a regional rapid transit authority and requires that the provisions of existing law governing RTCs be liberally construed to allow an RTC to meet its objectives.

This bill is effective on June 8, 2017.

S.B. 183 (Chapter 328)

Senate Bill 183 revises the definition of "local government" to make the Local Government Budget and Finance Act apply to a regional housing authority. The bill also revises requirements for certain commissioners of a regional housing authority by requiring that one of the persons appointed by each of four governing bodies of the regional housing authority be a member of the governing bodies making the appointments. The bill also reduces from 13 to 9 the number of commissioners of a regional authority.

This bill is effective on July 1, 2017.

S.B. 202 (Chapter 113)

Senate Bill 202 amends the Charter of the City of Sparks to:

- Require that newly elected municipal judges be licensed members of the State Bar of Nevada;

- Delete obsolete provisions establishing the terms of office for officials of the City of Sparks elected in 2001, 2003, and 2004;

- Require ward-only voting in a general election for each member of the Council for the City of Sparks;

- Require that, regardless of the number of candidates for an office at the primary election, if one candidate receives a majority of the votes at the primary election, he or she must be declared elected to the office, and no general election for the office need be held; and

- Provide that a candidate takes office at the first regular meeting of the City Council following the meeting at which the canvass of the returns of the general election is made.

S.B. 279 (Chapter 224)

Senate Bill 279 authorizes a mayor of a city that is organized under general law to perform a marriage, and for a mayor of a city that is organized under special charter to perform a marriage if authorized to do so by the city's governing body. Aside from a gift of nominal value, a mayor may not accept any fee, gift, honorarium, or anything of value for performing a marriage. A mayor who violates these provisions is guilty of a misdemeanor.

This bill is effective on July 1, 2017.

S.B. 422 (Chapter 250)

Senate Bill 422 provides that a regional planning coalition may designate the regional transportation commission to administer the comprehensive regional policy plan. The Southern Nevada Regional Planning Coalition Act is repealed.

This bill is effective on July 1, 2017.

S.B. 448 (Chapter 500)

Senate Bill 448 provides, in any county whose population is 700,000 or more (currently Clark County), for the use of a public-private partnership to plan, finance, design, construct, improve, maintain, operate, or acquire the rights-of-way for a transportation facility. The measure establishes procedures for the financing of a transportation facility and for the disposition of money that is received and is to be retained by a public body pursuant to a public-private partnership.

This measure is effective on July 1, 2017.

S.B. 471 (Chapter 335)

Senate Bill 471 repeals the Nevada Improvement District Act and abolishes Douglas County Sewer Improvement District No. 1, the last remaining district formed under the Act. The Douglas County Lake Tahoe Sewer Authority Act is established, and it creates the Douglas County Lake Tahoe Sewer Authority for the purpose of furnishing certain residents of this State with an adequate system of sewage collection and treatment and disposal of wastewater. The Authority is authorized to enter into certain interlocal cooperative agreements with general improvement districts; assumes the debts, obligations, liabilities, and assets of Douglas County Sewer Improvement District No. 1; and is exempt from regulation by the Public Utilities Commission of Nevada.

The bill requires the submission of the question of merger, consolidation, or dissolution to the board of trustees of a general improvement district with annual revenues of more than $1 million that was, on October 1, 2005, exercising any of three specified powers related to: (1) sanitary sewer improvements; (2) the collection and disposal of garbage or refuse; or (3) the supply, storage, and distribution of water. A merger or consolidation of the Authority with a general improvement district must be approved by a majority of the owners of property

located within the boundaries of the service area of the Authority and by resolution of the board of trustees.

This bill is effective on June 3, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2017, for all other purposes.

NOTE: See Assembly Bill 1 (Chapter 1) of the 30th Special Session.

Financial Administration

A.B. 134 (Chapter 45)

Assembly Bill 134 increases from $200,000 to $300,000 the limit on the amount of annual total expenditures for a special district to be eligible to file with the Department of Taxation a petition for an exemption from certain filing, publishing, and auditing requirements of the Local Government Budget and Finance Act.

This bill is effective on July 1, 2017.

S.B. 42 (Chapter 26)

Senate Bill 42 revises the date for a board of county commissioners to fix the compensation for justices of the peace from July of any year in which a justice of the peace election is held to December of the year immediately preceding a year in which such an election is held.

This bill is effective on May 18, 2017.

S.B. 78 (Chapter 194)

Senate Bill 78 authorizes a local government to transfer money from an enterprise fund to the general fund of the local government on or after July 1, 2021, for the purpose of subsidizing the general fund if:

- On or before July 1, 2018, the Committee on Local Government Finance has approved a plan adopted by the governing body of the local government to eliminate such transfers, which includes, without limitation, a plan to reduce the amount of such transfers by at least 3.3 percent each fiscal year during the term of the plan; and

- The local government reduces the amount of the transfers in accordance with the plan.

Each approved plan is subject to annual review by the Committee.

This measure is effective on July 1, 2017.

Improvement and Special Districts

A.B. 5 (Chapter 267)

Assembly Bill 5 authorizes a local government to create a local improvement district that includes an energy efficiency improvement project or a renewable energy project on certain commercial or industrial real property. The bill also requires a local government to obtain signed consent from the owner of any tract on which an energy efficiency improvement project or renewable energy project will be located and from certain lenders who hold a mortgage or other lien on a property on which such a project will be located. Further, the bill provides a procedure for an owner of a tract to object to the inclusion of the tract within a district. Finally, the bill establishes requirements for the proceeds of bonds used to pay certain costs related to an energy efficiency improvement project or a renewable energy project, and it revises requirements for the interest rate of bonds sold to defray certain costs for local improvement districts.

This bill is effective on July 1, 2017.

A.B. 114 (Chapter 146)

Assembly Bill 114 increases the cap on indebtedness of an irrigation district from $1 million to $1.055 million. The bill also expands the scope of indebtedness that may be incurred in connection with the Federal Reclamation Safety of Dams Act to include compliance with any federal statute or regulation. The cap on the annual assessment levied on property in an irrigation district for the payment of ordinary expenses is raised from $1.50 to $1.70 per acre, and the cap on the annual assessment for capital improvements is raised from $5 to $5.70 per acre.

The measure provides for indexing of both the caps on indebtedness and the annual assessments by an amount equal to the lesser of 4.5 percent or the average percentage increase of the Consumer Price Index for West Urban Consumers for the preceding five years. Starting on July 15, 2018, and each year thereafter, an irrigation district board shall give notice of the adjusted amount to the owners of land in the district.

This bill is effective on July 1, 2017.

A.B. 246 (Chapter 288)

Assembly Bill 246 extends the authority of two or more counties to create an improvement district for the acquisition of certain projects—including a park project, street project, or commercial area vitalization project—and to finance the cost of any such project through the issuance of bonds and the levy of assessments upon property in the improvement district. The bill similarly authorizes the governing bodies of two or more municipalities whose boundaries are contiguous to enter into an agreement to create a tax increment area for the acquisition or improvement of a project whose boundaries encompass all or part of each municipality.

This bill is effective on July 1, 2017.

S.B. 138 (Chapter 358)

Senate Bill 138 authorizes a county, city, or unincorporated town to establish a local improvement district to fund a waterfront maintenance project, the purpose of which is to provide ongoing repairs or maintenance in relation to a public body of water or public property that is located along the shore of a public body of water. A waterfront maintenance project may be combined in the same district with a waterfront project. This bill prohibits the acquisition of a waterfront maintenance project if the local government receives written objections to the project from owners of tracts in the proposed assessment district constituting 50 percent of the basis for the computation of assessments.

The governing body of a local government that has established a local improvement district for a waterfront maintenance project must, on or before June 30 of each year, prepare an estimate of expenditures for the next year and a proposed assessment roll for the district. The bill sets forth the basis for the computation of the assessments and requires the governing body to conduct a public hearing on the estimate of costs and the assessment roll. The proceeds of the assessment must be placed in a separate fund and only used for the cost of the waterfront maintenance project.

This measure is effective on July 1, 2017.

S.B. 462 (Chapter 251)

Senate Bill 462 authorizes a board of county commissioners to create a committee to review the existing general improvement districts in the county to determine if the districts should be continued, modified, consolidated, merged, or dissolved. Each committee is limited to reviewing not more than six general improvement districts in a county per year and must submit a report to the Legislative Commission on or before July 1 of each year regarding its activities and findings. The bill sets forth certain information that each general improvement district under review by a committee may be required to provide to the committee.

This bill is effective on July 1, 2017, and expires by limitation on June 30, 2021.

Purchasing and Public Works

A.B. 399 (Chapter 575)

Assembly Bill 399 establishes the Nevada State Infrastructure Bank for the purpose of providing loans and other financial assistance to various units of State and local government for the development, construction, improvement, operation, and ownership of certain transportation facilities and utility infrastructure. The bill creates the Bank within the Department of Transportation and provides for its governance by a Board of Directors whose members are public officers who must act in good faith in a commercially reasonable manner. The Board is authorized to issue bonds or other securities to raise money to carry out its statutory purposes and powers. The bill requires the Governor, to the extent that money is available from public or private sources for administrative costs, to appoint an

Executive Director to administer, manage, and conduct the affairs of the Bank, and it establishes the powers and duties of the Executive Director.

Additionally, A.B. 399 revises the due date for the audit that the Las Vegas Convention and Visitors Authority is required to submit to the Oversight Panel for Convention Facilities in relation to the oversight of the renovation or expansion of the Las Vegas Convention Center. Finally, the bill revises provisions governing revenues pledged for the payment of bonds to finance the renovation or expansion of the Las Vegas Convention Center.

This bill is effective on June 13, 2017, for the purposes of establishing the Nevada State Infrastructure Bank, appointing a Board of Directors, and revising provisions relating to the Las Vegas Convention Center. For all other purposes, this bill is effective on the date on which the Director of the Department of Transportation notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient money is available to capitalize and carry out the business of the Bank.

S.B. 26 (Chapter 304)

Senate Bill 26 prohibits governing bodies of a local government and the Administrator of the Purchasing Division of the Department of Administration from entering into a contract with a company unless the contract includes a written certification that the company is not engaged in, and agrees for the duration of the contract, not to engage in, a boycott of Israel.

The bill also:

- Requires the State Treasurer to identify companies that engage in a boycott of Israel in which a public fund administered by the State Treasurer has either direct or indirect holdings;

- Places certain restrictions on investments that the State Treasurer may hold in those companies. However, the State Treasurer is not required to divest direct holdings of those companies unless he or she determines that the action is consistent with the fiduciary responsibilities of the State Treasurer; and

- Requires that the Treasurer report annually to the Governor and the Legislature concerning investments in those companies.

Similarly, the Public Employees' Retirement Board is required to identify companies that engage in a boycott of Israel and submit to the Governor and the Legislature an annual report of investment of money from the Public Employees' Retirement System in those companies.

This bill is effective on June 2, 2017, for the purpose of performing any preparatory administrative tasks and on July 1, 2018, for all other purposes.

S.B. 246 (Chapter 562)

Senate Bill 246 declares that it is not the legislative intent to have any government or political subdivision of this State use the construction manager at risk procurement process to:

- Limit competition;
- Discourage competitive bidding; or
- Engage in or allow bid-shopping.

The bill makes the procedure that a public body and construction manager at risk are required to use to advertise for proposals or applications under the project delivery method of "construction manager at risk" the same as the procedure a public body must use to advertise for bids on a public work whose estimated cost exceeds $100,000 under the "design-bid-build" project delivery method. It prohibits, with limited exceptions, an applicant for a construction manager at risk from substituting an employee whose resume is included on the application as a key employee. The bill requires a certain fee submitted by a construction manager at risk at the time of the interview with the public body to be assigned a weight of at least 5 percent but not more than 20 percent of the scoring for the selection of the most qualified applicant.

The bill postpones the sunset of the authority for public bodies to enter into contracts with construction managers at risk from July 1, 2017, to June 30, 2021. Finally, a public body is authorized, within a 12-month period, to contract with a design-build team for the design and construction of not more than two discrete public works projects, each of which have an estimated cost of $5 million or less.

This bill is effective on June 12, 2017, for the purpose of postponing the sunset of the authority for public bodies to enter into contracts with construction managers at risk and on July 1, 2017, for all other purposes. Provisions authorizing public bodies to enter into contracts with construction managers at risk expire by limitation on June 30, 2021.

NATURAL RESOURCES AND PUBLIC LANDS

A.B. 32 (Chapter 80)

Assembly Bill 32 authorizes the State Department of Agriculture to issue a certificate to a governmental entity and a license to a "government applicator" to engage in pest control using general and restricted use pesticides. The measure revises the procedures applicable to background checks and gives the Department authority to adopt regulations relating to background checks. Further, the bill revises what prior convictions are disqualifying for purposes of licensure. With respect to pest control licensure, the bill clarifies exemptions for certain persons including, but not limited to, consultants, farmers, landscapers, residential gardeners, researchers, certain government employees, and persons involved in termite control. Finally, the bill clarifies the licensing structure for pest control businesses and their principals.

This bill is effective on July 1, 2017.

A.B. 385 (Chapter 17)

Assembly Bill 385 requires the Administrator of the Division of State Parks in the State Department of Conservation and Natural Resources to establish a program for free entrance to State parks and recreational areas for all fifth graders enrolled in a school in the State of Nevada and any accompanying adults.

This bill is effective on May 12, 2017, for the purpose of performing any administrative tasks needed to carry out the provision of the bill and on July 1, 2017, for all other purposes.

A.B. 489 (Chapter 542)

Assembly Bill 489 expands the authorized use of funds in the Revolving Account for Land Management by the State Land Registrar to include the acquisition of land and any required environmental assessments or mitigation. The bill provides that if the balance in the Revolving Account is below $20,000, the State Land Registrar may request an allocation from the Contingency Account in the State General Fund. Finally, the bill appropriates $200,000 from the State General Fund to the Revolving Account to replenish the balance in that account.

This bill is effective on July 1, 2017.

S.B. 197 (Chapter 32)

Senate Bill 197 extends by ten years, from June 30, 2020, to June 30, 2030, the deadline for the issuance of the remainder of the general obligation bonds that were required in 2009 to be issued to carry out certain projects to improve the environment in the Lake Tahoe Basin.

This bill is effective on May 18, 2017.

S.B. 198 (Chapter 33)

Senate Bill 198 extends by five years, from June 30, 2019, to June 30, 2024, the deadline for the issuance of the remainder of the general obligation bonds that were authorized, but not yet issued, for the Conservation and Resource Protection Grant Program.

This bill is effective on May 18, 2017.

S.B. 251 (Chapter 524)

Senate Bill 251 requires the Board to Review Claims to adopt regulations for the Division of Environmental Protection of the State Department of Conservation and Natural Resources to award grants from the Fund for Cleaning Up Discharges of Petroleum to assist operators who have demonstrated financial need in defraying costs of infrastructure required to comply with laws or regulations to prevent discharge of petroleum from a storage tank. The bill sets forth priorities for grant awards and provides that certain administration and distribution requirements be included in the regulations.

This measure is effective on June 9, 2017.

S.B. 370 (Chapter 297)

Senate Bill 370 makes it unlawful to use a helicopter to transport game, hunters, or hunting equipment, except when the loading and unloading of the cargo and passengers:

- Takes place at an airport, landing field, or heliport that is established by a governmental entity and is accessible by a public road; or

- Is done in the course of an emergency or search and rescue operation.

This bill is effective on July 1, 2017.

S.B. 429 (Chapter 260)

Senate Bill 429 authorizes a governing body of a city or county to establish by ordinance an urban agriculture zone for the purpose of promoting the development and operation of urban agriculture. This bill provides that a master plan also may include an urban agricultural element, which must include a plan to inventory any vacant lands owned by the city or county and blighted lands in the city or county to determine if such lands may be suitable for urban farming or gardening.

A governing body of a city or county is authorized to establish by ordinance the terms and conditions for the use of vacant or blighted land owned by the city or county for the purpose of community gardening.

This bill is effective on July 1, 2017.

S.B. 499 (Chapter 266)
Senate Bill 499 clarifies that certain requirements of forest practices and procedures only apply to logging operations, including the requirement for obtaining a variance for the felling of trees within 200 feet of a body of water.

This measure is effective on July 1, 2017.

Historical and Cultural Resources

A.B. 371 (Chapter 574)
Assembly Bill 371 authorizes the State Land Registrar of the Division of State Lands, State Department of Conservation and Natural Resources, to purchase a historic building that has been determined by the Office of Historic Preservation to be at risk of loss. The bill authorizes the State Land Registrar to enter into a public-private partnership for the preservation, rehabilitation, restoration, reconstruction or adaptive reuse of a historic building so purchased. The public-private partnership must be structured to facilitate the transfer of ownership of the historic building from the State to the private partner and repayment of the purchase price of the historic building to the State by the private partner from revenues generated by the historic building.

Additionally, AB 371 creates the Restore Nevada's Treasures Revolving Account in the State General Fund for the receipt of gifts, grants, or donations to be deposited into the Account by the State Land Registrar for expenses related to the acquisition of historic buildings.

This bill is effective on July 1, 2017.

S.B. 244 (Chapter 523)
Senate Bill 244 provides that both the Museum Director of the Nevada State Museum, Division of Museums and History, Department of Tourism and Cultural Affairs; and the Office of Historic Preservation, State Department of Conservation and Natural Resources, in consultation with Indian tribes, must adopt regulations concerning the process for repatriation of native Indian human remains and other cultural items. A person shall not knowingly excavate a prehistoric Indian burial site on private lands within this State without first obtaining a permit from the Museum Director; however, a person who is engaging in a lawful activity on private lands, including, without limitation, construction, mining, logging, or farming is not required to obtain such a permit to engage in that lawful activity. The Museum Director is required to provide notice to and consultation with the applicable Indian tribes throughout the permitting process with regard to a permit to investigate, explore, or excavate certain historic or prehistoric sites.

To carry out these provisions, the bill appropriates the following amounts from the State General Fund:

- $1,390 in Fiscal Year 2018-2019 to the Office of Historic Preservation;

- $4,589 over the 2017-2019 Biennium to the Division of Museums and History; and

- $65,635 over the 2017-2019 Biennium to the Nevada State Museum.

An enrolled member of a Nevada Indian tribe is added to the membership of both the Board of Museums and History and the Commission for Cultural Centers and Historic Preservation. The bill authorizes the Division to spend from the Fund for the Promotion of Tourism $5,608 over the 2017-2019 Biennium for certain expenses of the newly added Board member.

Additionally the bill authorizes the Nevada State Museum to spend from the Fund for the Promotion of Tourism $80,220 over the 2017-2019 Biennium for the costs associated with a full-time position to carry out various provisions of this bill.

Finally, the bill increases penalties for the willful defacement of a native Indian cairn or grave, the knowing and willful defacement of a historic or prehistoric site, and trafficking of cultural property obtained from State land without a permit.

This bill is effective on June 9, 2017, for the purposes of adopting regulations and performing any preparatory administrative tasks. Provisions that appropriate money and authorize expenditures are effective on July 1, 2017. All other provisions are effective on July 1, 2018.

S.B. 313 (Chapter 119)

Senate Bill 313 authorizes trustees or the governing authority of a public library to establish a gift fund with a financial institution and to transfer money from the gift fund to a tax-exempt library foundation operated for the support of the library. Trustees are authorized to enter into a lease or lease-purchase agreement for real or personal property for a library and to convey property for that purpose. Any construction, alteration, repair, or remodeling of an improvement involved in such an agreement must comply with prevailing wage requirements.

Library foundations are exempt from taxes on the transfer of real property and must comply with existing law governing open meetings and public records, but are not required to disclose the names of contributors.

This bill is effective on May 24, 2017.

Protection of Animals

A.B. 391 (Chapter 86)

Assembly Bill 391 creates the crime of bestiality punishable as a gross misdemeanor or a category D felony, depending upon the circumstances. The bill defines the elements of the crime, requires relinquishment of the animal, and prohibits a person convicted of bestiality from owning, residing, or working in a location where animals are present. The court also may require persons convicted of the crime to undergo psychiatric counseling at their expense and pay any costs associated with care or maintenance of an animal involved in the crime.

Finally, the bill defines "sexual conduct" and excludes veterinary medical procedures, animal husbandry practices, or similar activities from the definition.

S.B. 371 (Chapter 301)

Senate Bill 371 provides that if an animal is impounded by a county in the lawful arrest and detainment of a person for more than seven days, the county must:

- Notify the person of the impoundment and transfer the animal to someone authorized by them if the county determines that person is able to provide adequate care and shelter to the animal; or

- If there is no such authorized person, allow another person who is able to provide adequate care and shelter to temporarily care for and, with permission of the owner, adopt the animal.

The bill also provides that if the person is convicted of the crime for which he or she was lawfully arrested, the county may, by legal action, recover the reasonable cost of care and shelter furnished to the animal by the county. Finally, the measure defines "animal" to exclude cattle, sheep, goats, swine, or poultry unless the animal is domesticated and kept as a pet.

This measure is effective on June 1, 2017.

S.B. 409 (Chapter 364)

Senate Bill 409 repeals provisions of existing law that prohibit a person from allowing a pet to remain unattended in a motor vehicle and reenacts those provisions with revisions based upon provisions of existing law related to leaving a child unattended in a motor vehicle, except for provisions regarding leaving a pet in a vehicle with the motor running. The bill also provides that certain public employees and volunteers whose work relates to animals or public safety may use any reasonable means necessary to protect a pet and remove it from a vehicle.

Finally, the bill provides that any peace officer or animal control officer is required to take possession of an animal that is being treated cruelly or is being used in fights with other animals and removes this duty from an officer of a society for the prevention of cruelty to animals.

This bill is effective on July 1, 2017.

S.B. 411 (Chapter 320)

Senate Bill 411 provides that the release of a feral cat back to the location where it was caught does not constitute abandonment if the cat was caught to vaccinate, spay, or neuter.

This bill is effective on June 2, 2017.

Public Lands

A.B. 34 (Chapter 145)

Assembly Bill 34 reduces the number of appraisals required when selling or leasing State land from two to one. When selling or leasing State land, or land owned by an incorporated city or county in a county with a population of 45,000 or more, the bill prohibits using an appraiser if a relative of the appraiser within the third degree of consanguinity or affinity has an interest in the land or an adjoining property. Counties with a population of 45,000 or more include Carson City and Clark, Douglas, Elko, Lyon, and Washoe Counties. For counties with a population less than 45,000, and cities within those counties, the applicable degree of consanguinity and affinity is increased to the second degree.

The bill expands the allowable uses of the Revolving Account for Land Management to include certain costs of acquisition, such as environmental assessments and mitigation, and raises from $5,000 to $20,000 the balance at which the State Land Registrar may request an allocation from the State General Fund. The measure also eliminates the duty of the State Lands Administrator to collect certain data and clarifies duties to compile information.

Finally, the bill repeals provisions related to the 1959 Lincoln County Pilot Land Development and Disposal Law.

This bill is effective on July 1, 2017.

A.B. 449 (Chapter 282)

Assembly Bill 449 declares the last Saturday of each September to be "Public Lands Day" and requests the Governor to issue a proclamation every year promoting Public Lands Day. The bill directs the Division of State Parks, State Department of Conservation and Natural Resources, to waive entry, camping, and boating fees in State parks and recreational areas for Nevada residents on Public Lands Day.

This bill is effective on July 1, 2017.

S.B. 43 (Chapter 98)

Senate Bill 43 adds a representative from the United States National Park Service to the Nevada State Board on Geographic Names.

This measure is effective on May 23, 2017.

S.B. 413 (Chapter 299)

Senate Bill 413 establishes the last Saturday in September of each year as "Public Lands Day" and authorizes the Governor to issue annually a proclamation encouraging its observance and recognizing the importance, uniqueness, and value of public lands in this State.

This bill is effective on July 1, 2017.

S.B. 512 (Chapter 366)
Senate Bill 512 requires the State Land Registrar to establish by regulation fees for the use of certain State lands. The bill also provides that the proceeds of certain fees related to navigable bodies of water that are in excess of $65,000 must be accounted for separately and used to carry out programs to preserve, protect, restore, and enhance the natural environment of the Lake Tahoe Basin.

This measure is effective on July 1, 2017.

S.J.R. 12 (File No. 36)
Senate Joint Resolution No. 12 rescinds S.J.R. 1 of the 2015 Legislative Session, which urged the United States Congress to enact legislation transferring title to certain public lands to the State of Nevada in accordance with the report issued by the Nevada Land Management Task Force in July 2014. Instead, S.J.R. 12 declares Nevada's support and encouragement for the retention of federal management and control of federal public lands in Nevada. The resolution requires the Secretary of the Senate to transmit a copy of S.J.R. 12 to the President of the U.S., the Vice President as the presiding officer of the U.S. Senate, the Speaker of the House of Representatives, the Governor, and each member of Nevada's Congressional Delegation.

This resolution is effective on May 30, 2017.

Water Resources

A.B. 50 (Chapter 70)
Assembly Bill 50 increases the amount of fines and civil penalties that may be imposed for violations related to community and public water systems. The cap on civil penalties that may be recovered on behalf of Nevada's Division of Environmental Protection (NDEP), State Department of Conservation and Natural Resources, is raised from $5,000 to $25,000 per day. The cap on administrative fines imposed by NDEP is increased from $2,500 to $5,000 per day.

The State Environmental Commission also is authorized to establish regulations for fees necessary to carry out the State's oversight of public water systems and for review of tentative and final subdivision maps by NDEP.

This bill is effective on May 22, 2017.

A.B. 52 (Chapter 507)
Assembly Bill 52 adds a new chapter to *Nevada Revised Statutes* governing the review and permitting of dissolved mineral resource exploration projects, as defined in the bill. The measure includes provisions regarding limits on water use, penalties, and the adoption of regulations by the Commission on Mineral Resources in coordination with the Division

of Water Resources and the Division of Environmental Protection of the State Department of Conservation and Natural Resources.

This bill is effective on June 9, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2018, for all other purposes.

A.B. 79 (Chapter 42)

Assembly Bill 79 removes the designation of the Las Vegas Valley Water District and the Southern Nevada Water Authority as the exclusive providers of water service for the Garnet Valley Ground Water Basin in Clark County, Nevada.

This bill is effective on May 19, 2017.

A.B. 138 (Chapter 272)

Assembly Bill 138 allows for the capture of rainwater from the roof of a single-family dwelling for nonpotable domestic use. Provided there is no conflict with existing water rights, and other conditions are met, the measure also allows for the capture of rainwater in a guzzler for use by wildlife. De minimus collection of rainwater under these circumstances does not require a water right permit.

This bill is effective on July 1, 2017.

A.B. 209 (Chapter 147)

Assembly Bill 209 revises the criteria considered by the State Engineer for an extension of time to work a forfeiture of groundwater rights. In certain groundwater basins, the State Engineer may grant an extension of up to three years and may grant multiple extensions.

This bill is effective on July 1, 2017.

S.B. 47 (Chapter 517)

Senate Bill 47 makes various changes relating to the appropriation of water. Specifically, the bill does the following:

- Requires the State Engineer to prepare a water budget and inventory of groundwater for each basin in the State;

- Revises the application and notice requirements for applications to appropriate water;

- Provides that if the records of the State Engineer indicate four or more consecutive years of nonuse of water, the State Engineer must notify the owner of the nonuse and the owner has one year to provide proof of beneficial use of water to avoid forfeiture;

- Provides certain considerations that must be used by the State Engineer in determining whether to grant an extension to work a forfeiture;

- Increases to five years the maximum period for a single extension to file proofs for any manner of use, to match the maximum period allowed for a municipal/quasi-municipal use; and

- Makes clarifying changes to the Southern Nevada Water Authority Act.

This bill is effective on June 9, 2017.

S.B. 51 (Chapter 156)

Senate Bill 51 makes various revisions to the process of adjudication of vested water rights, including:

- Removing the requirement that the State Engineer determine the relative rights of claimants in order of the importance of the stream for irrigation;

- Requiring that the State Engineer provide notice of the pendency of the proceedings as soon as practicable after the State Engineer enters an order granting a petition to determine the relative rights of claimants. The notice must set forth the date the State Engineer will commence taking proofs of appropriation, the date by which all proofs must be filed, and that all proofs must be accompanied by maps depicting required information;

- Revising information that must be included in proofs of appropriation;

- Providing a process for return and correction of defective proofs of appropriation;

- Authorizing the State Engineer to make a copy of the preliminary order and the order of determination available on the Internet and to send a notice to each person who has filed a proof of appropriation that the order is available on State Engineer's website;

- Providing that the State Engineer must hold a hearing on objections to the preliminary order and that notice of the hearing may be sent or served upon persons to be affected by the objections; and

- Providing that all testimony at the hearings must be transcribed by a court reporter and that claimants objecting to the preliminary order shall pay the fees and expenses of the court reporter.

This measure is effective on May 26, 2017.

S.B. 74 (Chapter 520)

Senate Bill 74 expands the time for review of water conservation plans by the State Engineer to 120 days and revises the contents of water conservation plans to include:

- A plan to progress toward the installation of meters on municipal water connections;

- Standards for water efficiency for new development;

- Tiered rate structures to promote water conservation; and

- Watering restrictions based on the time of day and day of the week.

The measure also eliminates the member of the Western Regional Water Commission who is appointed by the Chief of the Water Planning Section in the State Engineer's office. Finally, the bill requires the State Controller to transfer certain unencumbered funds in the Water Distribution Revolving Account to the State General Fund on July 1, 2017.

This measure is effective on June 9, 2017.

S.B. 270 (Chapter 525)

Senate Bill 270 requires any claimant of a pre-statutory water right to submit proof of the claim to the State Engineer on or before December 31, 2027, and it requires the State Engineer, during the ten-year period preceding the deadline, to provide notice, by various means, of the requirement to submit proofs. The bill also provides that if a claimant fails to submit such proof, the claim is deemed abandoned.

This measure is effective on July 1, 2017, except provisions relating to the State Engineer's determination and order, which are effective on January 1, 2028.

S.B. 513 (Chapter 201)

Senate Bill 513 increases the cap on the assessment for water distribution expenses, where a system stream irrigates more than 200,000 acres of land, from 30 cents to $1 per acre-foot of water decreed.

This measure is effective on July 1, 2017.

S.B. 514 (Chapter 535)

Senate Bill 514 provides that money appropriated in the current biennium to the State Engineer for the maintenance and operation of the South Fork Dam carries forward until June 30, 2019. The bill also appropriates $447,310 from the State General Fund to the Division of Water Resources, State Department of Conservation and Natural Resources, for the maintenance and operation of the South Fork Dam, provided the funds are not committed for expenditure after June 30, 2021.

Finally, the measure provides that fees collected by the State Engineer for services related to the adjudication and appropriation of water will be deposited into the State General Fund instead of the Water Distribution Revolving Account and that the State Engineer shall retain any fees received for producing copies to pay costs related to printing.

This measure is effective on July 1, 2017.

NOTE: See also Senate Bill 2 (Chapter 3) of the 29th Special Session.
See also Senate Bill 3 (Chapter 4) of the 29th Special Session.

Wildlife

S.B. 75 (Chapter 157)

Senate Bill 75 makes confidential any information concerning a person who has requested assistance from the Department of Wildlife or has reported any information concerning potentially dangerous wildlife or wildlife causing a nuisance. The measure also provides that certain reports the Department is required to submit to various entities may instead be posted on the Department's website.

This measure is effective on July 1, 2017.

S.B. 194 (Chapter 374)

Senate Bill 194 prohibits the purchase, sale, or possession with intent to sell any item in this State that is, wholly or partially, made of an animal part or byproduct derived from a shark fin or any species of elephant, rhinoceros, tiger, lion, leopard, cheetah, jaguar, pangolin, sea turtle, ray, mammoth, narwhal, walrus, or hippopotamus. The measure designates the criminal and civil penalties to be imposed upon a person for violating these provisions. Certain classes of sales are exempt, including law enforcement, antiques, musical instruments, knives and firearms, and scientific or educational institutions. Additionally, sales of items specifically authorized for sale by federal law are exempt.

This bill is effective on January 1, 2018.

S.B. 364 (Chapter 333)

Senate Bill 364 makes various changes to provisions governing trapping, including:

- Excluding certain devices from the definition of "trap";
- Revising the prohibitions on traps and similar devices set within 200 feet of a public road;
- Providing that each State agency that manages any public land where trapping may occur must post certain warning signs;
- Requiring a fee of $5 for each trap, snare, or similar device registered with the Department of Wildlife;
- Providing that, with limited exceptions, any trap not registered with the Department must have the name and address of the owner stamped on the trap or on a metal tag attached to the trap;
- Providing that a person may remove or disturb a trap if it creates an immediate risk of physical injury to any person or an animal accompanying the person; and

- Mandating that all types of traps be visited with the frequency set forth in regulation and that any kind of animal found in a trap must be removed at the time of visitation.

This measure is effective on July 1, 2017.

S.B. 511 (Chapter 533)

Senate Bill 511 makes a number of changes to provisions governing licenses and permits available to residents and nonresidents by the Department of Wildlife, including:

- Revising the types of licenses and permits that are available and establishing related fees;

- Repealing requirements to purchase certain stamps and instead requiring the payment of a single fee for the issuance of a license or permit;

- Requiring a tag to hunt certain big game mammals;

- Providing for the distribution of certain percentages from license and permit fees to existing accounts maintained to fund certain wildlife purposes;

- Making licenses valid for one year from the date of purchase; and

- Revising provisions relating to certificates of numbers for motorboats and decals for aquatic invasive species.

The measure requires consultation with resident Native Americans or Native American tribes in Nevada when considering recommendations relating to hunting and fishing rights of Nevada tribal members. Finally, the bill increases the number of deer and antelope tags that may be issued annually as compensation for damage to agricultural lands from 1.5 percent to 2.5 percent of the total number of tags authorized annually for the entire State.

This bill is effective on June 9, 2017, for the purposes of adopting regulations or performing preparatory tasks and for increasing the allowable percentage of damage compensation tags. This bill is effective on January 1, 2018, for all other purposes.

S.J.R. 13 (File No. 37)

Senate Joint Resolution No. 13 expresses the support of the Nevada Legislature for the determination of the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources to recommend that Congress dedicate $1.3 billion annually from revenue obtained from the development of energy and mineral resources on federal lands to diversify funding for the management of wildlife.

The resolution also expresses support for the enactment of legislation to broaden dedicated methods of funding for:

- The conservation of wildlife in this State;
- Carrying out the Wildlife Action Plan of the Department of Wildlife; and
- Providing State matching funds if a dedicated method of federal funding is obtained for the conservation of wildlife in this State.

This resolution is effective on May 30, 2017.

RESOLUTIONS AND MEMORIALS

Assembly Joint Resolutions

A.J.R. 2 (File No. 17)
Assembly Joint Resolution No. 2 proposes to amend the *Nevada Constitution* to provide that the State of Nevada and its political subdivisions shall recognize marriages of and issue licenses to couples, regardless of gender. All legally valid marriages shall be treated equally under the law. The resolution also proposes to repeal existing provisions that only a marriage between a male person and female person may be recognized and given effect in Nevada. Finally, the resolution specifies that religious organizations and members of the clergy have the right to refuse to solemnize a marriage, and no person has the right to make any claim against a religious organization or member of the clergy for refusing to perform a marriage.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

A.J.R. 5 (File No. 34)
Assembly Joint Resolution No. 5 proposes to amend the *Nevada Constitution* to remove the constitutional provisions relating to the election and duties of the Board of Regents of the University of Nevada. The Legislature shall provide by law for the governance, control, and management of the University and the establishment of its various departments. The resolution also requires the Legislature to set by law the reasonable protection of individual academic freedoms and the promotion of intellectual, literary, scientific, mining, mechanical, agricultural, ethical, and other educational improvements. Proceeds of public lands donated for the support of the institution shall be invested by the State of Nevada as required by law.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

A.J.R. 7 (File No. 27)
Assembly Joint Resolution No. 7 expresses the opposition of the Nevada Legislature to certain proposed changes to Medicare and the Old-Age and Survivors Insurance provisions of the Social Security Act of 1935. The resolution urges Congress to work toward a bipartisan solution to preserve fully these benefits and to avoid privatization of the provisions.

This resolution is effective on May 23, 2017.

A.J.R. 9 (File No. 28)
Assembly Joint Resolution No. 9 urges the United States Congress not to repeal the Patient Protection and Affordable Care Act and to preserve fully the benefits the Act affords many Nevadans.

This resolution is effective on May 23, 2017.

A.J.R. 10 (File No. 29)

Assembly Joint Resolution No. 10 expresses opposition to the development of a repository for spent nuclear fuel and high-level radioactive waste at Yucca Mountain in the State of Nevada. The resolution protests any attempt by the United States Congress to move forward with the repository for spent nuclear fuel and high-level radioactive waste at the site; calls on the President of the United States to veto legislation that would locate such waste in this State; and calls on the Secretary of Energy to find the proposed repository unsuitable, abandon consideration of Yucca Mountain as a site, and initiate a process to find alternative strategies for dealing with such waste.

This resolution is effective on May 23, 2017.

A.J.R. 11 (File No. 31)

Assembly Joint Resolution No. 11 urges the United States Congress to ensure that the Intermountain West Corridor will follow the existing U.S. Route 95 corridor through Mineral County.

This resolution is effective on May 27, 2017.

A.J.R. 13 (File No. 30)

Assembly Joint Resolution No. 13 expresses the support of the Nevada Legislature for the designation of the Basin and Range National Monument and Gold Butte National Monument under the federal Antiquities Act of 1906. The resolution cites the myriad natural and cultural resources within the area of two National Monuments and the support of Nevadans for such designations. The resolution also urges Congress to oppose efforts to weaken the Antiquities Act or to reverse the designations of the two National Monuments in Nevada.

This resolution is effective on May 23, 2017.

A.J.R. 14 (File No. 46)

Assembly Joint Resolution No. 14 proposes to amend the *Nevada Constitution* to provide that no hospital or independent facility for emergency medical care shall deny medically necessary emergency treatment or services to a person, regardless of whether the person has health insurance and regardless of the person's ability to pay for such services.

The resolution provides all persons in Nevada have a right to receive emergency medical care at a reasonable cost. No hospital or independent facility shall charge an amount greater than 150 percent of the lowest rate the hospital or facility has agreed to accept from a federal insurer or the rate provided by law, whichever is greater.

If the Legislature has not provided a rate by law, the State agency authorized to regulate hospitals or independent facilities may allow an increase in the rate if the facility proves it is necessary to avoid a rate deemed confiscatory under the *United States Constitution*.

These provisions may not be waived or varied by agreement. They may be enforced by the State of Nevada or a political subdivision. They may also be enforced by a civil action brought by a person who is denied any protected rights. The Legislature shall provide for the administration and enforcement of the provisions and may provide for a different rate if it establishes a commission to ensure compliance.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

Assembly Concurrent Resolutions

A.C.R. 1 (File No. 4)
Assembly Concurrent Resolution No. 1 adopts the Joint Standing Rules of the Senate and Assembly for the 2017 Legislative Session.

A.C.R. 2 (File No. 8)
Assembly Concurrent Resolution No. 2 provides for the compensation of the clergy and the coordinator of the clergy for services rendered to the Assembly and Senate during the 79th Session of the Nevada Legislature.

A.C.R. 3 (File No. 9)
Assembly Concurrent Resolution No. 3 memorializes North Las Vegas Police Detective Chad Parque. Detective Parque served North Las Vegas Police Department from 2006 until he died on January 7, 2017, from injuries sustained in a car crash while departing the North Las Vegas Justice Court in connection with his regular work duties. He leaves behind his wife, Jessica; his daughter, Riley; his mother, Mary; his father, Kevin; his sister, Nicole; and a legion of brothers and sisters in blue in the North Las Vegas Police Department and the law enforcement community everywhere.

A.C.R. 4 (File No. 10)
Assembly Concurrent Resolution No. 4 celebrates the life of former Assemblyman Bernie Anderson who served as a State legislator from 1990 through 2010. Born in Sparks, Nevada on May 15, 1942, Mr. Anderson dedicated his life to serving the citizens of Nevada as an educator, a legislator, and a Nevada Army National Guardsman. He lit up his classrooms by dressing up as historic characters and explaining the importance of democracy. His passion for teaching continued through his legislative era where he would wear the hat from Cat in the Hat each year on the birthdate of Dr. Seuss and read excerpts of the books on the floor of the Assembly. As a legislator, Mr. Anderson served as the Chairman of the Assembly Judiciary Committee, and he functioned as a leader in such positions as Majority Whip and Speaker Pro Tempore. Of the many issues Mr. Anderson worked on as a legislator, he was proudest of his work in creating Nevada's first drug courts and combating domestic violence. Beyond service to the citizens of Nevada, Mr. Anderson was a devoted husband, father, and grandfather. The resolution expresses condolences to Assemblyman Anderson's cherished wife Clyda and daughters Cairn and Natha Clyde.

A.C.R. 9 (File No. 41)

Assembly Concurrent Resolution No. 9 directs the Legislative Commission to appoint an interim committee to study certain violations of traffic laws. The committee shall consider existing laws relating to licensing of drivers and registering and insuring motor vehicles. The committee also shall consider:

- Existing laws that treat such violations as criminal offenses;
- The elements of a system that treats these violations as civil infractions; and
- The anticipated fiscal impact on the State and its political subdivisions.

The committee shall submit its report to the 2019 Session of the Legislature.

A.C.R. 10 (File No. 14)

Assembly Concurrent Resolution No. 10 designates April 27, 2017, as Alumni Day at the Nevada Legislature to honor all former legislators who have served Nevada. The first Nevada Territorial Legislature met in 1861, and since that time over 2,100 legislators have served this State. With Nevada as one of only six states that has a true citizen legislature, each member has brought a unique perspective, understanding, and expertise in solving complex and difficult policy issues affecting the lives of the residents of Nevada. Over the last 156 years, legislators have ranged in age from 21 to 81 years and have served from as little as a few days up to 40 years. Many members of the Nevada Legislature have gone on to serve as United States Senators and Representatives, governors, and State and federal judges. The resolution honors all the former legislators who have served as members of this great institution and reflects on the sacrifices they made to serve the people of this State.

A.C.R. 11 (File No. 18)

Assembly Concurrent Resolution No. 11 celebrates the life of former Assemblyman John C. Carpenter Jr. who served as a State legislator for 24 years and who is universally respected and admired by all of the members of the Legislature who had the privilege to know and work with him.

Born in Fallon, Nevada on October 13, 1930, and raised in Ely, Nevada, Mr. Carpenter graduated from White Pine High School in 1957, married his sweetheart, Roseann Slater, and together they moved to Elko County. They purchased and worked a sheep ranch in Elko for 60 years and raised seven successful children.

Mr. Carpenter dedicated his life to serving the citizens of Nevada in State and local government. He served 14 years on the Elko County Board of Commissioners before being elected to the Nevada State Assembly, and he has been credited with helping to bring the Great Basin College and a convention center to Elko. Throughout his life, he tirelessly advocated for ranchers and ensured that the voice of rural Nevada was heard in the Legislature. As a legislator, Mr. Carpenter was known for his cowboy drawl, his political shrewdness, his kind heart, and his lively sense of humor. He would relieve the tension of

difficult legislative days by reciting the adventures of Susie Q, a plastic tugboat that made arduous journeys down the rivers of rural Nevada or by serving as the master of ceremonies for induction of fellow legislators into the Cowboy Hall of Fame. In 2000, Mr. Carpenter returned to his activist roots by leading a group of protesters, named the "Shovel Brigade," to victory against the U.S. Forest Service by reopening a road near Jarbidge, Nevada.

Beyond service to the citizens of Nevada, Mr. Carpenter was a devoted husband and father. The resolution expresses condolences to Assemblyman Carpenter's cherished wife Roseann and children John, Scott, Elizabeth, Susan, Doug, Lois, and Linda.

A.C.R. 12 (File No. 44)

Assembly Concurrent Resolution No. 12 amends the Joint Standing Rules of the Senate and Assembly as follows:

- Rule No. 20 is amended to allow a complaint to be brought when prohibited conduct is committed based on or because of the gender or other protected category of a person, and it requires the Legislative Counsel Bureau to establish a reporting system to allow submission of a complaint;

- Rule No. 20.5 is added to make lobbyists subject to the provisions of Rule 20; and

- Rules No. 30 to 39, inclusive, are added as the Legislative Code of Ethical Standards to:

  (1) Establish ethical standards to regulate the behavior and conduct of persons who participate in the legislative process; and

  (2) Prohibit and sanction ethical breaches.

NOTE: See also Assembly Concurrent Resolution 1 (File No. 7) of the 29th Special Session.
NOTE: See also Assembly Concurrent Resolution 1 (File No. 5) of the 30th Special Session.

Senate Joint Resolutions

S.J.R. 1 (File No. 38)

Senate Joint Resolution No. 1 proposes to amend the *Nevada Constitution* by expressly providing for the State Board of Pardons Commissioners. The Resolution also proposes to require the Board to meet at least quarterly, allow for any member to submit matters for consideration, and provide that a majority of the members is sufficient for any action taken by the Board.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

S.J.R. 2 (File No. 13)

Senate Joint Resolution No. 2 ratifies the Equal Rights Amendment (ERA) to the *United States Constitution* by the Nevada Legislature.

The resolution provides that the Secretary of the Senate must prepare and transmit a copy of S.J.R. 2 to the Secretary of State, who shall keep it as a record of acts of the Legislature. The Secretary of the Senate shall also transmit a certified copy to the Archivist of the U.S. and a copy of S.J.R. 2 to the Vice President of the U.S., the Speaker of the House of Representatives, and each member of Nevada's Congressional Delegation.

This resolution is effective on March 22, 2017.

S.J.R. 3 (File No. 39)

Senate Joint Resolution No. 3 proposes to amend the *Nevada Constitution* to provide certain rights to voters. Specifically, S.J.R. 3 proposes to add to the *Constitution* the right to:

- Cast a ballot that is written in a format that allows the clear identification of candidates and accurately records the voter's selection of candidates;
- Have questions concerning voting procedures answered;
- Vote without being intimidated, threatened, or coerced;
- Vote during any period for early voting or on election day if the voter is waiting in line to vote at the time that the polls close;
- Receive instruction on the use of voting equipment;
- Have equal access to the elections system without discrimination;
- Have a uniform, statewide standard for counting and recounting all votes accurately; and
- Have complaints about elections and election contests resolved fairly, accurately, and efficiently.

Many of these rights are set forth in *Nevada Revised Statutes* 293.2546. The Legislature may provide by law for the implementation of certain specified rights.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

S.J.R. 4 (File No. 32)
Senate Joint Resolution No. 4 urges the Congress of the United States to propose an amendment to the *U.S. Constitution* to allow the governments of the U.S. and the individual states to regulate political contributions and expenditures.

This resolution is effective on May 29, 2017.

S.J.R. 5 (File No. 33)
Senate Joint Resolution No. 5 urges the United States Congress to pass the Marketplace Fairness Act, which would provide the states with the authority to require out-of-state retailers, such as online and catalog retailers, to collect and remit sales tax on purchases shipped into the State.

The resolution is effective on May 29, 2017.

S.J.R. 6 (File No. 42)
Senate Joint Resolution No. 6 proposes to amend the *Nevada Constitution* to increase the minimum wage to $9.40 per hour. Beginning on January 1, 2021, the minimum wage must increase by $1.15 each year until it reaches $14 per hour. However, if at any time the federal minimum wage is greater than the amount calculated under this joint resolution, the minimum wage in this State must equal the federal minimum wage. The Legislature is authorized to increase the minimum wage to an amount higher than the minimum wage calculated under this joint resolution.

This joint resolution also authorizes an action against an employer for violating the minimum wage requirement to be brought as a class action and provides that an employee who prevails in an action for a violation of the minimum wage requirement is entitled to damages in an amount equal to three times the amount that the employee would have been paid if the employer had complied with the minimum wage requirement.

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

S.J.R. 8 (File No. 35)
Senate Joint Resolution No. 8 urges the United States Congress not to repeal the Patient Protection and Affordable Care Act or its most important provisions.

This resolution is effective on May 30, 2017.

S.J.R. 10 (File No. 22)
Senate Joint Resolution No. 10 repeals, rescinds, cancels, and nullifies each previous resolution passed by the Nevada Legislature that requested the Congress of the United States to convene a constitutional convention pursuant to Article V of the *U.S. Constitution*. The resolution urges other state legislatures to do the same.

This resolution is effective on May 15, 2017.

S.J.R. 12 (File No. 36)

Senate Joint Resolution No. 12 rescinds S.J.R. 1 of the 2015 Legislative Session, which urged the United States Congress to enact legislation transferring title to certain public lands to the State of Nevada in accordance with the report issued by the Nevada Land Management Task Force in July 2014. Instead, S.J.R. 12 declares Nevada's support and encouragement for the retention of federal management and control of federal public lands in Nevada. The resolution requires the Secretary of the Senate to transmit a copy of S.J.R. 12 to the President of the U.S., the Vice President as the presiding officer of the U.S. Senate, the Speaker of the House of Representatives, the Governor, and each member of Nevada's Congressional Delegation.

This resolution is effective on May 30, 2017.

S.J.R. 13 (File No. 37)

Senate Joint Resolution No. 13 expresses the support of the Nevada Legislature for the determination of the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources to recommend that Congress dedicate $1.3 billion annually from revenue obtained from the development of energy and mineral resources on federal lands to diversify funding for the management of wildlife.

The resolution also expresses support for the enactment of legislation to broaden dedicated methods of funding for:

- The conservation of wildlife in this State;
- Carrying out the Wildlife Action Plan of the Department of Wildlife; and
- Providing State matching funds if a dedicated method of federal funding is obtained for the conservation of wildlife in this State.

This resolution is effective on May 30, 2017.

S.J.R. 14 (File No. 43)

Senate Joint Resolution No. 14 proposes to amend the *Nevada Constitution* providing for the first fiscal year after real property is sold or transferred, the real property is ineligible for any adjustment to the value of improvements on it, based upon the age of the improvement, and it also is ineligible for certain partial abatements.

Senate Joint Resolution 14 also proposes to amend the *Nevada Constitution* to require the Legislature to enact a "Senior and Disabled Taxpayers Protection Act."

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

Senate Joint Resolutions—78th

S.J.R. 17–78th Session (File No. 47)

Senate Joint Resolution No. 17 of the 78th Legislative Session proposes to amend the *Nevada Constitution* by eliminating existing victims' rights provisions found in Article 1, Section 8, and replacing them with an expanded set of provisions in the form of a victims' bill of rights.

The rights to which a victim of crime would be entitled under the *Nevada Constitution* include the right:

- To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process;
- To be reasonably protected from the defendant and persons acting on behalf of the defendant;
- To have the safety of the victim and the victim's family considered as a factor in fixing the amount of bail and release conditions for the defendant;
- To prevent the disclosure of confidential information or records to the defendant, which could be used to locate or harass the victim or the victim's family;
- To refuse an interview or deposition request, unless under court order, and to set reasonable conditions on the conduct of any such interview to which the victim consents;
- To reasonably confer with the prosecuting agency, upon request, regarding the case;
- To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other postconviction release proceedings, and to be present at all such proceedings;
- To be reasonably heard, upon request, at any public proceeding, including any delinquency proceeding, in any court involving release or sentencing, and at any parole proceeding;
- To the timely disposition of the case following the arrest of the defendant;
- To provide information to any public officer or employee conducting a presentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant;
- To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody;

- To full and timely restitution;
- To the prompt return of legal property when no longer needed as evidence;
- To be informed of all postconviction proceedings, to participate and provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender;
- To have the safety of the victim, the victim's family, and the general public considered before any parole or other postjudgment release decision is made;
- To have all monetary payments, money, and property collected from any person who has been ordered to make restitution be first applied to pay the amounts ordered as restitution to the victim; and
- To be specifically informed of the rights enumerated in this section, and to have information concerning those rights be made available to the general public.

This measure was approved in identical form during the 2015 and 2017 Legislative Sessions. The measure will be submitted to the voters for final approval or disapproval at the 2018 General Election.

Senate Concurrent Resolutions

S.C.R. 1 (File No. 40)
Senate Concurrent Resolution No. 1 directs the Legislative Commission to appoint a committee to conduct an interim study relating to affordable housing in Nevada. The resolution specifies that the study must include, among other things, an examination of the present and prospective need for affordable housing, any impediments to the development of affordable housing, methods to increase the availability of affordable housing, and other relevant matters relating to affordable housing. The interim study committee must solicit input from interested stakeholders, including agencies and organizations that provide access to and assistance with affordable housing, and the Legislative Commission must submit a report of the results of the study and recommended legislation to the 2019 Session of the Legislature.

S.C.R. 2 (File No. 12)
Senate Concurrent Resolution No. 2 memorializes the life of William Patterson (Pat) Cashill, a native Nevadan and attorney who passed away in August 2016.

S.C.R. 6 (File No. 45)
Senate Concurrent Resolution No. 6 directs the Legislative Commission to appoint a committee of six legislators to conduct an interim study concerning the appropriate salaries for certain positions in the unclassified and nonclassified service of the State. Also on the committee, as a nonvoting member, is the Administrator of the Division of Human Resource Management of the Department of Administration.

The committee shall review any position within the Judicial Branch of State government, the Commission on Ethics, the Nevada Gaming Control Board, the Public Utilities Commission of Nevada, and any other department, commission, or agency of the State of Nevada as determined by the committee. The committee shall perform a market salary analysis for each position selected for review. Finally, the committee may consider whether any position that is currently designated within the classified, unclassified, or nonclassified service of the State should be redesignated to a more appropriate classification.

The Legislative Commission shall submit a report of the results of the study and any recommendations for legislation to the Director of the Legislative Counsel Bureau for transmittal to the 2019 Session of the Legislature.

S.C.R. 7 (File No. 21)

Senate Concurrent Resolution No. 7 celebrates the sister-state relationship between Taiwan and the State of Nevada. The resolution affirms support for the signing of a Bilateral Investment Agreement between Taiwan and the United States and reaffirms support for increasing Taiwan's international profile.

S.C.R. 8 (File No. 23)

Senate Concurrent Resolution No. 8 memorializes Gary Gray who passed away on April 9, 2015. He taught English in middle school and was the longest serving mentor in the Clark County School District, with 12 years at Ed W. Clark High School. Mr. Gray was the co-founder of Teachers in Politics for the teachers' association, served as the Executive Director of the Assembly Democratic Caucus, and ran over 250 political campaigns. He also served for 37 years on the Clark Towers Board, later renamed the Gray Plunkett Jydstrup Senior Living complex, and went on to serve for 15 years as the President of the complex, focusing much of his time searching for ways to improve the lives of the retirees who lived there.

The resolution expresses the condolences of the members of the 79th Nevada Legislature to Mr. Gray's friends and family, including his wife of nearly 28 years, former Assemblywoman Chris Giunchigliani.

S.C.R. 9 (File No. 24)

Senate Concurrent Resolution No. 9 celebrates the life of former Boulder City Mayor Robert "Bob" Stanley Ferraro who served on the Boulder City Council for 31 years and was the first elected mayor of Boulder City. Mr. Ferraro's passion for public service started while attending the University of Nevada, Reno and was ignited when he met future President John F. Kennedy while he was still a United States Senator. Throughout his public service, Mr. Ferraro understood the uniqueness of Boulder City and fought to protect it. He loved helping the people of Boulder City and assisted in creating the Boulder City Veterans Memorial Park. He was known for his positive personality, ever-present smile, and for returning every call he received. Mr. Ferraro was distinguished for always being a "regular guy" in the community he loved. This resolution expresses condolences to Mayor Ferraro's

beloved wife of 22 years, Connie Burnett-Ferraro, children Christi, Tacey, and Greg, stepdaughter Connie, as well as multiple siblings and grandchildren.

NOTE: See also Senate Concurrent Resolution 1 (File No. 6) of the 29th Special Session.

STATE GOVERNMENT

A.B. 126 (Chapter 283)

Assembly Bill 126 abolishes two entities: (1) the Advisory Committee on Housing; and (2) the Subcommittee on Personal Assistance for Persons with Severe Functional Disabilities of the Nevada Commission on Services for Persons with Disabilities.

This bill is effective on July 1, 2017.

A.B. 241 (Chapter 276)

Assembly Bill 241 requires each governmental entity to include in its building code a requirement that every permanent building or facility used by the public that has a public restroom and is constructed on or after October 1, 2017, must be equipped with one or more baby changing tables accessible to men and women. The bill also requires a county or city that has no building code to adopt this requirement by ordinance. Finally, the bill provides that the building code or ordinance, as applicable, must provide an exception for any building or facility that does not have a public restroom or has been issued a permit or license that restricts admission of children to the building or facility on the basis of age.

This bill is effective on June 1, 2017, for the purposes of adopting regulations and performing any other administrative tasks and on October 1, 2017, for all other purposes.

A.B. 324 (Chapter 47)

Assembly Bill 324 amends the provisions governing document preparation services by clarifying the definition of such a service, requiring registration with the Secretary of State, exempting certain persons from registering, and prohibiting certain acts. The bill requires a person who registers as a document preparation service to pay a nonrefundable application fee of $50 and a renewal fee of $25 every year upon the expiration of the registration. The fees must be accounted for separately and used to pay for administering the document preparation services program. An applicant must register within 120 days or the application will be denied. Finally, a person who provides document preparation services is prohibited from advertising or representing himself or herself as a paralegal or legal assistant, which implies that the person is operating under the direction and supervision of an attorney.

This bill is effective on July 1, 2017.

A.B. 435 (Chapter 186)

Assembly Bill 435 requires the Governor annually to proclaim October 16 to be "Sarah Winnemucca Day" in the State of Nevada. The Governor's proclamation must call upon the news media, educators, business and labor leaders, and appropriate governmental officers to bring to the attention of Nevada residents the important contributions Sarah Winnemucca made to the Paiute Tribe, the State of Nevada, and the United States.

This bill is effective on July 1, 2017.

A.B. 461 (Chapter 349)

Assembly Bill 461 designates the week in January that begins with Martin Luther King, Jr. Day and concludes the following Saturday as "Peace Week" in the State of Nevada and requires the Governor to issue annually a proclamation encouraging the observance of "Peace Week."

This bill is effective on June 4, 2017.

A.B. 465 (Chapter 151)

Assembly Bill 465 authorizes the Secretary of State to appoint fewer than nine members to the Advisory Committee on Participatory Democracy. The bill also shortens the term of the members from three years to two years, revises quorum requirements to conform to the decrease in the number of members, and reduces the number of meetings the Committee is required to hold in a calendar year.

This bill is effective on July 1, 2017.

A.B. 476 (Chapter 15)

Assembly Bill 476 makes various changes to the provisions governing electronic notaries public. Specifically, this bill:

- Clarifies that an appointment as an electronic notary public does not authorize the electronic notary public to perform notarial acts in another state;
- Removes a requirement for a notary public to file an additional bond and take an additional oath in order to become an electronic notary;
- Makes a person's term of an appointment as an electronic notary public coterminous with that person's term of appointment as a traditional notary public;
- Revises certain course requirements to become an electronic notary public;
- Revises records requirements applicable upon resignation, revocation, or expiration of an appointment as an electronic notary public;
- Revises provisions concerning an electronic signature or electronic seal that has been stolen, lost, damaged, or otherwise rendered incapable of affixing a legible image; and
- Makes various changes to provisions concerning authentication by the Secretary of State to verify that the electronic signature of the electronic notary public on an electronic document is genuine and that the electronic notary public holds the office indicated on the electronic document.

This bill is effective on July 1, 2017.

S.B. 10 (Chapter 354)

Senate Bill 10 revises provisions regarding the publication of notices and other information concerning unclaimed and abandoned property held by the State Treasurer. The measure provides that:

- In a county whose population is 700,000 or greater, such a notice must be published in a newspaper of general circulation with a circulation of more than 15,000 in the county at least six times per year and must provide instructions on how to search and access information relating to unclaimed property;

- In a county whose population is fewer than 700,000, such a notice must be published in a newspaper of general circulation in the county not less than once each year and must include the last known city of any person named in the notice;

- The Treasurer also is required to publish a notice in a newspaper of general circulation, not later than February 1 and August 1 of each year, that summarizes certain requirements relating to holders of unclaimed property;

- The Treasurer is authorized to provide additional information concerning unclaimed or abandoned property in any manner the Treasurer sees fit; and

- The Treasurer must publish a notice concerning the sale of certain abandoned property in a newspaper where the property is to be sold not less than 21 days before the sale takes place.

This bill is effective on June 4, 2017.

S.B. 12 (Chapter 229)

Senate Bill 12 repeals the requirements that the:

- State Board of Agriculture submit to the Governor a biennial report of its activities relating to its statutory duties;

- Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation submit to the Governor a biennial report on the administration and operation of statutes relating to unemployment compensation; and

- Administrator of the Employment Security Division print for public distribution the text of certain regulations, rules, reports, and other materials relating to unemployment compensation.

This bill is effective on May 31, 2017.

S.B. 72 (Chapter 519)

Senate Bill 72 increases from $1,000 to $5,000 the maximum amount of funds that may be expended by the Merit Award Board for expenses relating to Board operations and clarifies that an employee suggestion to reduce or eliminate State expenditures or improve State government operations must not have been previously considered by the State agency affected.

The bill revises the situations and time periods by which the head of the State agency or designee must report recommendations concerning the employee suggestion and the time period available to the State agency to make its recommendation to the Board. It also extends the time period in which a qualified award installment must be paid and when the report to the Budget Division of the Office of Finance, Office of the Governor, and the Interim Finance Committee must be provided.

Additionally, the measure requires payments to be made after the end of the fiscal year during which the State realized a reduction, elimination, or avoidance of State expenditures, instead of 30 days after the end of the fiscal year of the employee suggestion/adoption and specifies award distributions to a group of employees be made in equal proportion to each State employee in the group.

Finally, S.B. 72 implements the Governor's recommended Merit Award Board budget by increasing the amount it may expend for operations in a fiscal year.

This bill is effective on July 1, 2017.

S.B. 79 (Chapter 294)

Senate Bill 79 adds to the list of persons and entities authorized to request that certain personal information contained in the records of a county assessor, county recorder, the Secretary of State, or a county or city clerk remain confidential. These include:

- Any senior justice or senior judge;
- Any court-appointed master;
- Any prosecutor;
- Any State or county public defender; and
- The spouse, domestic partner, or minor child of any of these people.

Additionally, a nonprofit entity that maintains a confidential location for the purpose of providing shelter to victims of domestic violence may request that certain personal information remain confidential.

Similarly, the bill adds these persons and entities to the list of individuals authorized to request that the Department of Motor Vehicles display an alternate address on the person's driver's license, commercial driver's license, or identification card.

S.B. 84 (Chapter 384)

Senate Bill 84 reorganizes much of Chapter 281A ("Ethics in Government") of *Nevada Revised Statutes* to separate procedures relating to the handling of advisory opinions from the ethics complaint process. Provisions relating to investigative panels are removed or repealed and review panels are created. A review panel can approve a deferral agreement, which provides that if the public officer or employee complies with the terms and conditions of an agreement, that person will not be subject to a full hearing of the Commission on Ethics.

The measure provides that certain confidential materials related to a request for an advisory opinion that are in the possession of the requester are not public records. The Commission is required to adopt regulations regarding discovery requests and the confidentiality of investigatory materials, including the type of evidence that must be provided by the Executive Director to the subject of an ethics complaint prior to an adjudicatory hearing before the Commission.

Senate Bill 84 also gives the Commission additional remedial options, depending on the scope and severity of the ethics complaint, including the issuance of a public apology, confidential letter of caution, public reprimand, or censure. In addition, S.B. 84 gives the Commission jurisdiction over independent contractors who serve in positions that would ordinarily be filled by public officers or employees. The measure expands provisions of the *Code of Ethical Standards* so that a public officer or employee cannot engage in certain unethical conduct when such conduct benefits his or her own private interests or the interests of another person with whom the public officer or employee has a commitment in a private capacity.

The measure eliminates the filing of an annual disclosure statement as it relates to counseling or representing private persons before public agencies. Instead, certain public officers or employees must make a public disclosure on the record before any action may be taken by certain public agencies. Finally, S.B. 84 clarifies that, during the cooling-off period, the public officer or employee cannot seek, negotiate, or enter into any such employment agreement, even if such an agreement does not or will not become effective until after the cooling-off period.

Provisions applying the Nevada Ethics in Government Law to independent contractors who fill positions ordinarily held by public officers or employees are effective on January 1, 2018. All other provisions are effective on July 1, 2017.

S.B. 105 (Chapter 87)

Senate Bill 105 authorizes and requests the Governor to annually proclaim August 9 as "Indigenous Peoples Day" to celebrate the thriving culture and significant value that Indigenous people add to the State of Nevada and the United States of America.

This bill is effective on May 23, 2017.

S.B. 160 (Chapter 121)

Senate Bill 160 revises notice requirements affecting the adoption of administrative regulations by agencies of the Executive Branch of State government that are not exempt from the Nevada Administrative Procedure Act. Specifically, the bill provides that an agency must ensure that a regulation to be considered at a public hearing is posted on the agency's website three working days before the hearing. When the notice of a first hearing on that regulation is posted, the agency must include notice that the regulation posted on the agency's website three working days before the hearing will be the regulation considered at the hearing.

Similarly, the measure requires an agency to provide at least three working days' notice of its intent to approve a revision to a regulation before holding a second or subsequent hearing on that regulation, including, without limitation, a subsequent hearing on an adopted regulation that has not been approved by the Legislative Commission or the Subcommittee to Review Regulations.

The measure further provides that a public workshop is not required at the second or subsequent hearing on a proposed regulation.

This bill is effective on July 1, 2017.

S.B. 175 (Chapter 24)

Senate Bill 175 requires the Governor to annually proclaim May 18 as "Asian Culture Day" in the State of Nevada. The proclamation must call upon the news media, educators, business and labor leaders, and appropriate governmental officers to bring to the attention of Nevada residents the important contributions of Asians and Asian-Americans to the State of Nevada and the United States of America.

This measure is effective on May 18, 2017.

S.B. 197 (Chapter 32)

Senate Bill 197 extends by ten years, from June 30, 2020, to June 30, 2030, the deadline for the issuance of the remainder of the general obligation bonds that were required in 2009 to be issued to carry out certain projects to improve the environment in the Lake Tahoe Basin.

This bill is effective on May 18, 2017.

S.B. 198 (Chapter 33)

Senate Bill 198 extends by five years, from June 30, 2019, to June 30, 2024, the deadline for the issuance of the remainder of the general obligation bonds that were authorized, but not yet issued, for the Conservation and Resource Protection Grant Program.

This bill is effective on May 18, 2017.

S.B. 399 (Chapter 370)

Senate Bill 399 authorizes State and local governmental entities to accept a tribal identification card that is issued by a tribal government for the purpose of identifying a person if the tribal identification card meets certain requirements. Further, a business that accepts a driver's license or identification card issued by the Department of Motor Vehicles for the purpose of identifying a person is required to accept a tribal identification card for the same purpose. Finally, the bill allows certain types of businesses to decline the tribal identification if a business reasonably determines that a federal statute or regulation requires a different form of identification.

This bill is effective on July 1, 2017.

S.B. 400 (Chapter 498)

Senate Bill 400 authorizes the Director of the Department of Health and Human Services to enter into success contracts with a local government or a person to accomplish any purpose within the jurisdiction of the Department. The bill sets forth the required components of a success contract and requires any success contract to be competitively bid based on a request for proposals from the Department. Before entering into a contract, the Director must make certain determinations and after entering into the contract, publish the rationale for doing so on its website. The Success Contract Account is created in the State General Fund to be administered by the Director, and the Department is authorized to apply for and accept gifts, grants, and donations.

The Director must submit a biennial report to the Legislature each October before a legislative session identifying each success contract in the past two years and detailing its outcomes and cost savings.

This measure is effective on June 8, 2017, for the purposes of adopting regulations and performing any necessary preliminary administrative tasks and on January 1, 2018, for all other purposes.

S.B. 551 (Chapter 476)

Senate Bill 551 bill establishes the State's share of the costs of premiums or contributions for group insurance for active State officers and employees who participate in the Public Employees' Benefits Program. This bill also establishes the base amount for the share of the costs of premiums or contributions for group insurance under the Program that is required to be paid by the State and local governments for retired public officers and employees. In addition, it establishes the share of the cost of qualified medical expenses for individual Medicare insurance plans through the Program that must be paid by the State and local governments for retired public officers and employees.

This bill is effective on July 1, 2017.

Purchasing and Public Works

A.B. 106 (Chapter 342)

Assembly Bill 106 requires the Administrator of the Purchasing Division, Department of Administration, to, within the limits of available resources, establish by regulation a program to certify vendors that pay their employees equal pay for equal work without regard to gender. If the Administrator certifies a vendor under the program, the Division must include the certification in its records or make it available on the Internet. The vendor may also include the certification in its advertising or promotional materials. The bill also contains certain penalties for fraudulent acts related to self-certifying; requires a report to the Governor and the Legislature regarding the activities of the program; and provides a 5 percent bidding preference for certified vendors under certain circumstances, among other provisions.

This bill is effective on June 4, 2017, for the purposes of adopting regulations and performing any other preparatory administrative tasks and on January 1, 2018, for all other purposes. It expires by limitation on June 30, 2021.

A.B. 160 (Chapter 273)

Assembly Bill 160 requires the State Public Works Board, State Public Works Division, Department of Administration, to conduct a cost-savings evaluation of the feasibility of using alternatives to window replacement when planning to replace windows in a building under the purview of the Division. The Board must consult with the Office of Historic Preservation, State Department of Conservation and Natural Resources, when making such an evaluation of a public building that is at least 50 years old. The bill requires the use of a window replacement alternative if the potential savings exceeds the cost of the use of a window replacement alternative, except if otherwise recommended by the Office of Historic Preservation as to a public building that is at least 50 years old. The bill also increases the maximum length of the terms of performance, installment-purchase, and lease-purchase contracts entered into by authorized State agencies from 15 years to 20 years after the date on which the work required by the contract is completed.

This bill is effective on July 1, 2017.

A.B. 280 (Chapter 572)

Assembly Bill 280 creates a preference of 5 percent for a bid or proposal for a State purchasing contract that is submitted by a Nevada-based business. To qualify for this preference, a business must certify that its principal place of business is in this State or that a majority of the goods provided for in a State purchasing contract are produced in this State. The bill prohibits granting the preference for the award of any contract that:

- Has already been granted another preference;
- Uses federal money, unless authorized by federal law; or
- Was procured on a multistate basis.

Additionally, the measure removes the requirement that the weight of each factor used to evaluate proposals must not be disclosed before the proposals are submitted.

This bill is effective on July 1, 2017.

A.B. 399 (Chapter 575)

Assembly Bill 399 establishes the Nevada State Infrastructure Bank for the purpose of providing loans and other financial assistance to various units of State and local government for the development, construction, improvement, operation, and ownership of certain transportation facilities and utility infrastructure. The bill creates the Bank within the Department of Transportation and provides for its governance by a Board of Directors whose members are public officers who must act in good faith in a commercially reasonable manner. The Board is authorized to issue bonds or other securities to raise money to carry out its statutory purposes and powers. The bill requires the Governor, to the extent that money is available from public or private sources for administrative costs, to appoint an Executive Director to administer, manage, and conduct the affairs of the Bank, and it establishes the powers and duties of the Executive Director.

Additionally, A.B. 399 revises the due date for the audit that the Las Vegas Convention and Visitors Authority is required to submit to the Oversight Panel for Convention Facilities in relation to the oversight of the renovation or expansion of the Las Vegas Convention Center. Finally, the bill revises provisions governing revenues pledged for the payment of bonds to finance the renovation or expansion of the Las Vegas Convention Center.

This bill is effective on June 13, 2017, for the purposes of establishing the Nevada State Infrastructure Bank, appointing a Board of Directors, and revising provisions relating to the Las Vegas Convention Center. For all other purposes, this bill is effective on the date on which the Director of the Department of Transportation notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient money is available to capitalize and carry out the business of the Bank.

A.B. 477 (Chapter 290)

Assembly Bill 477 authorizes the Administrator of the Purchasing Division of the Department of Administration to appoint a General Counsel of the Division in the unclassified service who must be an attorney in good standing licensed and admitted to practice law in Nevada.

This bill is effective on July 1, 2017.

A.B. 480 (Chapter 351)

Assembly Bill 480 authorizes the Administrator of the Purchasing Division of the Department of Administration to assess an administrative fee, not to exceed 4 percent of the total cost, to be paid by vendors from whom the Administrator has obtained supplies, materials, equipment, and services.

The bill also authorizes the Purchasing Division to use this fee to offset operating expenses, including the cost of establishing and maintaining an on-line bidding system or a computer system to assist with the procurement process.

This bill is effective on July 1, 2017.

A.B. 483 (Chapter 293)

Assembly Bill 483 transfers the administration of the Program to Encourage and Facilitate Purchases by Agencies of Commodities and Services From Organizations from the Rehabilitation Division of the Department of Employment, Training and Rehabilitation to the Purchasing Division of the Department of Administration.

This bill is effective on July 1, 2017.

S.B. 26 (Chapter 304)

Senate Bill 26 prohibits governing bodies of a local government and the Administrator of the Purchasing Division of the Department of Administration from entering into a contract with a company unless the contract includes a written certification that the company is not engaged in, and agrees for the duration of the contract, not to engage in, a boycott of Israel.

The bill also:

- Requires the State Treasurer to identify companies that engage in a boycott of Israel in which a public fund administered by the State Treasurer has either direct or indirect holdings;

- Places certain restrictions on investments that the State Treasurer may hold in those companies. However, the State Treasurer is not required to divest direct holdings of those companies unless he or she determines that the action is consistent with the fiduciary responsibilities of the State Treasurer; and

- Requires that the Treasurer report annually to the Governor and the Legislature concerning investments in those companies.

Similarly, the Public Employees' Retirement Board is required to identify companies that engage in a boycott of Israel and submit to the Governor and the Legislature an annual report of investment of money from the Public Employees' Retirement System in those companies.

This bill is effective on June 2, 2017, for the purpose of performing any preparatory administrative tasks and on July 1, 2018, for all other purposes.

S.B. 44 (Chapter 49)

Senate Bill 44 authorizes the Deputy Administrator of the Public Works—Compliance and Code Enforcement Section of the State Public Works Division of the Department of

Administration to issue to a person certain permits for the planning, maintenance, or construction of buildings and structures on property of the State or held in trust for the State.

This bill is effective on July 1, 2017.

S.B. 45 (Chapter 27)

Senate Bill 45 eliminates the requirement that the State Public Works Division, Department of Administration, periodically inspect all buildings at the State universities, and it specifically exempts all buildings and physical plant facilities owned by any part of the Nevada System of Higher Education (NSHE) from the requirement of periodic inspections by the Division.

This bill is effective on May 18, 2017.

S.B. 53 (Chapter 120)

Senate Bill 53 revises provisions relating to the installation, operation, and maintenance of telecommunications facilities. Among other things, the bill authorizes the Department of Transportation to grant longitudinal and wireless access to certain rights-of-way owned by the Department to telecommunications providers to construct and install telecommunications facilities. The measure also provides for monetary and in-kind compensation to the Department for longitudinal and wireless access to certain rights-of-way. Finally, S.B. 53 creates the Telecommunications Advisory Council to assist the Department in administering access to rights-of-way to telecommunications providers and to provide other assistance as requested by the Department.

This measure is effective on May 25, 2017, for the purposes of appointing members of the Telecommunications Advisory Council, adopting regulations, and performing other preparatory tasks. For all other purposes, this bill is effective on July 1, 2017.

S.B. 246 (Chapter 562)

Senate Bill 246 declares that it is not the legislative intent to have any government or political subdivision of this State use the construction manager at risk procurement process to:

- Limit competition;
- Discourage competitive bidding; or
- Engage in or allow bid-shopping.

The bill makes the procedure that a public body and construction manager at risk are required to use to advertise for proposals or applications under the project delivery method of "construction manager at risk" the same as the procedure a public body must use to advertise for bids on a public work whose estimated cost exceeds $100,000 under the "design-bid-build" project delivery method. It prohibits, with limited exceptions, an applicant for a construction manager at risk from substituting an employee whose resume is included on the application as

a key employee. The bill requires a certain fee submitted by a construction manager at risk at the time of the interview with the public body to be assigned a weight of at least 5 percent but not more than 20 percent of the scoring for the selection of the most qualified applicant.

The bill postpones the sunset of the authority for public bodies to enter into contracts with construction managers at risk from July 1, 2017, to June 30, 2021. Finally, a public body is authorized, within a 12-month period, to contract with a design-build team for the design and construction of not more than two discrete public works projects, each of which have an estimated cost of $5 million or less.

This bill is effective on June 12, 2017, for the purpose of postponing the sunset of the authority for public bodies to enter into contracts with construction managers at risk and on July 1, 2017, for all other purposes. Provisions authorizing public bodies to enter into contracts with construction managers at risk expire by limitation on June 30, 2021.

State Agencies

A.B. 9 (Chapter 6)

Assembly Bill 9 authorizes the Secretary of State to appoint a Deputy of Securities and provides that the Deputy of Securities shall serve as the Administrator of the Securities Division.

This measure is effective on July 1, 2017.

A.B. 22 (Chapter 89)

Assembly Bill 22 authorizes the Director of the Department of Veterans Services to appoint deputy directors as needed, including a Deputy Director for Programs and Services and a Deputy Director for Health and Wellness. The bill prescribes the qualifications of each deputy director and removes the required office location of the Director and Deputy Director.

The bill also requires the Director to:

- Create and maintain a database containing information on veterans residing in Nevada;
- Ensure that each generation of veterans receives recognition on an annual basis; and
- Create and maintain a registry of organizations that provide services and resources to veterans, service members, and their families and publish the registry on the Department's website.

Finally, the bill repeals provisions related to the previous role of the Director as guardian of the estates of certain veterans and their dependents.

This bill is effective on July 1, 2017.

A.B. 29 (Chapter 504)

Assembly Bill 29 places the Commission on Off-Highway Vehicles within the State Department of Conservation and Natural Resources. The bill creates the Off-Highway Vehicles Program within the Department to provide assistance to the Commission and to administer the Account for Off-Highway Vehicles. It revises Commission membership and provides a procedure for replacing a member who fails to attend at least three consecutive meetings. The bill requires the Director of the Department to prepare a biennial report of the general and fiscal activities of the Commission for review and approval by the chair of the Commission and submittal to the Legislature. The measure also requires the Commission to develop recommendations for legislation related to operating an off-highway vehicle on a paved highway and submit those recommendations to the Director of the Legislative Counsel Bureau for transmission to the 80th Legislative Session. Finally, it reduces from $25 to $10 the late fee for reinstating the lapsed registration of an off-highway vehicle.

This measure is effective on June 9, 2017, for the purposes of adopting regulations and performing other administrative tasks and on July 1, 2017, for all other purposes.

A.B. 33 (Chapter 37)

Assembly Bill 33 abolishes the State Dairy Commission, the Alfalfa Seed Advisory Board, the Garlic and Onion Growers' Advisory Board, and the Advisory Council for Organic Agricultural Products, and it transfers any related or necessary authorities to the State Department of Agriculture.

This bill is effective on July 1, 2017.

A.B. 98 (Chapter 43)

Assembly Bill 98 removes the limit on the number of people that may be employed within the Office of Grant Procurement, Coordination and Management of the Department of Administration and instead allows the Administrator to hire the necessary number of classified and unclassified employees within the limits of money appropriated or authorized. The bill also removes the requirement for the Office to prioritize grants for certain departments.

This bill is effective on July 1, 2017.

A.B. 258 (Chapter 74)

Assembly Bill 258 declares the legislative intent for the creation of the Nevada Commission for Women as the advancement of women toward full equality in all areas. The bill also requires appointments to the Commission to reflect the diversity of the State, insofar as practicable. The measure allows the Chair, Vice Chair, and other officers to serve one additional term in that capacity beyond the initial one-year term. Among other provisions, the bill grants the Commission powers to:

- Advise executive and legislative bodies on the effect of proposed legislation on women;

- Enter into any contract or other agreement appropriate to carry out its mission, subject to the prior approval of the Director of the Department of Administration; and

- Prepare an annual work program outlining the objectives and tasks of the Commission.

Finally, this bill authorizes the Commission to pay for the services of consultants as independent contractors for specific projects from the money received by the Commission.

This bill is effective on July 1, 2017.

A.B. 415 (Chapter 306)

Assembly Bill 415 authorizes State and local governmental entities to accept a tribal identification card that is issued by a tribal government for the purpose of identifying a person if the tribal identification card meets certain requirements. Further, a business that accepts a driver's license or identification card issued by the Department of Motor Vehicles for the purpose of identifying a person is required to accept a tribal identification card for the same purpose unless the business reasonably determines that a federal law or regulation requires the use of a different form of identification.

This bill is effective on July 1, 2017.

A.B. 481 (Chapter 292)

Assembly Bill 481 eliminates the requirement that the Administrator of the Division of Internal Audits of the Office of Finance, Office of the Governor, appoint a Manager of Internal Controls.

This bill is effective on July 1, 2017.

S.B. 13 (Chapter 25)

Senate Bill 13 abolishes the Advisory Board on Motorcycle Safety.

This measure is effective on July 1, 2017.

S.B. 16 (Chapter 28)

Senate Bill 16 changes the name of the General Services Division of the Department of Public Safety to the Records, Communications and Compliance Division.

This bill is effective on July 1, 2017.

S.B. 22 (Chapter 29)

Senate Bill 22 makes various changes relating to the powers and duties of the Department of Administration and the Office of Finance, Office of the Governor. Among other things, the bill:

- Requires the Director of the Office of Finance to appoint a Deputy Director;

- Authorizes the Director to delegate to the Deputy Director duties related to serving as Clerk of the State Board of Examiners;

- Transfers from the Clerk to the Department of Administration the authority to appoint compensation officers and administer the program to compensate victims of crime;

- Transfers from the Department to the Office of Finance the duty to contract annually for the services of an independent contractor to provide projections of the number of persons who will be imprisoned, on probation, on parole, and in residential confinement in Nevada;

- Transfers from the Director to the Administrator of the Administrative Services Division of the Department the duty of preparing an annual statewide cost allocation plan to distribute indirect costs of service agencies within the Executive Branch and requires the Chief of the Budget Division, Office of Finance, to review and approve the plan;

- Requires the Division of Human Resource Management of the Department to prepare and submit a quarterly report to the Budget Division concerning the amount of overtime worked by Executive Branch employees; and

- Transfers from the Chief of the Budget Division to the Director of the Department authority to deem certain information confidential for the purpose of maintaining public safety.

This bill is effective on May 18, 2017.

S.B. 136 (Chapter 316)

Senate Bill 136 establishes within the Department of Health and Human Services the Palliative Care and Quality of Life Consumer and Professional Information and Education Program. The bill also creates within the Department the Advisory Council on Palliative Care and Quality of Life for the purpose of: (1) consulting with and advising the Department on matters related to the establishment, maintenance, operation, and outcomes of palliative care programs and initiatives in this State; and (2) advising and assisting in the creation and carrying out of the Program.

The Department is required to maintain a website with links to appropriate external websites offering information concerning: (1) the delivery of palliative care in the home and in primary, secondary, and tertiary environments; (2) best practices for the delivery of palliative care; and (3) education materials and referral information for palliative and hospice care.

On or before January 1, 2018, the Department shall encourage all hospitals, assisted living facilities, and facilities for skilled nursing within this State with 100 beds or more to educate their physicians, nurses, and clinical staff members regarding palliative care and provide information to patients or residents regarding palliative care.

This bill is effective on July 1, 2017.

S.B. 373 (Chapter 459)

Senate Bill 373 requires the Director of the Department of Business and Industry to employ a Minority Affairs Management Analyst to collect and perform statistical analysis to support the Nevada Commission on Minority Affairs. In addition, the position will investigate, collect data, and perform statistical analysis to determine whether discrimination on the basis of race in occurring in State or local purchasing, public works, or any other area. The measure includes an appropriation from the State General Fund in the amount of $71,306 in Fiscal Year (FY) 2017-2018 and $87,828 in FY 2018-2019 to support the costs of the new position. Any remaining balance of the appropriation must be reverted to the State General Fund.

This measure is effective on July 1, 2017.

S.B. 501 (Chapter 365)

Senate Bill 501 extends the prospective expiration of the Consumer Affairs Unit within the Department of Business and Industry from June 30, 2017, to June 30, 2019.

This bill is effective on June 4, 2017.

State Employees

A.B. 41 (Chapter 268)

Assembly Bill 41 makes changes to the qualifications for and classifications of various positions in State government. Among other provisions, the bill:

- Provides that the Administrator of the State Public Works Division, Department of Administration, may be a licensed professional engineer or registered architect as an alternative requisite qualification;
- Provides for the appointment of individuals to the State Public Works Board who were previously licensed as a general building contractor or general engineering contractor in this State;
- Changes the position of Administrator of the Division of State Library, Archives and Public Records, Department of Administration, from a classified to an unclassified position;
- Requires the Director of the Department of Health and Human Services (DHHS), to the extent practicable, to give preference to a person who has a degree in public administration, business administration, or a related field when hiring for the position of Administrator of the Division of Health Care Financing and Policy; and
- Provides that in order to qualify for the position of Administrator of the Division of Internal Audits, Office of Finance, Office of the Governor, a person may be a certified internal auditor or government auditing professional or have a master's degree in business administration, accounting, finance, or a related field and must have at least six years of certain professional experience.

Finally, the bill permits the Chief Medical Officer, with the approval of the Director of the DHHS, to maintain a clinical practice that is not established through the University of Nevada.

This bill is effective on July 1, 2017.

A.B. 113 (Chapter 271)

Assembly Bill 113 requires each public and private employer in this State—other than the Department of Corrections, certain small employers, and certain licensed contractors—to provide reasonable break time and an appropriate place for an employee who is a nursing mother to express breast milk. This break time may be provided with or without compensation, except if such break time is otherwise required to be compensated pursuant to a collective bargaining agreement. The bill prohibits employers from retaliating against an employee who takes advantage of the bill's provisions.

If a public or private employer would face an undue hardship relating to these requirements, the measure authorizes the employer to meet with the employee to discuss potential alternatives. The measure outlines the process for resolving an impasse, if an alternative is not reached, and it authorizes the Labor Commissioner to enforce these requirements for private employers. The measure provides a process for a public employee to file a complaint and requires the Local Government Employee-Management Relations Board to create an expedited procedure to resolve such a complaint. Finally, certain small employers and contractors are exempt from various requirements of this measure.

This bill is effective on July 1, 2017.

A.B. 192 (Chapter 189)

Assembly Bill 192 requires, with limited exceptions, appointing authorities for positions in the State service to make temporary limited appointments of certified persons with disabilities to positions not to exceed 700 hours. The bill further requires each appointing authority to ensure that at least one person on the staff of the appointing authority satisfies certain training requirements related to: (1) making a temporary limited appointment of a certified person with a disability; and (2) training concerning the unique challenges a person with a disability faces in the workplace.

This bill is effective on May 27, 2017, for the purposes of adopting regulations and performing any other preparatory administrative tasks and on January 1, 2018, for all other purposes.

A.B. 309 (Chapter 510)

Assembly Bill 309 provides additional preference points to any open competitive examination in the classified State service by:

- Increasing to ten the number of points to be added to the passing grade of a veteran who does not have a disability; and

- The addition of ten points to the passing grade of a widow or widower of a person killed in the line of duty while on active duty in the Armed Forces of the United States.

A person cannot combine his or her preference points for each qualifying preference. However, the bill does remove the restriction on applying such points to more than one promotional examination.

In addition, A.B. 309 requires the Administrator of the Division of Human Resource Management, Department of Administration, to certify for a position the name of any veteran with a service-connected disability on the list of eligible persons and requires State agencies to interview any such veteran certified for the position. If this certification is not required by law for a particular position, the bill requires the State agency to interview each qualified applicant who is a veteran with a service-connected disability. For veterans without a service-connected disability, at least 22 percent of such qualified applicants must be interviewed or, if there are fewer applicants than that amount, all such veterans must be interviewed.

Assembly Bill 309 requires the Administrator to submit various reports, to the extent information is available, to the Director of the Department of Veterans Services, the Governor, and the Legislative Counsel Bureau relating to veterans and widows and widowers of persons killed in the line of duty who are hired and employed by the State. Finally, the Administrator must ensure that the percentage of officers and employees in State employment who are veterans or widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces is proportional to the percentage of veterans and such widows and widowers residing in this State and in the labor force.

This bill is effective on June 9, 2017, for the purposes of adopting regulations and performing any preparatory administrative tasks and on October 1, 2017, for all other purposes.

A.B. 384 (Chapter 340)

Assembly Bill 384 provides, with exceptions, that the criminal history of an applicant or other qualified person under consideration for employment in a State agency or local government may be considered only after the earliest of:

- The final in-person interview;
- A conditional offer of employment; or
- If applicable, the applicant's certification by the Administrator of the Division of Human Resource Management of the Department of Administration.

Consideration may be given to the criminal history of an applicant at the outset of the selection process if he or she is disqualified from employment pursuant to a specific State or federal law. These provisions do not apply to peace officers, firefighters, or any applicant for a job that allows direct or indirect access to certain criminal databases or information.

The bill also sets forth factors that must be considered by an appointing authority or the Administrator before the criminal history of an applicant may be used as the basis for

rescinding a conditional job offer or for rejection of the applicant. Additionally, if an applicant's criminal history serves as the basis for rescinding a conditional offer of employment, such rescission must:

- Be made in writing;
- Specify that the criminal history was the reason for the rejection; and
- Provide an opportunity to discuss the rescission with the human resources director for the appointing authority.

Finally, the bill provides that it is unlawful for an employer to fail to follow certain procedures when considering the criminal history of an applicant and provides that the applicant in such a case may file a complaint with the Nevada Equal Rights Commission, regardless of whether the complaint is based on race, color, sex, or some other characteristic enumerated in existing law.

This bill is effective on January 1, 2018.

A.B. 466 (Chapter 128)

Assembly Bill 466 allows a former State employee who is not receiving benefits under the Public Employees' Retirement System to enter into a contract for services with a former employing agency within two years of the date of termination of employment.

This bill is effective on July 1, 2017.

A.B. 467 (Chapter 416)

Assembly Bill 467 requires the Governor to appoint an alternate member for each member appointed to the five-member Personnel Commission in the Division of Human Resource Management of the Department of Administration. The alternate shall serve when the regular member is unable to attend a meeting of the Commission. In addition, A.B. 467 increases the quorum of the Commission from three members to five members and clarifies that a majority vote of the five members is required for any official action taken by the Commission.

This bill is effective on July 1, 2017.

S.B. 368 (Chapter 534)

Senate Bill 368 appropriates over the 2017-2019 Biennium $27,689,196 from the State General Fund to the State Board of Examiners; $788,433 from the State General Fund to the Legislative Fund; and $2,091,193 from the State Highway Fund to the State Board of Examiners to pay for an additional 1 percent per year increase in the salaries of certain State employees, which is in addition to the 2 percent per year salary increases provided for by Assembly Bill 517 of this Session.

This bill is effective on July 1, 2017.

NOTE: See also Assembly Bill 517 (Chapter 395).

S.B. 478 (Chapter 581)

Senate Bill 478 requires an appointing authority—before taking action to dismiss, involuntarily demote, or suspend a permanent classified employee in the State service or when conducting a related internal administrative investigation—to conduct an impartial, fact-finding investigation into the allegations against the employee to determine whether evidence exists to justify the action. The employee has the option to waive this investigation. An appointing authority must provide an employee with notice of the allegations against the employee within 30 days after the appointing authority becomes aware, or reasonably should have become aware, of the allegations. The bill prohibits an appointing authority from dismissing, demoting, or suspending a State employee based on allegations if the investigation into those allegations does not result in a determination of disciplinary action within 90 days of such a notice.

Finally, S.B. 478 provides that if the employee requests a hearing before the Personnel Commission, Division of Human Resource Management, Department of Administration, to appeal his or her dismissal, demotion, or suspension, the appointing authority must produce and allow the employee or his or her representative to inspect or receive a copy of any document or evidence related to the internal investigation leading to the employee's dismissal, involuntary demotion, or suspension within five days after a request is made by the employee or his or her representative.

This bill is effective on July 1, 2017.

S.B. 502 (Chapter 302)

Senate Bill 502 revises provisions relating to the Public Employees' Benefits Program (PEBP) and the Public Employees' Deferred Compensation Program.

The bill transfers the Public Employees' Deferred Compensation Program to the Department of Administration; requires the Director of the Department of Administration to appoint, with the concurrence of the Governor and the Committee to Administer the Public Employees' Deferred Compensation Program, the Program's Executive Officer; specifies that the Program is subject to the State Purchasing Act; and revises the membership of the Committee.

The bill also revises the membership and qualifications of the Board of the Public Employees' Benefits Program; specifies that the Director of the Department of Administration must appoint the Quality Control Officer; makes the PEBP subject to the State Purchasing Act; and eliminates the requirement that the PEBP's Executive Officer and board members complete a minimum of 16 hours of continuing education annually.

This bill is effective on June 1, 2017, for the purpose of appointing PEBP Board members and on July 1, 2017, for all other purposes.

S.C.R. 6 (File No. 45)

Senate Concurrent Resolution No. 6 directs the Legislative Commission to appoint a committee of six legislators to conduct an interim study concerning the appropriate salaries for certain

positions in the unclassified and nonclassified service of the State. Also on the committee, as a nonvoting member, is the Administrator of the Division of Human Resource Management of the Department of Administration.

The committee shall review any position within the Judicial Branch of State government, the Commission on Ethics, the Nevada Gaming Control Board, the Public Utilities Commission of Nevada, and any other department, commission, or agency of the State of Nevada as determined by the committee. The committee shall perform a market salary analysis for each position selected for review. Finally, the committee may consider whether any position that is currently designated within the classified, unclassified, or nonclassified service of the State should be redesignated to a more appropriate classification.

The Legislative Commission shall submit a report of the results of the study and any recommendations for legislation to the Director of the Legislative Counsel Bureau for transmittal to the 2019 Session of the Legislature.

TAXATION AND REVENUE

A.B. 62 (Chapter 183)

Assembly Bill 62 revises existing procedures and adds additional requirements for wholesale and retail tobacco dealers to aid in the statutory enforcement of the Tobacco Master Settlement Agreement (MSA). Among other things, the bill:

- Authorizes the Department of Taxation, the Nevada Tax Commission, and the Attorney General to share certain information with other entities for the purposes of enforcing the MSA and ensuring compliance with provisions governing the taxation of cigarette sales;
- Provides that certain data relating to cigarette sales obtained by the Department, the Nevada Tax Commission, or the Attorney General is confidential;
- Extends from three years to five years the period of time that certain records must be retained by retail and wholesale tobacco dealers;
- Requires cigarette vending machine operators to obtain a license from the Department;
- Specifies that manufacturer, wholesale, and retail tobacco licenses authorize the licensee to sell cigarettes from the premises for which the license was issued;
- Requires importers of certain tobacco products to report to the Department the amount of product sold, transferred, or delivered into Nevada each month; and
- Requires manufacturers and importers who are nonparticipants in the MSA to submit additional reports to the Attorney General.

This measure is effective on July 1, 2017.

A.B. 375 (Chapter 557)

Assembly Bill 375 authorizes the governing body of a flood management authority to establish by resolution a flood control project needs committee to recommend the following to fund the approved flood management projects of the flood management authority:

- Flood management fees, rates, charges, levies, or assessments; or
- Taxes for consideration by the voters at the 2018 General Election.

If a flood control projects needs committee is established, the committee must submit its recommendations to the governing body of the flood management authority and the board of county commissioners on or before April 2, 2018. If the committee is unable to develop recommendations, the committee may dissolve itself without submitting the recommendations to the governing body. However, a report describing flooding areas, flood management plans, areas most affected by flooding, and any recommendations must be submitted to the Governor and the Legislature.

Upon receipt of any recommendations, the governing body of a flood management authority is required to impose certain fees, rates, or charges recommended and also must submit a question to the voters at the 2018 General Election asking whether any of the other taxes, fees, levies, or assessments recommended by the committee should be imposed in the county. If approved, the measure describes how the fee, rate, charge, levy, assessment, or tax should be implemented. The measure also provides that any proceeds must be deposited in the fund for flood management projects of the flood management authority and may be pledged to the payment of the principal and interest on bonds or other obligations issued for approved flood management projects.

This measure is effective on June 12, 2017. Provisions authorizing the establishment of a flood control project needs committee expire by limitation on April 2, 2018.

A.B. 486 (Chapter 514)

Assembly Bill 486 revises provisions governing the portion of the governmental services tax proceeds to be distributed to the State General Fund and the State Highway Fund. The bill provides that for each fiscal year of the 2017-2019 Biennium, the State General Fund will receive 25 percent of the proceeds of the tax and the State Highway Fund will receive 75 percent of the proceeds of the tax.

This bill is effective on July 1, 2017, and it expires by limitation on June 30, 2019.

A.B. 492 (Chapter 487)

Assembly Bill 492 removes a provision in current law requiring the Legislature to, on a biennial basis, set the maximum dollar amount of transferrable tax credits available to companies that produce films and certain other productions and instead provides that beginning on July 1, 2017, the total amount of transferable tax credits the Office of Economic Development, Office of the Governor, is allowed to approve for these productions is $10 million per fiscal year. Further, this bill specifically provides that any portion of this annual amount for which transferable tax credits have not been previously approved may be carried forward and made available for approval during the next or any future fiscal year.

This measure is effective on July 1, 2017.

S.B. 54 (Chapter 193)

Senate Bill 54 expands the uses for which certain infrastructure sales tax proceeds may be expended by a county with a population of fewer than 100,000 (currently all except Clark and Washoe Counties). Specifically, the bill authorizes such taxes to be expended for ongoing expenses of operating and maintaining certain governmental facilities or for the acquisition, establishment, construction, expansion, improvement, or equipping of facilities related to health and welfare. The board of county commissioners in a county that uses infrastructure tax proceeds for these purposes must, every four years, conduct a review of its expenditure plan for such proceeds.

This measure is effective on July 1, 2017.

S.B. 64 (Chapter 179)

Senate Bill 64 requires the proceeds from taxes imposed on aviation fuel and fuel for jet or turbine-powered aircraft, collected at a privately owned airport, to be allocated by the Department of Motor Vehicles to the airport at which the tax was collected.

This measure is effective on May 26, 2017.

S.B. 442 (Chapter 545)

Senate Bill 442 makes various changes to the administrative provisions, eligibility criteria, and authority granted to the Office of Economic Development, Office of the Governor, to issue tax credits and grant partial abatements of taxes to new and expanding businesses. The bill revises the eligibility criteria for these partial abatements so that to qualify, a business must pay new employees a wage that is at least equal to the average statewide hourly wage and offer its employees health benefits that meet standards established by the Office. Senate Bill 442 also:

- Authorizes the Office to approve an application for partial abatements of certain taxes for projects located on multiple sites if the capital investment is at least $1 billion;

- Clarifies that commercial airlines are precluded from qualifying for the aviation abatement program;

- Clarifies provisions related to the requirement that at least 50 percent of employees engaged in the construction of a project be residents of this State;

- Clarifies that a "project" only includes participants in a "common business purpose or industry";

- Revises provisions related to the payment and reimbursement of design fees required to determine cost of municipal improvements;

- Revises definitions related to rail projects and authorizes counties and cities to undertake rail projects; and

- Specifies certain conditions in which money held in a trust fund must be used to repay any bonds or other obligations issued by the State or a local government in connection with a qualified project.

This bill is effective on July 1, 2017.

S.B. 555 (Chapter 600)

Senate Bill 555 authorizes the Department of Taxation to approve in Fiscal Year (FY) 2017-2018 $20 million in tax credits against the modified business tax for taxpayers who donate money to certain scholarship organizations. This amount is in addition to the amount of credits authorized for FY 2017-2018 under existing law. If the amount of the additional

tax credits approved in FY 2017-2018 is fewer than $20 million, the remaining amount of tax credits must be carried forward and made available in subsequent fiscal years. The bill provides that the additional tax credits are not subject to the annual increases that exist for other tax credits.

This bill is effective on July 1, 2017.

Property Taxes

A.B. 439 (Chapter 187)

Assembly Bill 439 requires the Department of Taxation, for the purposes of State and local sales and use taxes to consider a licensed veterinarian to be a consumer rather than a retailer of tangible personal property that is used, furnished, or dispensed by the veterinarian in providing medical care or treatment to animals as part of the veterinarian's professional services.

This measure is effective on July 1, 2017.

S.B. 281 (Chapter 331)

Senate Bill 281 revises provisions relating to the distribution of excess proceeds from the sale of property to recover delinquent taxes. The measure provides that a waste management company, a unit-owners' association of a common-interest community, a unit-owners' association of a condominium hotel, or an owner of a unit of a condominium hotel may receive excess proceeds from the sale of a property. The measure clarifies that if a unit-owners' association recovers excess proceeds from the sale of a residential unit in the common-interest community, the association may not recover in a civil action or otherwise collect any deficiency remaining due to the association from the owner of the residential unit. Finally, the measure provides that the 10 percent limit on any fee charged for locating, delivering, recovering, or assisting in the recovery of excess proceeds from a sale shall apply only to transactions where the person entering the agreement is a natural person who is the owner and occupier of the property at the time of the sale.

This measure is effective on July 1, 2017.

S.B. 352 (Chapter 372)

Senate Bill 352 sets forth the finding of the Legislature that when a single-family residence is partially or completely destroyed by a flood, fire, earthquake, or other event for which the Governor proclaims either a state of emergency or declaration of disaster, the resulting loss of the depreciation accrued on the partially or completely destroyed residence causes a severe economic hardship to the owner of the residence by increasing the property taxes imposed on the residence. Based upon this finding, the measure allows an owner of such a property to apply to the county assessor on or before June 30, 2047, for an exemption of assessed value related to the replacement of the destroyed residence such that the taxes imposed on the replacement residence are based on the taxes and value of the property in the fiscal year in which the single-family residence was partially or completely destroyed. The measure clarifies

that the exemption no longer applies if a single family residence that is replaced following a natural disaster or state of emergency is sold in a transaction that requires the payment of the real property transfer tax. Finally, the measure provides that the exemption applies to property destroyed or partially destroyed in any event for which a state of emergency or declaration of disaster was proclaimed by the Governor on or after July 1, 2012.

This measure is effective on July 1, 2017.

S.B. 414 (Chapter 428)

Senate Bill 414 clarifies that a nonresident may claim an exemption from the taxation of personal property located in Nevada if the property is:

- An exhibit that is used in a convention or tradeshow located in Nevada; or
- A display, exhibition, carnival, fair, or circus that is transient in nature and will be located in Nevada for not more than 30 days.

This measure is effective on July 1, 2017.

S.J.R. 14 (File No. 43)

Senate Joint Resolution No. 14 proposes to amend the *Nevada Constitution* providing for the first fiscal year after real property is sold or transferred, the real property is ineligible for any adjustment to the value of improvements on it, based upon the age of the improvement, and it also is ineligible for certain partial abatements.

Senate Joint Resolution No. 14 also proposes to amend the *Nevada Constitution* to require the Legislature to enact a "Senior and Disabled Taxpayers Protection Act."

If approved in identical form during the 2019 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval at the 2020 General Election.

NOTE: See also Senate Bill 1 (Chapter 2) of the 30th Special Session.

TRANSPORTATION

A.B. 11 (Chapter 36)

Assembly Bill 11 expands the current prohibition concerning the operation of an unmanned aerial vehicle within certain distances of a transmission line to include any transmission line that is owned, operated, inspected, maintained, or repaired in whole or in part by the Colorado River Commission of Nevada.

This measure is effective on May 19, 2017.

A.B. 60 (Chapter 177)

Assembly Bill 60 establishes a late fee of $25 for the reinstatement of expired licenses and registrations that are required by the Department of Motor Vehicles (DMV) for the operation of certain businesses relating to vehicles. The types of businesses to which this late fee applies include vehicle transporters, manufacturers, distributors, dealers, rebuilders, brokers, wreckers, salvage pools, body shops, and garages. The bill also:

- Requires a vehicle transporter who electronically submits the statement required for licensure regarding child support to retain the original version of the statement for three years after submission;
- Requires the application form necessary to apply for initial licensure to operate as an automobile wrecker, a salvage pool, or a body shop designate the persons whose names must appear on the form and whose fingerprints have to be taken and forwarded to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation;
- Requires a person applying for initial licensure to operate as a broker of vehicles or a salesperson of vehicles, trailers, or semitrailers to pay a fee established by the DMV for processing fingerprints;
- Revises the types of convictions for which a license as a salesperson of vehicles, trailers, or semitrailers may be denied; and
- Repeals the requirement that a fee be paid for temporary placards issued by a seller or long-term lessor of a vehicle that authorizes the operation of such a vehicle on the highways of this State for a period of not more than 30 days.

This measure is effective on January 1, 2018.

A.B. 322 (Chapter 402)

Assembly Bill 322 provides that a driver authorization card expires on the fourth anniversary of the holder's birthday, measured from the birthday nearest the date of issuance or renewal.

This measure is effective on July 1, 2017.

A.B. 410 (Chapter 291)

Assembly Bill 410 authorizes a new vehicle dealer that is franchised to sell vehicles to apply to the vehicle manufacturer for compensation for each month that the dealer possesses a used vehicle subject to a stop-sale order or a do-not-drive order. The bill requires the new vehicle dealer to file a claim for compensation with the manufacturer. The compensation must be calculated at a rate of not less than 1 percent of the used vehicle's value for each month that it is in the inventory of the dealer, beginning 30 days after the stop-sale or do-not-drive order is provided to the dealer. A do-not-drive order must instruct the recipient not to drive the vehicle until the remedy for the recall is complete.

The bill also prohibits a manufacturer from taking certain actions to offset or reduce the amount of compensation owed to the dealer. The bill adds recall service and repair to the list of items for which a manufacturer must fairly compensate a dealer. Lastly, the bill adds various measures to seek injunctive relief for violations of provisions in the bill.

This measure is effective on June 1, 2017.

A.B. 485 (Chapter 352)

Assembly Bill 485 requires that certain new school buses be equipped with federally approved shoulder-harness-type safety belts for each permanent seating position for passengers. The bill transfers from the Department of Motor Vehicles to the Department of Public Safety the requirement to inspect school buses semiannually. With certain exceptions, the bill revises the definition of school bus to more closely comport with the definition in the Federal Motor Carrier Safety Regulations and makes conforming changes to laws related to school buses.

Assembly Bill 485 also allows a school district to enter into an agreement to lease out school buses or other district vehicles for special events taking place in the county where the school district is located. Such agreements must not interfere with providing transportation for students, and the district must determine that a commercial bus is not reasonably available for the event. Not more than 8.5 percent of the total number of a district's vehicles may be leased out at a time.

The bill sets out certain specifications for a lease agreement, including a security deposit, fee requirements, indemnity provisions, responsibility for damage, proof of insurance and driver licensure, acknowledgment that the lessee is not entitled to certain limitations on damages, and proof of a permit or approval for the event, if required by a governmental entity. District employees must be given preference in hiring for operation of the vehicles.

Money collected from a lease agreement that exceeds district costs may be used at the discretion of the school district, with certain exceptions.

This measure is effective on June 4, 2017.

S.B. 53 (Chapter 120)

Senate Bill 53 revises provisions relating to the installation, operation, and maintenance of telecommunications facilities. Among other things, the bill authorizes the Department of Transportation to grant longitudinal and wireless access to certain rights-of-way owned by the Department to telecommunications providers to construct and install telecommunications facilities. The measure also provides for monetary and in-kind compensation to the Department for longitudinal and wireless access to certain rights-of-way. Finally, S.B. 53 creates the Telecommunications Advisory Council to assist the Department in administering access to rights-of-way to telecommunications providers and to provide other assistance as requested by the Department.

This measure is effective on May 25, 2017, for the purposes of appointing members of the Telecommunications Advisory Council, adopting regulations, and performing other preparatory tasks. For all other purposes, this bill is effective on July 1, 2017.

S.B. 149 (Chapter 492)

Senate Bill 149 revises provisions governing regional transportation commissions (RTCs) in a county whose population is 700,000 or greater (currently Clark County) to allow for the construction, operation, and maintenance of a high-capacity transit system if certain conditions are met. Such an RTC must seek approval from a county or city that owns any public right-of-way needed for construction of any such projects. The bill authorizes such an RTC to enter into agreements with other local governments for the development of projects and to share the costs related to any such projects. An RTC may recommend the imposition of an additional tax to fund the projects and is authorized to:

- Provide grants to conduct research for and otherwise develop and implement certain innovative transportation projects and enter into agreements with private entities for certain transportation projects in accordance with federal law;
- Use a turnkey procurement process or competitive negotiation process in connection with a high-capacity transit project; and
- Impose civil penalties for the unauthorized parking of a vehicle at a transportation facility and impose fees for the use of RTC services or facilities that are to be used for the construction or operation of transportation facilities.

Finally, the bill repeals provisions requiring the RTC in a county whose population is 700,000 or greater to establish a regional rapid transit authority and requires that the provisions of existing law governing RTCs be liberally construed to allow an RTC to meet its objectives.

This bill is effective on June 8, 2017.

S.B. 215 (Chapter 241)

Senate Bill 215 sets forth various events under which a person must and may change his or her full legal name on a driver's license or identification card. The bill provides the types of documentation required as evidence of an applicable event. A person may choose various

options for a full legal name, including a hyphenated last name or replacing a middle name with his or her last name and using the last name of his or her adoptive parents or spouse as his or her last name. To assist in implementing these changes, the bill removes the requirement for the Director of the Department of Motor Vehicles to define the term "full legal name" and instead defines the term in statutes for purposes of obtaining driver's licenses, instruction permits, driver authorization cards, identification cards, and motorcycle driver's licenses.

This measure is effective on May 31, 2017, for the purposes of adopting regulations and performing other preparatory administrative tasks. For all other purposes, this measure is effective on January 1, 2018.

S.B. 308 (Chapter 258)

Senate Bill 308 increases the minimum amount of coverage that must be provided by a policy of motor vehicle insurance. Specifically:

- For bodily injury to or death of one person in any one crash, the minimum amount is increased from $15,000 to $25,000;

- For bodily injury to or death of two or more persons in any one crash, the minimum amount is increased from $30,000 to $50,000; and

- For injury to or destruction of property of others in any one crash, the minimum amount is increased from $10,000 to $20,000.

This measure is effective on July 1, 2018.

S.B. 320 (Chapter 497)

Senate Bill 320 sets forth conditions relating to towing a motor vehicle from a residential complex. The bill requires the owner of the real property or an authorized agent of the owner to notify the vehicle's owner 48 hours prior to towing by placing a sticker on the vehicle providing the date and time after which the tow will take place. Vehicles may only be towed:

- For a parking violation;

- If the vehicle is not registered; or

- If the registration of vehicles that belong to residents of the residential complex has been expired for not less than 60 days.

For any issue related to the health, safety, and welfare of the residents of the residential complex, notification of the vehicle's owner 48 hours prior to towing is not required.

Senate Bill 320 also allows the owner or possessor of a multilevel parking garage that is operated for a resort hotel to immobilize an illegally parked vehicle in the garage by means of

a boot, wheel clamp, or other mechanical device under certain circumstances. The bill also provides procedures for paying for removing a boot, wheel clamp, or other mechanical device.

This measure is effective on July 1, 2017.

S.B. 350 (Chapter 566)

Senate Bill 350 prohibits creditors or long-term lessors of motor vehicles from installing or requiring the installation of technology devices that record the location of a motor vehicle or technology devices that can remotely disable a motor vehicle unless the consumer who has purchased or leased the motor vehicle is given written notice or agrees in writing to such installation. The measure provides certain requirements and restrictions on the use of such technology devices. Further, the bill imposes certain requirements and restrictions on certain persons who manufacture or provide, install, or possess or obtain data from such technology devices. A violation of the provisions in the bill is a deceptive trade practice.

This bill is effective on July 1, 2017.

S.B. 448 (Chapter 500)

Senate Bill 448 provides, in any county whose population is 700,000 or greater (currently Clark County), for the use of a public-private partnership to plan, finance, design, construct, improve, maintain, operate, or acquire the rights-of-way for a transportation facility. The measure establishes procedures for the financing of a transportation facility and for the disposition of money that is received and is to be retained by a public body pursuant to a public-private partnership.

This measure is effective on July 1, 2017.

Motor Carriers and Transportation Network Companies

A.B. 69 (Chapter 608)

Assembly Bill 69 authorizes a fully autonomous vehicle to be tested or operated on a highway within this State, under certain circumstances. The bill also provides for the testing and use of driver-assistive platooning technology within the State. It authorizes Nevada's Department of Motor Vehicles to adopt certain regulations relating to autonomous vehicles and to impose an administrative fine for violations of laws or regulations related to autonomous vehicles.

The bill requires a person responsible for the testing of an autonomous vehicle to report certain crashes to the Department. It prohibits a local government from imposing a tax, fee, or other requirement on any automated driving system or autonomous vehicle, and it extends immunity from liability for damages caused by modifications by an unauthorized third party to the original manufacturer or developer of an automated driving system.

In addition, A.B. 69 provides for the permitting by the Nevada Transportation Authority (NTA), Department of Business and Industry, of "autonomous vehicle network companies" and addresses their regulation, insurance, and taxation in a manner generally consistent with

transportation network companies. The bill also requires the NTA and the Taxicab Authority to authorize a common motor carrier, contract motor carrier, or a certificate holder to use one or more fully autonomous vehicles in certain circumstances. Lastly, A.B. 69 requires the NTA to adopt regulations necessary to carry out the provisions of this bill.

This measure is effective on June 16, 2017.

A.B. 96 (Chapter 91)

Assembly Bill 96 expands the exemption from full regulation by the Nevada Transportation Authority (NTA), Department of Business and Industry, currently available to an owner or operator of a motor vehicle that is used by certain resort hotels to transport passengers or property to include an affiliate of the owner or operator. The bill also requires any such affiliate of the owner or operator to inspect the motor vehicle regularly, maintain a record of the inspections for at least three years, and make the records available for inspection or audit by the NTA.

This measure is effective on July 1, 2017.

A.B. 233 (Chapter 138)

Assembly Bill 233 authorizes a lessor of a motortruck to impose additional charges to recover any costs incurred by the lessor in conducting his or her business. Any such charges must be disclosed at the time the lessor provides a price quote or estimate for the lease of the motortruck.

This measure is effective on July 1, 2017.

A.B. 234 (Chapter 346)

Assembly Bill 234 requires certain motor carriers of passengers that provide paratransit services to certain persons with disabilities to ensure that each vehicle used for such services is equipped with first-aid equipment and that the drivers of such vehicles receive training in first-aid and cardiopulmonary resuscitation. The bill requires that the company employing the drivers is responsible for their training, will pay for the training, and will compensate the drivers for time spent in training.

This measure is effective on January 1, 2020.

A.B. 487 (Chapter 547)

Assembly Bill 487 confers upon the Taxicab Authority, Department of Business and Industry, limited enforcement jurisdiction over persons who are drivers for transportation network companies. The bill also makes various changes to provisions concerning the Taxicab Authority. These changes include:

- Removing the requirement for money from the technology fee collected by the Taxicab Authority to be spent on a computerized real-time data system and authorizing its use for the implementation of technological improvements in safety;

- Removing the requirement that the Taxicab Authority approve the design of cruising lights of taxicabs and authorizing the use of advertisements on the exterior of taxicabs with certain restrictions;

- Mandating that any vehicle used as a taxicab may only be used as a taxicab for 120 months after the date on which the vehicle was manufactured;

- Requiring each taxicab to display a statement indicating whether the certified holder accepts credit and debit cards and, if so, listing the maximum fee a customer will be charged for the convenience of using a credit or debit card;

- Revising the required frequency of random taxicab inspections;

- Allowing an applicant for a driver's permit to drive a taxicab to reside in a state that adjoins the county in which the applicant has applied for the driver's permit;

- Revising provisions regarding daily trip sheets to allow for the use of certain electronic operating systems; and

- Revising current prohibitions against long-hauling.

Finally, the bill eliminates restrictions on the use of dynamic displays on vehicles.

This measure is effective on July 1, 2017.

S.B. 31 (Chapter 180)

Senate Bill 31 requires certain intrastate commercial motor vehicles that are required to register with the Department of Motor Vehicles (DMV) to do so through the Motor Carrier Division and to obtain a United States Department of Transportation (USDOT) number. This requirement applies to intrastate commercial motor vehicles, other than farm vehicles, over 26,000 pounds and commercial motor vehicles transporting hazardous materials, regardless of weight. If the motor carrier responsible for any vehicles required to obtain a USDOT number are subject to certain out-of-service orders issued by a federal or State entity, the DMV may:

- Refuse to register vehicles of the motor carrier;

- Revoke the registration of the vehicles; or

- Refuse to renew the registration of the vehicles.

A peace officer may seize the license plates of an intrastate vehicle if the motor carrier is subject to certain out-of-service orders, send the plates to the DMV, and notify the motor carrier. If the motor carrier is not the registered owner of the vehicle, a peace officer may impound the vehicle and notify the owner of the impoundment.

Finally, S.B. 31 authorizes the DMV to register a commercial motor vehicle up to 83,000 pounds if operation of the truck is permitted by federal law.

This measure is effective on May 26, 2017, for the purposes of adopting regulations and performing other preparatory tasks. For all other purposes, S.B. 31 is effective on July 1, 2020, or the date on which the Director of the DMV notifies the Governor that sufficient resources are available to enable the DMV to carry out the amendatory provisions of the bill, whichever is earlier.

S.B. 554 (Chapter 582)

Senate Bill 554 requires a driver affiliated with a transportation network company (TNC) to provide verification to the TNC that he or she holds a valid State business registration. The deadline for this requirement is not later than six months after the driver is allowed to receive connections to potential passengers and annually thereafter, on or before the anniversary date of the agreement with the TNC. A TNC must terminate an agreement with a driver who fails to provide this information. The Nevada Transportation Authority, Department of Business and Industry, must provide the name of each driver affiliated with a TNC to the Secretary of State, who must keep the information confidential.

Special License Plates

S.B. 37 (Chapter 200)

Senate Bill 37 makes various changes relating to the issuance and renewal of license plates commemorating the 150th anniversary of Nevada's admission into the Union. The bill clarifies that the Department of Motor Vehicles (DMV) may no longer issue this commemorative license plate. Senate Bill 37 also removes the prohibition on the DMV to charge the $20 fee for renewal of the commemorative license plates after October 31, 2016, and it requires this money to be divided equally between the Division of Museums and History of the Department of Tourism and Cultural Affairs and the Division of State Parks of the State Department of Conservation and Natural Resources for educational and preservation projects.

This bill is effective on July 1, 2017.

S.B. 141 (Chapter 204)

Senate Bill 141 expands the conditions under which a veteran of the United States Armed Forces who has suffered a service-connected disability may qualify for certain specially designed license plates and makes various conforming changes.

This bill is effective on July 1, 2017, for the purpose of redefining what constitutes a qualifying service-connected disability. For all other purposes, this bill is effective on July 1, 2018, or the date on which the Director of the Department of Motor Vehicles (DMV) notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the DMV to carry out the amendatory provisions, whichever occurs earlier.

S.B. 283 (Chapter 527)
Senate Bill 283 provides for the issuance of special license plates indicating support for the Vegas Golden Knights hockey team. The bill allows the Department of Motor Vehicles to accept any gifts, grants, and donations or other sources of money for the production and issuance of these special license plates.

This measure is effective on June 9, 2017.

S.B. 428 (Chapter 526)
Senate Bill 428 provides for the issuance of special license plates indicating support for Tule Springs State Park. The fees generated by these special license plates are in addition to all other applicable registration and license fees and governmental services taxes and must be deposited with the State Treasurer and distributed to the Ice Age Park Foundation. These special license plates must be approved by the Commission on Special License Plates and, after approval, will not be issued until one of the 30 design slots for special license plates becomes available. A surety bond must be posted with the Department of Motor Vehicles.

Provisions related to the special license plate supporting Tule Springs State Park are effective two years after the date on which the Administrator of the Division of State Parks, State Department of Conservation and Natural Resources, establishes Tule Springs State Park.

Traffic Laws and Public Safety

A.B. 17 (Chapter 20)
Assembly Bill 17 requires the driver of a vehicle who approaches an authorized vehicle of the Department of Transportation that is stopped and displaying a flashing amber light or a blue light located at the rear of the vehicle to take the same precautions which currently apply when approaching an emergency vehicle or a tow truck under those conditions.

This measure is effective on July 1, 2017.

A.B. 68 (Chapter 270)
Assembly Bill 68 makes various changes to transportation and public safety. The bill:

- Removes the requirement that the photograph on a driver's license be in color;

- Adds to current acts or practices for which the Department of Motor Vehicles (DMV) can refuse to issue a license for operating a driving school and requires that a vehicle be inspected within 30 days after initial use by the school;

- Clarifies the fees for a person 65 years of age or older who applies for an identification card;

- Removes the authorization for the DMV to issue a nonresident commercial driver's license or learner's permit to a resident of a foreign jurisdiction that the Federal Highway Administrator has determined does not test drivers and issue commercial drivers' licenses in accordance with federal standards;

- Allows for advertising on certain structures; and

- Provides that if a driver refuses to sign a traffic citation, the act of receiving the citation from a peace officer is deemed notice of a requirement to appear in court.

Provisions concerning advertising on certain structures and traffic citations are effective on July 1, 2017. All other provisions are effective on October 1, 2017.

A.B. 135 (Chapter 76)

Assembly Bill 135 provides that the amount of marijuana metabolite in the system of a person who is suspected of driving or being in actual physical control of a vehicle on a highway or public premises must be measured using a blood test. Similarly, the bill makes changes to provisions of existing law relating to the operation of a commercial motor vehicle and to the operation of a vessel under power or sail on the waters of this State.

This bill is effective on July 1, 2017.

A.B. 151 (Chapter 60)

Assembly Bill 151 requires the Peace Officers' Standards and Training Commission to: (1) establish by regulation the minimum standards for a voluntary program of training for law enforcement dispatchers; (2) certify instructors for approved courses of such training; and (3) issue certificates to dispatchers who complete such training.

This bill is effective on July 1, 2017.

A.B. 252 (Chapter 58)

Assembly Bill 252 authorizes a peace officer or a retired peace officer to request the display of an alternate address on his or her driver's license, identification card, commercial driver's license, or commercial learner's permit instead of displaying his or her principal residence address. A peace officer must use his or her employer's address as an alternate address, and a retired peace officer must provide to Nevada's Department of Motor Vehicles (DMV) an alternate address at the time he or she submits the request. Lastly, the bill requires a peace officer or a retired peace officer to provide the DMV an address of principal residence or mailing address for the purpose of recordkeeping and mailing.

This measure is effective on May 22, 2017, for the purpose of adopting regulations and on July 1, 2017, for all other purposes.

A.B. 261 (Chapter 178)

Assembly Bill 261 revises provisions governing the issuance of an instruction permit for operating a motorcycle to make them similar to provisions governing the issuance of an instruction permit for operating a motor vehicle other than a motorcycle. The bill prohibits a permit holder from carrying a passenger or driving after dark, provides that the 50 hours of driving experience required before a license is issued need not be supervised, and makes other conforming changes.

This bill is effective on May 26, 2017, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2018, for all other purposes.

A.B. 334 (Chapter 140)

Assembly Bill 334, with certain exceptions, prohibits a driver on a controlled-access highway with two or more lanes for traffic traveling in the same direction to continue to operate a motor vehicle in the extreme left lane if the driver is traveling below the posted speed limit and perceives to be overtaken in that lane from the rear by a motor vehicle traveling at a higher rate of speed.

This measure is effective on July 1, 2017.

A.B. 335 (Chapter 141)

Assembly Bill 335 requires, with exceptions, a person driving a moped to travel in the extreme right-hand lane if the highway has two or more clearly marked lanes for traffic traveling in the same direction.

This measure is effective on January 1, 2018.

A.B. 471 (Chapter 307)

Assembly Bill 471 creates the Nevada Office of Cyber Defense Coordination within the Department of Public Safety to serve as the strategic planning, facilitating, and coordinating office for cybersecurity policy and planning in this State. The bill provides the Office with the power to execute, administer, and enforce the provisions of the bill in order to protect and secure information systems and cyberinfrastructure in this State.

This bill is effective on July 1, 2017.

S.B. 176 (Chapter 129)

Senate Bill 176 expands to all law enforcement agencies the requirement that certain peace officers wear a portable event recording device while on duty and requires that video recordings be retained by the law enforcement agency for not fewer than 15 days.

The bill also expands to all counties the authority of the respective boards of county commissioners to impose a surcharge to be used for the enhancement of the telephone system for reporting an emergency in the county, and it authorizes the surcharge to also be used to purchase and maintain portable event recording devices and vehicular event recording devices.

The maximum amount of the surcharge that may be imposed is increased from 25 cents to $1 each month for each access line to the local exchange of a telecommunications provider.

This measure is effective on May 25, 2017, for the purposes of adopting regulations and performing any necessary preliminary administrative tasks and on July 1, 2018, for all other purposes.

S.B. 312 (Chapter 243)

Senate Bill 312 changes provisions of law related to driving and public safety. Among other things, the bill revises the duties of:

- A driver upon approaching or being approached by certain emergency vehicles and other vehicles displaying flashing lights and upon approaching a traffic incident;

- A law enforcement officer providing for the removal of a vehicle, any spilled cargo of a vehicle, or other property that is obstructing traffic, interfering with the normal flow of traffic, or otherwise endangering public safety; and

- A driver moving his or her vehicle, if the vehicle is able to be moved and is creating a hazard or obstructing traffic.

The bill provides that a law enforcement officer, the law enforcement agency employing the officer, a unified command, or a tow car operator who provides for the removal of a vehicle, spilled cargo, or other property: (1) is not liable for any damage to the vehicle, cargo, or property that results from the removal; and (2) must make a reasonable attempt to notify the owner of the vehicle, cargo, or property if the owner is not present at the time of removal.

Vehicle Registration

S.B. 15 (Chapter 95)

Senate Bill 15 clarifies the difference between "duplicate license plates" and "replacement license plates" by defining "replacement number plate" to mean a license plate that previously was issued but has been expired for a continuous period of more than 18 months. The bill also provides that certain plates which are substantially in the same color and form as plates commonly referred to as "old-style" blue license plates, which were manufactured between January 1, 1982, and June 30, 2015, are not subject to the requirement that Nevada's Department of Motor Vehicles reissue the plates every eight years. The measure further provides that the 125th and 150th commemorative license plates also are exempt from that reissuance requirement. Finally, the bill revises the citation for a "hunter's permit" to conform to the newly amended version of the International Registration Plan.

S.B. 339 (Chapter 245)

Senate Bill 339 extends the manufactured date of a vehicle to qualify for a vintage license plate from not later than 1942 to not later than 1961.

This measure is effective on January 1, 2018.

S.B. 452 (Chapter 414)

Senate Bill 452 authorizes a person who is unable to provide satisfactory information to the Department of Motor Vehicles for a certificate of title to obtain such a certificate by filing a bond with the Department. The bond must be in an amount equal to one and one-half times the value of the vehicle and meet certain conditions, and it must be returned by the Department at the end of three years unless an action to recover on the bond is pending. Similar provisions are set forth regarding salvage titles. The bill authorizes the Department to conduct a search of the history of the vehicle and any parts used to repair the vehicle through any national crime information system. The bill requires that certain lienholders use the electronic lien system established for the Department to process notifications and releases of security interests on vehicles. Finally, the bill abolishes any right of action against the Department for certain actions related to providing a certificate of title.

This measure is effective on June 5, 2017, for the purposes of adopting regulations and performing other preparatory administrative tasks; on July 1, 2017, for the purpose of requiring the use of the electronic lien system; and on July 1, 2018, for all other purposes.

VETERANS AND ACTIVE MEMBERS OF THE ARMED FORCES

A.B. 2 (Chapter 8)

Assembly Bill 2 expands benefit eligibility provided by the Patriot Relief Account to all members of the Nevada National Guard who experience economic hardship by removing the requirement that monetary relief may only be paid to active service members. The bill also limits the payment of benefits from the Patriot Relief Account to the extent money is available in the Account.

This bill is effective on July 1, 2017.

A.B. 19 (Chapter 10)

Assembly Bill 19 requires the Department of Veterans Services to submit to the Interagency Council on Veterans Affairs certain statistical information concerning veterans services and requires that certain regulatory bodies collect and report to the Interagency Council statistical information concerning the number of veterans and service members who have applied for, have been issued, or have been denied a license. The measure reduces from annually to biennially the frequency with which the Interagency Council must submit to the Governor and the Legislative Commission a report of its activities, including the statistical information required to be provided by various State agencies and regulatory bodies.

Finally, the bill changes from annually to biennially the frequency with which certain reports of activities must be submitted by the Nevada Veterans Services Commission and the Women Veterans Advisory Committee; provides that both reports must be submitted to the Governor, the Interagency Council, and the Legislative Commission; and changes the deadline by which the Nevada Veterans Services Commission must submit its report to coincide with the reporting deadline for the Interagency Council and the Advisory Committee.

This bill is effective on July 1, 2017.

A.B. 22 (Chapter 89)

Assembly Bill 22 authorizes the Director of the Department of Veterans Services to appoint deputy directors as needed, including a Deputy Director for Programs and Services and a Deputy Director for Health and Wellness. The bill prescribes the qualifications of each deputy director and removes the required office location of the Director and Deputy Director.

The bill also requires the Director to:

- Create and maintain a database containing information on veterans residing in Nevada;
- Ensure that each generation of veterans receives recognition on an annual basis; and
- Create and maintain a registry of organizations that provide services and resources to veterans, service members, and their families and publish the registry on the Department's website.

Finally, the bill repeals provisions related to the previous role of the Director as guardian of the estates of certain veterans and their dependents.

This bill is effective on July 1, 2017.

A.B. 24 (Chapter 2)

Assembly Bill 24 prohibits the Board of Regents from charging out-of-state tuition for certain veterans, members of the military, and their families who attend Nevada System of Higher Education institutions.

This bill is effective on July 1, 2017.

A.B. 118 (Chapter 54)

Assembly Bill 118 authorizes a person between the ages of 18 and 21 and who is a member of the Armed Forces of the United States, a reserve component thereof, or the National Guard, or was discharged or released from service in the Armed Forces, a reserve component thereof, or the National Guard under honorable conditions to carry a concealed weapon. A sheriff must deny an application for a permit or revoke an existing permit if the sheriff determines that the applicant or permittee has been discharged or released from service under other than honorable conditions and is fewer than 21 years of age.

This bill is effective on May 22, 2017.

A.B. 282 (Chapter 57)

Assembly Bill 282 allows a service member and the spouse of a service member to terminate or suspend contracts for certain services if he or she receives military orders for a change of station or to deploy for 30 days or more, under certain circumstances. The bill prohibits a service provider from charging penalties or other charges and provides for the reinstatement of these contracts under certain circumstances. Finally, A.B. 282 authorizes a right of action by the service member or the Office of the Attorney General for violations of the provisions of the bill.

This bill is effective on July 1, 2017.

A.B. 286 (Chapter 484)

Assembly Bill 286 authorizes a justice court or municipal court to establish a program for the treatment of veterans and members of the military who are charged with first misdemeanor offenses of battery constituting domestic violence or driving under the influence of alcohol or drugs.

To be eligible for the program, the person must appear to suffer from mental illness, alcohol or drug abuse, posttraumatic stress disorder, traumatic brain injury, military sexual trauma, or problematic readjustment to civilian life that appears to be related to military service. The bill specifies circumstances that make a defendant ineligible for the program and authorizes sanctions against a defendant who violates the terms and conditions of the program.

The court may conditionally dismiss the charges against a person who successfully completes this program or a diversionary or specialty court program. All records relating to the charges must be sealed not sooner than seven years after the conditional dismissal and upon the filing of a petition by the defendant. Conditionally dismissed offenses constitute prior offenses for purposes of determining program eligibility.

This measure is effective on June 8, 2017.

A.B. 309 (Chapter 510)

Assembly Bill 309 provides additional preference points to any open competitive examination in the classified State service by:

- Increasing to ten the number of points to be added to the passing grade of a veteran who does not have a disability; and

- The addition of ten points to the passing grade of a widow or widower of a person killed in the line of duty while on active duty in the Armed Forces of the United States.

A person cannot combine his or her preference points for each qualifying preference. However, the bill does remove the restriction on applying such points to more than one promotional examination.

In addition, A.B. 309 requires the Administrator of the Division of Human Resource Management, Department of Administration, to certify for a position the name of any veteran with a service-connected disability on the list of eligible persons and requires State agencies to interview any such veteran certified for the position. If this certification is not required by law for a particular position, the bill requires the State agency to interview each qualified applicant who is a veteran with a service-connected disability. For veterans without a service-connected disability, at least 22 percent of such qualified applicants must be interviewed or, if there are fewer applicants than that amount, all such veterans must be interviewed.

Assembly Bill 309 requires the Administrator to submit various reports, to the extent information is available, to the Director of the Department of Veterans Services, the Governor, and the Legislative Counsel Bureau relating to veterans and widows and widowers of persons killed in the line of duty who are hired and employed by the State. Finally, the Administrator must ensure that the percentage of officers and employees in State employment who are veterans or widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces is proportional to the percentage of veterans and such widows and widowers residing in this State and in the labor force.

This bill is effective on June 9, 2017, for the purposes of adopting regulations and performing any preparatory administrative tasks and on October 1, 2017, for all other purposes.

A.B. 337 (Chapter 203)

Assembly Bill 337 prohibits an employer of a member of the National Guard of another state who is employed in this State from terminating the person's employment because he or she is ordered to active service or to perform duties as a member of the National Guard. The bill also makes conforming changes concerning enforcement of this prohibition by the Labor Commissioner and, in certain circumstances, through civil action.

This bill is effective on July 1, 2017.

A.B. 521 (Chapter 449)

Assembly Bill 521 establishes a program to provide financial assistance to a veteran's family for the disinterment of a veteran for relocation to a veterans' cemetery. The bill requires the Director of the Department of Veterans Services to adopt regulations prescribing the application process and the criteria for the award of such financial assistance.

Finally, the bill appropriates $100,000 from the State General Fund to the Director of the Department of Veterans Services for the purpose of providing financial assistance for the program.

This bill is effective on July 1, 2017.

S.B. 7 (Chapter 30)

Senate Bill 7 revises the Nevada Code of Military Justice to provide that in order to be tried or punished for certain offenses committed under the Code, the offense must have been committed while the person was subject to jurisdiction under the Code whether the person was in duty status or not.

This bill is effective on July 1, 2017.

S.B. 33 (Chapter 202)

Senate Bill 33 prohibits the foreclosure of a military servicemember's residential mortgage loan, including the foreclosure of a lien against a unit in a common-interest community, while the member is on active duty, and for one year immediately following active duty so long as the loan was entered into before the servicemember was called to active duty or deployed. These protections also apply to a servicemember's dependent in certain circumstances. A person who knowingly violates these provisions is guilty of a misdemeanor and is liable for damages.

This bill is effective on May 29, 2017.

S.B. 58 (Chapter 4)

Senate Bill 58 revises provisions governing certain State veterans organizations. Specifically, the bill:

- Adds the Administrator, Division of Human Resource Management, Department of Administration, as a member of the Interagency Council on Veterans Affairs;

- Requires the Director and Deputy Director of the Department of Veterans Services to aid, assist, encourage, and cooperate with certain State veterans service organizations; and

- Increases from 9 to 11 the number of members of the Nevada Veterans Services Commission by adding: (1) a member who is a member of the Women Veterans Advisory Committee; and (2) a member who is enrolled as a student at an institution of higher education in this State in a program for a baccalaureate or higher degree and who possesses an honorable discharge from some branch of the military and naval service of the United States.

This bill is effective on July 1, 2017.

S.B. 70 (Chapter 3)

Senate Bill 70 expands the entities to which the Director of Nevada's Department of Veterans Services is authorized to transfer abandoned or unclaimed property to include the Nevada State Museum, the Nevada Historical Society, and any other governmental agency or nonprofit entity, including without limitation, a veterans' organization and the United States Department of Veterans Affairs. The measure authorizes the Director to destroy or otherwise dispose of such property that is not transferred. The Director must establish, and post on the Department's website, an internal policy regarding the transfer, destruction, or other disposal of such abandoned or unclaimed property.

This bill is effective on March 15, 2017.

S.B. 137 (Chapter 357)

Senate Bill 137 requires certain State agencies and regulatory bodies to include certain questions on the forms used to collect from a veteran data that is submitted to the Interagency Council on Veterans Affairs. The agencies and regulatory bodies required to collect this information have some flexibility in implementation by allowing until the earlier of two years after the effective date of this bill or the date on which: (1) the inventory of paper forms in stock or ordered before the effective date is used; or (2) the revised electronic form or required changes to the computer system are completed.

The bill removes the sunset date of June 30, 2017, to continue the requirement to develop plans and programs to assist veterans who have suffered military sexual trauma, maintains the Account to Assist Veterans Who Have Suffered Sexual Trauma, and eliminates the requirement to transfer any remaining balance in the Account on June 30, 2017.

This bill is effective on June 4, 2017.

S.B. 141 (Chapter 204)

Senate Bill 141 expands the conditions under which a veteran of the United States Armed Forces who has suffered a service-connected disability may qualify for certain specially designed license plates and makes various conforming changes.

This bill is effective on July 1, 2017, for the purpose of redefining what constitutes a qualifying service-connected disability. For all other purposes, this bill is effective on July 1, 2018, or the date on which the Director of the Department of Motor Vehicles (DMV) notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the DMV to carry out the amendatory provisions, whichever occurs earlier.

S.B. 148 (Chapter 56)

Senate Bill 148 requires the Director of the Department of Veterans Services to provide assistance and information relating to aid, benefits, and services to veterans and members of the military who are lesbian, gay, bisexual, or transgender (LGBT) and their spouses and dependents. The Director is further required to assist a veteran who is LGBT in applying for an upgrade to the character of the veteran's discharge from service or a change in the narrative reason for the discharge.

Finally, the measure prohibits the denial of a veteran's eligibility for any program, service, benefit, activity, or facility in Nevada for which the veteran would otherwise be eligible solely based on a veteran's status as a discharged veteran who is LGBT.

This bill is effective on July 1, 2017.

S.B. 191 (Chapter 205)

Senate Bill 191 establishes a standard for evidence of eligibility for any benefit, program, or assistance provided to a veteran with a military service-connected disability. The bill makes conforming changes to relevant chapters of the *Nevada Revised Statutes* concerning bid preferences for purchasing and public works contracts, certain special license plates, hunting and fishing licenses, and tax exemptions.

The provisions concerning special license plates for Pearl Harbor veterans and survivors and veterans awarded the Purple Heart are effective on the earlier of July 1, 2018, or the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of the bill. All other provisions of this bill are effective on May 29, 2017.

S.B. 457 (Chapter 603)

Senate Bill 457 requires the Board of Regents of the University of Nevada or its designee to consult with certain entities to establish statewide standards for awarding credit for military education, training, or occupational experience. Such credit must be applicable toward the coursework required for an associate's degree, baccalaureate degree, or certificate at any university, State college, or community college in the Nevada System of Higher Education.

This bill is effective on July 1, 2017.

29TH SPECIAL SESSION
December 16-19, 2015

A.B. 1-29th Special Session (Chapter 1)

Assembly Bill 1 declares the Legislature's support of industrial and economic development of all areas of Nevada through the implementation of workforce development that places a priority on the recruitment and training of a highly skilled and diverse workforce and the creation of equal opportunities. The bill expands the existing provisions for workforce development by requiring the Governor's Office of Economic Development (GOED) to develop a customized workforce development program for persons creating, expanding, or relocating businesses in Nevada. Customized workforce programs and services must be developed in consultation with the Nevada System of Higher Education (NSHE); Nevada's Department of Education; the Department of Employment, Training and Rehabilitation; and any other entity or person if deemed appropriate by the GOED.

The bill allows the GOED to approve programs of workforce recruitment, assessment, and training; specifies the application requirements and process for approval; and requires the posting of the criteria for evaluating applications on its website. Workforce development programs must include a workforce diversity action plan and, to the extent practicable, be provided on a statewide basis. Businesses may apply to the GOED to participate in workforce development programs and may request that certain training materials be deemed confidential.

Under the provisions of the bill, the GOED also may approve "authorized providers" of workforce development programs. "Authorized providers" are defined to include any institution within NSHE, a State or local agency, a charter school, a school district, a nonprofit organization, a labor organization, or a private postsecondary educational institution.

The bill authorizes an "authorized provider" to apply to the GOED for a grant or loan to defray all or a portion of the costs of an approved program. Priority shall be given to workforce development programs that provide high-skill and high-wage jobs to Nevada residents, use materials produced or purchased in Nevada, are consistent with the State Plan for Economic Development, and are consistent with the unified state plan submitted under the federal Workforce Innovation and Opportunity Act of 2015. Allowable uses of a grant or loan include the cost of technical services to a participating business, instructional services, rental of facilities, administration and personnel, publicity, or any other cost necessary to effectively carry out the program.

The bill also creates the Workforce Innovations for a New Nevada (WINN) Account in the State General Fund. Funding for the Account is provided by an appropriation of $1.5 million and a transfer of $1 million from the appropriation for the Office of Science, Innovation and Technology in Fiscal Year (FY) 2016-2017. Assembly Bill 1 requires the GOED to submit a biennial report to the Legislature, not later than January 15 of each odd-numbered year, summarizing the expenditures from the WINN Account and program outcomes and evaluating the workforce diversity action plans.

Finally, the measure eliminates the GOED's authority to approve transferable tax credits from the Catalyst Account to new and expanding businesses in Nevada in FY 2015-2016 and reduces the transferable tax credits that may be approved in FY 2016-2017 from $2 million to $1 million. Thereafter, the existing $5 million annual cap is reduced to $2 million in FY 2017-2018 and FY 2018-2019 and and to $3 million in FY 2019-2020.

This bill is effective on December 19, 2015.

S.B. 1-29th Special Session (Chapter 2)

Senate Bill 1 authorizes the granting of transferable tax credits and the abatement of certain taxes to participants in a qualified project. To qualify, the lead participant must make an application to the Governor's Office of Economic Development (GOED) and demonstrate, among other things, that: (1) the participants will make a collective minimum investment of $1 billion within ten years of approval of the application; and (2) at least 50 percent of the employees engaged in the construction of the project and 50 percent of the persons employed at the project are Nevada residents. These requirements may be waived by the GOED if insufficient qualified Nevada residents are available and notice of the waiver is posted on the GOED website. To be considered a Nevada resident, each project participant must document that the employee: (1) has a current and valid Nevada driver's license or identification card originally issued by Nevada's Department of Motor Vehicles (DMV) more than 60 days before the hiring of the employee; or (2) has a current and valid Nevada driver's license or identification card issued by the DMV if the employee is a veteran of the Armed Forces of the United States.

If qualified, a lead participant may be approved for transferable tax credits of $9,500 for each qualified employee up to a maximum of 4,000 employees, for a total of $38 million. The bill provides that not more than $7.6 million in transferable tax credits may be issued in any fiscal year (FY) starting in FY 2017-2018 through FY 2024-2025, except for unused credits carried forward, and it caps the total credits which may be approved at $38 million. Up to 75 percent of real and personal property taxes and employer excise taxes (Modified Business Tax) may be abated for qualified projects for up to 10 years, and local sales and use taxes, as defined in the bill, may be abated for up to 15 years.

The bill sets out requirements for public notice, eligibility verification, audits, notice to affected local governments, and repayment of transferable tax credits and abatements if the lead participant, or other participants, fail to meet the criteria relating to minimum investments or otherwise become ineligible.

In addition, S.B. 1 grants authority to GOED, if it is deemed in the best interest of the State, to require the lead participant to pay all or a portion of the abated taxes into a trust fund to be held until all or a portion of the requirements for the abatements have been met.

If the requirements for the abatements are met, the money in the trust fund, along with any earned income or interest, must be repaid to the lead participant. If the requirements are not met, the money and earned income or interest must be transferred to the entity that would have received the money if the abatements had not been approved.

Reports are required to be submitted to the Governor and Legislature: (1) annually by the GOED on the number of qualified projects submitted and approved, along with related matters; (2) quarterly by the GOED on the dollar amount of the abatements, number of qualified employees and their wages, and investment amounts; and (3) annually by a local government that has approved an abatement of licensing or permitting fees.

The bill includes financing mechanisms for related infrastructure needs for a qualified project, including projects for rail service, water, drainage, transportation, fire protection, wastewater, and electric service. Senate Bill 1 permits a local government to submit an application to the GOED for approval of an economic development financing proposal to be financed from the proceeds of bonds, securities, or other indebtedness issued by the State. Such a proposal may include the creation of one or more tax increment areas or special districts, along with the pledge of revenues from those areas to repay bonds issued by the State. Any proposal submitted after July 1, 2017, must be approved by the Legislature or the Interim Finance Committee, as applicable.

The measure specifies the criteria for approval, the components of an agreement to implement the proposal, and provisions for repayment of issued securities. The State Board of Finance may not issue bonds in an amount exceeding $175 million for each economic development financing agreement or an amount of bonds outstanding for all economic development financing proposals exceeding $200 million.

Senate Bill 1 makes provisions for natural gas service to the boundary of an economic diversification district and grants authority for regional transportation commissions to construct or operate a freight rail project. The bill provides for the allocation of a portion of the sales and use taxes or the Modified Business Tax collected in a tax increment area for a natural resources project, as defined in the bill, or a rail project, for a qualified project, subject to the approval of the Interim Finance Committee.

Finally, the GOED's Executive Director must not include provisions in the State Plan for Economic Development that would grant economic development incentives to persons who pay the net proceeds of minerals tax or gaming license fees imposed on gross gaming revenue.

This bill is effective on December 19, 2015. The provisions relating to transferable tax credits and economic diversification districts expire by limitation on June 30, 2032.

S.B. 2-29th Special Session (Chapter 3)

Senate Bill 2 authorizes the State Engineer to expedite action on an application for a permit relating to water rights in an area in which a project qualified under Senate Bill 1 of the 29th Special Session is located. Such expedited action must occur upon receipt of a notice from the Executive Director of the Governor's Office of Economic Development that the qualified project is an economic development priority of the State and that expedited action is necessary.

The measure also provides specific procedures with respect to such an expedited application that involves a change of the point of diversion, place of use, or manner of use of an existing water right that lies within a basin that has certain connections to and is managed jointly with one or more other basins. Only persons holding a water right in the basin or basins may appeal or protest such an application.

Provisions authorizing expedited action on a water rights application and limiting appeals are effective on December 19, 2015, and as to a "qualified project" as defined in S.B. 1 of the 29th Special Session, the provisions expire on June 30, 2032. The remainder of the bill expires by limitation on June 30, 2036.

S.B. 3-29th Special Session (Chapter 4)

Senate Bill 3 amends the Las Vegas Valley Water District Act to designate the District and the Southern Nevada Water Authority as the exclusive providers of water service for the Garnet Valley Ground Water Basin in Clark County, Nevada.

The measure specifies that any preexisting contract or agreement for the provision of such water service is void. Senate Bill 3 also requires the Legislature to review, on or before July 1, 2021, the effects of these provisions, as well as any economic development financing proposal approved by the Governor's Office of Economic Development pursuant to S.B. 1 of the 29th Special Session.

This bill is effective on December 19, 2015.

A.C.R. 1-29th Special Session (File No. 7)

Assembly Concurrent Resolution No. 1 adopts the Joint Standing Rules of the Senate and the Assembly for the 29th Special Session of the Nevada Legislature.

S.C.R. 1-29th Special Session (File No. 6)

Senate Joint Resolution No. 4 urges the Congress of the United States to propose an amendment to the *U.S. Constitution* to allow the governments of the U.S. and the individual states to regulate political contributions and expenditures.

This resolution is effective on May 29, 2017.

30TH SPECIAL SESSION
October 10-14, 2016

A.B. 1-30th Special Session (Chapter 1)

Assembly Bill 1 enacts the Clark County Crime Prevention Act of 2016. The bill authorizes the Board of County Commissioners of Clark County to adopt an ordinance imposing a sales and use tax of one-tenth of 1 percent for the purpose of employing and equipping police officers in the County and the incorporated cities in the County. The bill establishes a formula for the allocation of a portion of the proceeds of the tax to the Las Vegas Metropolitan Police Department for the purpose of law enforcement and crime prevention in an area defined in the bill as the "resort corridor." The formula also provides for an allocation of the proceeds of the tax to the police departments in the County based on each entity's share of total population.

The bill requires the relevant local government entity authorized to approve expenditures of the allocations from the proceeds of the tax to make certain findings before giving such approval, including that any money allocated to a police department from the proceeds of the tax must not supplant, replace, offset or otherwise reduce police funding allocations from other sources, or be used to pay salary or salary increases for any person employed by the police department before October 1, 2016. Additionally, the proposed use of the money is based on a consideration of the population and distribution of calls within the service area of each law enforcement entity. Finally, the bill authorizes the Board of County Commissioners, under certain circumstances to consider and revise the amount and formula for the allocation of the proceeds of the tax and the boundaries of the "resort corridor" beginning three years after the effective date of this bill.

This bill is effective on October 17, 2016.

S.B. 1-30th Special Session (Chapter 2)

Senate Bill 1 enacts the Southern Nevada Tourism Improvements Act to provide a method to finance the acquisition, construction, and operation of a National Football League (NFL) stadium project or a college football stadium project in Clark County. The measure includes the imposition of a lodging tax on the gross receipts from the rental of transient lodging in the stadium district created, and the creation of a Board of Directors of the Stadium Authority and, under certain circumstances, a Campus Improvement Authority, to manage the operations of such a facility. In addition, the Governor must create and appoint an advisory committee to study and provide a report to the Legislature on whether the room tax should be continued for the promotion of tourism or for the construction, renovation, or operation of tourism facilities in Clark County. The bill also imposes a lodging tax on the gross receipts from the rental of transient lodging to finance the expansion and the renovation of the Las Vegas Convention Center.

This bill is effective on October 17, 2016, for the purposes of building an NFL stadium and renovating or expanding the Convention Center.

For the purpose of constructing a college football stadium, this bill is effective on the date on which the President of the University of Nevada, Las Vegas, provides the notice of intent to undertake the construction of a football stadium. Such notice must be within 90 calendar days after the receipt of notice of the vote to dissolve the Board of Directors of the Stadium Authority.

A.C.R. 1-30th Special Session (File No. 5)

Assembly Concurrent Resolution No. 1 adopts the Joint Standing Rules of the Senate and the Assembly for the 30th Special Session of the Nevada Legislature.

VETOED BILLS

No Vote Taken (Sustained by Inaction)

A.B. 101 (Vetoed May 25, 2017)

Assembly Bill 101 removes the requirement that 80 percent of the Wildlife Account be spent on lethal management and control of predatory wildlife and the mandate for consultation with the State Predatory Animal and Rodent Committee in the management of predatory wildlife. The measure expands the uses of the Wildlife Account to include activities related to the protection of wildlife habitat. The bill also adds establishment of policies for the conservation of wildlife to the list of policies to be developed by the Board of Wildlife Commissioners.

Finally, the bill requires the Department of Wildlife to submit a report to the Legislature no later than December 31 of each year summarizing the effectiveness and outcomes of the programs and activities funded by the Account.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

A.B. 136 (Vetoed May 26, 2017)

Assembly Bill 136 allows the court to use an evidence-based risk assessment tool in deciding whether there is good cause to release a person without bail. In addition, the court must consider other factors for releasing a person without bail including imposing one or more conditions on the person to mitigate the risk of failure to appear or the risk to public safety. Lastly, the measure provides that after the defendant has personally appeared before the magistrate, the magistrate may not rely solely on any standardized bail schedule to set the amount of bail.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

A.B. 154 (Vetoed May 25, 2017)

Assembly Bill 154 removes the 90 percent prevailing wage rate exception for public works constructed by school districts and the Nevada System of Higher Education, so they are required to pay the same prevailing wage rates on their public works projects as other public bodies.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

A.B. 188 (Vetoed June 1, 2017)

Assembly Bill 188 makes various changes to provisions governing the Silver State Opportunity Grant Program. Specifically, the bill:

- Changes from 15 to 12 the minimum number of credit hours in which a student must enroll in order to be eligible for the Program;

- Extends eligibility to students who are enrolled in fewer than 12 credit hours during their final semester of study in a program;

- Allows a student to request from his or her college a waiver from the credit-hour requirement in cases of hardship;

- Allows a student who has lost eligibility due to the credit-hour requirement to regain eligibility if he or she satisfies that requirement in a subsequent semester while not receiving the grant;

- Specifies that if a student who has lost eligibility due to the credit-hour requirement fails to meet the requirement a second time, he or she is no longer eligible; and

- Provides that money allocated to a college for the Program does not revert, and any remaining amount must be carried forward to provide future grants for students.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

A.B. 271 (Vetoed May 25, 2017)

Assembly Bill 271 repeals provisions regarding a panel to review the findings of a fact finder and instead provides that the findings and award of the fact finder are final and binding on the parties engaged in collective bargaining negotiations. For labor disputes involving firefighters and police officers, the bill provides that unless the parties to the dispute agree to make the findings of the fact finder final and binding: (1) the report of the fact finder must include recommendations for settlement of the dispute in lieu of an award; and (2) the findings and recommendations of the fact finder are not binding on the parties.

The bill clarifies that leave provided by a local government employer to an employee for time spent by the employee in performing duties or providing services for an employee organization is a mandatory subject of collective bargaining. The bill also provides that unless the terms of the agreement between a local government employer and an employee organization provide otherwise, if the local government employer agrees to provide such leave, there is a rebuttable presumption that the full cost of such leave has been offset by the value of concessions made by the employee organization.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

A.B. 272 (Vetoed May 28, 2017)

Assembly Bill 272 authorizes county and city clerks to establish one or more polling places where any registered voter may vote in person on the day of a primary or general election. This practice is often referred to as "vote center" style of voting and is used currently during

early voting. The location of these sites must be published unless all polling locations accommodate any eligible voter. For any such polling place, the clerk shall prepare a roster of all eligible voters in the county or city, as applicable.

The measure sets forth the procedure by which a voter shall cast a ballot at a vote center location, including signing the election roster or a signature card, verifying his or her signature, and confirming that the voter has not already voted in the current election in that county. The measure also provides a process whereby a voter's identity can be determined if his or her signature does not match the roster or signature card.

The bill authorizes county and city clerks to extend the period for early voting through the Sunday before election day and determine the hours of operation during that time. In addition, A.B. 272 provides that election materials may be prepared in the language of a minority group if the clerk determines there is a significant and substantial need to do so.

If an Indian tribe so requests, at least one polling place must be established on an Indian reservation or colony for a primary or general election, as well as a temporary branch polling place for early voting. However, a clerk is not required to establish an election day polling place, if an early voting polling location had been established for the reservation or colony for that election. Any proposed location must satisfy criteria established by the clerk to locate any other polling place.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

A.B. 277 (Vetoed June 1, 2017)

Assembly Bill 277 establishes uniform statewide standards for land use planning, subdivision regulation, and zoning with regard to certain lands within or surrounding any national conservation areas in Nevada. Among other provisions, the bill also:

- Creates "natural resources overlay lands," defined as all parcels located within the boundary of any national conservation area in this State or not more than one-half mile outside the boundary of any national conservation area;

- Requires a developer to prepare an environmental impact statement for proposed developments on natural resources overlay lands; and

- Requires a local government to post the environmental impact statement on its website at least 15 calendar days prior to holding a public hearing to take final action on a proposed development.

Any lands that, on the effective date of this bill, are owned wholly and exclusively by certain tax-exempt nonprofit organizations are exempt from the provisions of this bill, unless on or after the effective date of this bill, any interests in the lands are sold, transferred, conveyed, or otherwise alienated to any person who is not such a nonprofit organization.

Finally, the bill repeals certain provisions of the Spring Mountains National Recreation Area Act and the Red Rock Canyon Conservation Area and Adjacent Lands Act.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

A.B. 290 (Vetoed June 5, 2017)

Assembly Bill 290 provides that the cost of leave time that was granted by a local government employer to certain employees for the purpose of providing services for an employee organization as of June 1, 2015, is deemed to have been fully offset by bargaining concessions made by the employee organization.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

A.B. 350 (Vetoed May 30, 2017)

Assembly Bill 350 requires employers within the Executive Branch of State government to provide a presentation to a new employee during the employee's regular work hours within 30 days of the employee's date of hire or within a reasonable time thereafter. The presentation, which may be conducted in person, via video conference, or through a prerecorded video or electronic method, must include information regarding the personnel policies of the hiring State agency, ethics and conflict of interest rules, and available benefit programs. Additionally, the bill requires an employing State agency to allow an employee organization that has at least 100 paying members to give an in person presentation of at least 30 minutes during the orientation. Finally, the bill requires an employing State agency to provide such an employee organization with certain information concerning a newly hired employee and to allow such an employee organization to meet with an employee who is unable to attend the employee orientation within the required time.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

A.B. 364 (Vetoed May 25, 2017)

Assembly Bill 364 directs Nevada's Department of Transportation, in cooperation with Clark County, the City of Las Vegas, the City of Henderson, and the Regional Transportation Commission of Southern Nevada to conduct an interim study concerning traffic and safety on the roads, highways, and freeways in the urban eastern part of Clark County. The bill also requires the Department to submit a report of the findings to the Legislature and the Office of the Governor.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

A.B. 427 (Vetoed May 30, 2017)

Assembly Bill 427 removes the requirement that a person who has been convicted of certain felony drug offenses complete a drug treatment program before becoming eligible for

Temporary Assistance for Needy Families (TANF) or Supplemental Nutrition Assistance Program (SNAP) benefits. Instead, to be eligible for TANF or SNAP benefits, the measure requires a person convicted of such an offense to demonstrate that he or she is not currently possessing, using, or distributing controlled substances in a manner that is prohibited by law.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

A.B. 438 (Vetoed May 25, 2017)

Assembly Bill 438 provides that a person who knowingly or intentionally sells, manufacturers, delivers, brings into the State, or is in actual or constructive possession of certain controlled substances other than marijuana is guilty of level 1 drug possession, level 2 drug possession, or trafficking in a controlled substance, depending on the type and quantity of the controlled substance involved. The court is authorized to reduce or suspend the sentence of a person who is convicted of a level 2 drug possession involving certain controlled substances without requiring the person to render substantial assistance in the investigation or prosecution of any offense.

The measure reduces the penalty for a person knowingly using or being under the influence of a controlled substance from a category E felony to a misdemeanor, and in cases where the controlled substance is listed in schedule V, from a gross misdemeanor to a misdemeanor.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

A.B. 445 (Vetoed May 25, 2017)

Assembly Bill 445 prohibits an insurer from denying a claim that arises under a policy of motor vehicle insurance for any accident or motor vehicle crash that occurs during the personal use of the motor vehicle because the insured, claimant, or group of insured or claimants is a driver for a transportation network company. The bill reduces the minimum amount of coverage required for certain transportation network company insurance and requires transportation network company insurance to provide for the medical payment coverage of any occupant of the motor vehicle. Lastly, the bill prohibits a driver for a transportation network company from refusing to complete the transportation services and makes the driver liable for an administrative fine of not more than $1,000 if the driver refuses to complete the transportation services.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

S.B. 140 (Vetoed May 25, 2017)

Senate Bill 140 authorizes the Director of the Department of Corrections to assign certain offenders to the custody of the Division of Parole and Probation to serve a term of residential confinement, or other appropriate supervision, for the remainder of the offender's sentence. To qualify for such an assignment an offender must be at least 65 years of age and must have

served at least a majority of the maximum term or maximum aggregate term of his or her sentence.

An offender is not eligible for this assignment if the offender has been sentenced to death, to life without the possibility of parole, or has been convicted of any of the following offenses:

- A sexual offense;
- Certain crimes against children;
- A violent offense;
- Vehicular homicide; or
- Driving under the influence of drugs or alcohol causing death or substantial bodily harm to another person.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

S.B. 173 (Vetoed May 26, 2017)

Senate Bill 173 eliminates the prevailing wage exemption for charter schools operating within the Achievement School District. It specifically makes prevailing wage requirements applicable to a contract or other agreement for the construction, improvement, repair, or demolition of any building, structure, or property that is or will be used by an achievement charter school if such a project is paid for in whole or in part from money in the capital improvement fund of a school district. The bill also ensures such projects comply with the same local engineering, design, safety, and other building standards that apply to district school buildings in the same county.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

S.B. 196 (Vetoed June 1, 2017)

Senate Bill 196 requires a private employer, who has 25 or more employees in private employment and who has conducted business in this State for at least 12 consecutive months, to provide full-time employees paid sick leave. Employees accrue paid sick leave at a rate of not fewer than 1 hour per 40 hours worked, and the leave may be used by an employee beginning on the first anniversary date of his or her employment.

An employer may limit the use of paid sick leave to 40 hours per year and set a minimum increment that an employee may use the accrued sick leave at any one time, not to exceed 2 hours.

The measure provides an exception for employers who provide at least the equivalent amount of sick leave or paid time off. Churches, religious organizations, nonprofit organizations,

private membership clubs, and other tax-exempt organizations also are exempt from providing paid sick leave to their employees. In addition, day or temporary workers, construction workers, employees who work fewer than 12 consecutive months for the employer, or employees who perform work on an occasional or irregular basis for hospitals, long-term care facilities, or providers of health care are excluded from the requirement of an employer to provide sick leave. The bill also prohibits an employee from being compensated more than once for the same hour of leave.

The Labor Commissioner must prepare a bulletin setting forth these benefits, and employers must post the bulletin in the workplace. A violation of the provisions in this bill is a misdemeanor, and the Labor Commissioner may impose, in addition to any other remedy or penalty, a penalty of up to $5,000 for each violation.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

S.B. 265 (Vetoed June 2, 2017)

Senate Bill 265 requires the Department of Health and Human Services to annually compile and post on its website a list of drugs essential for treating diabetes, along with certain pricing information. Drug manufacturers included on the list also are required to submit an annual report to the Department.

The measure requires an insurer that issues a plan of individual health insurance and uses a formulary to provide a notice of any essential diabetes drugs that have been or will be removed from the formulary during the current or next plan year. In addition, the bill requires drug manufacturers to provide to the Department a list of pharmaceutical sales representatives and requires each representative on the list to submit an annual report. The Department is authorized to adopt any regulations concerning the reporting of information for inclusion on the Department's website.

Finally, the measure requires private schools to allow a pupil who has asthma, anaphylaxis, or diabetes to carry and self-administer medication to treat his or her disorder while in school, participating in school activities, or on a school bus.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

S.B. 356 (Vetoed June 1, 2017)

Senate Bill 356 makes various changes relating to collective bargaining, including, but not limited to:

- Increasing the amount of time within which the Local Government Employee-Management Relations Board must conduct a hearing related to certain complaints;

- Eliminating the restrictions on the continuation of collective bargaining agreements beyond their expiration date, thereby reinstating the ability of the parties to a collective bargaining agreement to include an "evergreen" provision;

- Providing for a principal, assistant principal, or other school administrator, below the rank of superintendent, associate superintendent, or assistant superintendent to participate in collective bargaining;

- Reinstating the requirement for four negotiation sessions (rather than eight) as well as the requirement to hold a hearing within 30 days after selection of the arbiter and 7 days after notice to the parties;

- Eliminating various restrictions and deadlines on arbitration; and

- Repealing three existing statutes—a provision that placed restrictions on an employer's ability to grant leave to employees to perform services for an employee organization and two provisions that made principals at-will employees for certain periods of time or based upon the performance of their schools or upon the transfer rate of teachers at their schools.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

S.B. 357 (Vetoed June 5, 2017)

Senate Bill 357 prohibits a public body from, on or after February 1, 2019, awarding a contract for a public work for which the estimated costs exceeds $1 million to a contractor unless the contractor: (1) complied with certain requirements relating to the use of apprentices on public works performed by the contractor; or (2) paid a monetary penalty imposed by the Labor Commissioner. The bill also prohibits a contractor awarded a contract for a public work on or after February 1, 2019, for which the estimated cost exceeds $1 million, from awarding a subcontract for more than 5 percent of the value of that public work to a subcontractor unless the subcontractor satisfied the same requirement for the use of apprentices on public works or paid a monetary penalty imposed by the Labor Commissioner. Finally, the bill requires all monetary penalties imposed on a contractor or subcontractor for failure to comply with the requirements to be paid to the State Director of Apprenticeships and distributed to programs for the recruitment, education, and training of construction workers and the placement of such workers in employment.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

S.B. 374 (Vetoed May 30, 2017)

Senate Bill 374 prohibits a professional licensing board from taking disciplinary action against a licensee for holding a valid marijuana registry card or for engaging in lawful actions pursuant to the licensee's profession that relate to the use of medical marijuana. The bill sets forth similar provisions related to the use of recreational marijuana.

The bill also includes opioid addiction within the definition of "chronic or debilitating medical condition" for the purpose of obtaining a medical marijuana registry identification card. Additionally, the bill authorizes a provider of health care or a massage therapist to:

- Administer a marijuana-infused product or a similar product containing industrial hemp for topical use on human skin to a patient or client if the patient or client provides the product;
- Maintain a supply of products containing industrial hemp for topical use on human skin and administer such a product to a patient or client upon request; and
- Recommend to a patient or client the use of marijuana or industrial hemp to treat a condition.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

S.B. 384 (Vetoed June 3, 2017)

Senate Bill 384 provides that certain information about a member or retiree that is contained in a record or file of the Public Employees' Retirement System, Judicial Retirement System, or Legislators' Retirement System is a public record—namely the name, last public employer, and amount of the person's annual pension. All other information regarding a member, retiree, or beneficiary that is contained in a record or file in the possession of a public employee retirement system is confidential, regardless of the form, location, and manner of creation or storage of the record or file containing the information.

The measure also clarifies that a person who possesses, controls, or has custody of any information that is confidential pursuant to this bill may not disclose the information or be required to disclose the information and may not produce or be required to produce the record for inspection.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

S.B. 397 (Vetoed June 3, 2017)

Senate Bill 397 revises several provisions relating to unlawful employment practices and governing the filing of complaints of employment discrimination with the Nevada Equal Rights Commission.

The bill revises the powers of the Commission to order remedies for unlawful employment practices by setting forth a tiered system of civil penalties, rather than a flat civil penalty, which progressively increases if an employer is found to have multiple instances of pay discrimination within a five-year period. Specifically, the penalty is $10,000 for a first offense, $15,000 for a second offense, and $25,000 for the third offense. Certain penalties and fines imposed by the Commission must be deposited in the State General Fund, and the Commission is authorized to present a claim for recommendation to the Interim Finance

Committee if it is necessary to pay attorney's fees or the costs of an investigation, or both. Back pay may be awarded for a period beginning two years before the date of filing an unlawful employment practice complaint and ending on the date the Commission issues an order regarding the complaint. The Commission may also require the awarding of reasonable attorney fees to the complainant.

Finally, S.B. 397 prohibits an employer, employment agency, or labor organization from discriminating against any person with respect to employment or membership, as applicable, for inquiring about, discussing, or disclosing information about wages unless the person has access to information about the wages of other persons as part of his or her essential job functions and discloses the information to a person who does not have access to that information. Any person injured by such an employment practice may file a complaint with the Commission.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

S.B. 416 (Vetoed May 31, 2017)

Senate Bill 416 authorizes a medical marijuana establishment, an association of medical marijuana establishments, or a joint committee consisting of representatives of one or more medical marijuana establishments and a labor organization to propose and enter into an agreement to carry out an apprenticeship program for medical marijuana establishment agents.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

S.B. 434 (Vetoed May 30, 2017)

Senate Bill 434 requires the City Councils of Reno and Sparks to appoint the City Attorney. The City Attorney serves under the direction and supervision of the City Council and may be removed by a majority vote of the City Council at any time.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

S.B. 469 (Vetoed June 1, 2017)

Senate Bill 469 reduces from 25 percent to 16.67 percent of the budgeted ending fund balance of a local government, other than a school district, the amount that must be excluded from collective bargaining negotiations and cannot be considered by a fact finder or arbitrator in determining the local government employer's ability to pay.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

I.P. 1 (Vetoed March 21, 2017)

Initiative Petition 1 requires the Department of Motor Vehicles (DMV), the Secretary of State, and the county election officials to establish cooperatively a system that enables a person who is obtaining or updating a driver's license or identification card to register to vote or to revise his or her existing voter registration information at that time.

A person may opt out in writing from automatic voter registration or updating of his or her existing voter registration information. If the person does not opt out, certain personal information will be transmitted to the appropriate county election official who will determine if the application to vote is complete. The county election official must notify a person whose application is incomplete that additional information is required. The voter registration information also will be transmitted to the Secretary of State for inclusion on the statewide rolls. A person who does not indicate a political party affiliation will be listed as nonpartisan on the rolls and may revise that affiliation at any time.

The DMV must inform the person that: (1) the decision of whether to participate in or opt out of automatic voter registration will not affect the person's transactions with the DMV or the DMV's services; (2) the person's decision cannot legally be disclosed to the public; and (3) any information collected by the DMV for automatic voter registration cannot legally be used for any purpose other than voter registration.

The Secretary of State must adopt regulations to carry out the program. However, the Secretary of State cannot require additional documentation that is not otherwise required by this petition or federal law.

NOTE: Neither House of the Legislature took a vote to sustain or override the Governor's veto during the 2017 Legislative Session.

Return to 2019 Session

A.B. 175 (Vetoed June 9, 2017)

Assembly Bill 175 establishes the minimum level of health benefits an employer must make available to an employee in order to pay the minimum wage that is lower than the minimum wage otherwise required to be paid to the employee.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

A.B. 206 (Vetoed June 16, 2017)

Assembly Bill 206 provides that the Public Utilities Commission of Nevada (PUCN) may authorize an electric utility to establish a program to provide a retail customer of the utility the option to purchase electricity from a renewable energy facility owned by the utility or with which the utility has a contract for the purchase of electricity.

The measure revises the portfolio standard for Calendar Year 2018 and each calendar year thereafter so that by Calendar Year 2030 and for each calendar year thereafter, each provider

of electric service will be required to generate, acquire, or save electricity from renewable energy systems or efficiency measures not less than 40 percent of the total amount of electricity sold by the provider to its retail customers during that calendar year. The bill revises the manner in which providers of electric service may comply with the portfolio standard. The measure also modifies the qualifications of a renewable energy system for purposes of the portfolio standard.

Further, the bill expands the definition of "provider of electric service" for the purpose of compliance with the portfolio standard. The portfolio standard is applicable to providers of new electric resources, and the measure revises the limits on energy efficiency measures used to comply with the portfolio standard.

Assembly Bill 206 requires certain providers of electric service to submit annual reports demonstrating progress toward compliance with the portfolio standard to the Director of the Office of Energy. It specifies that compliance with the portfolio standard will not make certain providers subject to the jurisdiction of the PUCN, and it requires the PUCN to revise certain portfolio standards established for a provider of new electric resources to comply with the revised portfolio standard.

Finally, the PUCN is prohibited from rejecting any portion of a resources plan, or of an amendment to such a plan, that includes a new renewable energy contract or the construction or acquisition of a new renewable energy facility for the purpose of complying with the utility's portfolio standard solely on the grounds of the uncertainty relating to the 2018 ballot question concerning "Energy Choice."

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

A.B. 259 (Vetoed June 12, 2017)

Assembly Bill 259 provides for the vacating of certain judgments of conviction and sealing of records related to marijuana. If a person is convicted of a misdemeanor for the possession of one ounce or less of marijuana or other certain offenses involving marijuana, the person may petition the court to vacate the judgment and seal all documents relating to the case. The measure establishes the circumstances under which a court is required or authorized to grant such a petition.

Lastly, the measure provides that if a person is convicted of knowingly or intentionally possessing a controlled substance for which the penalty is a minimum term of imprisonment, the court may depart from the prescribed minimum term of imprisonment in certain circumstances.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

A.B. 303 (Vetoed June 8, 2017)

Assembly Bill 303 requires, with certain exceptions, that all correctional facilities in this State that house prisoners must be under the administrative and direct operational control of the State or a local government and core correctional services must be performed by employees of the State or local government.

The Department of Corrections, until June 30, 2022, is allowed to enter into one or more contracts with private entities to perform core correctional services to promote the safety of prisoners, employees of prisons, and the public by reducing overcrowding in prisons. Any such entity must comply with the requirements for housing, custody, medical and mental health treatment, and programming set forth in law and regulation and approved by the Board of State Prison Commissioners. The Department is required to conduct an onsite inspection of private facilities where prisoners are housed twice a year to ensure compliance. Conditions for the transfer of a prisoner to a facility that is located outside of Nevada are set. Lastly, the Director is required to submit an annual report to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

A.B. 348 (Vetoed June 8, 2017)

Assembly Bill 348 revises provisions concerning a school district's course or unit of instruction in acquired immune deficiency syndrome, the human reproductive system, related communicable diseases, and sexual responsibility. It requires the board of trustees of a school district to periodically revise the content of such instruction to ensure the content is current, age-appropriate, and as applicable, medically accurate, and to report to the Legislature on the status of the instruction.

The bill allows the course of instruction to be taught by a teacher or school nurse whose qualifications have been previously approved by the board of trustees, and it adds provisions related to the notification and consent of a parent or guardian with respect to a student's participation in the instruction.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

A.B. 374 (Vetoed June 16, 2017)

Assembly Bill 374 requires the Director of the Department of Health and Human Services (DHHS) to seek any necessary waiver of certain provisions of federal law to establish the Nevada Care Plan within Medicaid. If established, the bill authorizes the Nevada Care Plan to be offered by certain insurers or for purchase through the Silver State Health Insurance Exchange to any person who is otherwise ineligible for Medicaid. Additionally, the bill requires the Director to seek any necessary federal waiver to allow individuals to use federal income tax credits and cost-sharing reductions authorized by the Patient Protection and Affordable Care Act to purchase coverage through the Nevada Care Plan. Further, the bill

requires the benefits offered by the Nevada Care Plan to be the same as those provided to other Medicaid recipients.

Finally, the measure appropriates from the State General Fund $89,540 in each year of the 2017-2019 Biennium to the Division of Health Care Financing and Policy, DHHS, for costs associated with establishing and administering the Nevada Care Plan.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

A.B. 376 (Vetoed June 9, 2017)

Assembly Bill 376 requires a complaint to be filed within 72 hours after a person is arrested without a warrant, excluding Saturdays, Sundays, and legal holidays, unless a magistrate extends the time by up to an additional 72 hours. An extension cannot be ordered if the person is to remain in custody unless counsel is appointed. A violation of these provisions requires that the person be released from custody.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

A.B. 382 (Vetoed June 8, 2017)

Assembly Bill 382 requires certain out-of-network hospitals, emergency medical care centers, and physicians to accept, under certain circumstances, as payment in full for certain emergency services and care, a reasonable rate offered by a third-party health insurer or health benefit plan. If a hospital, center, or physician rejects the amount offered by the third party, the bill authorizes such entities to negotiate a different rate. A hospital, center, physician, or third party may, under certain circumstances, file a complaint and request mediation with the Governor's Consumer Health Advocate, which must establish procedures for processing such requests. The bill outlines certain procedures and considerations the Advocate must make in determining an acceptable rate of payment.

In addition, A.B. 382 requires a third party that wishes to pay the amount offered as payment to conduct a review of the adequacy of its network and annually submit certain reports to the Consumer Health Advocate. Certain hospitals and emergency medical care centers must submit to the Advocate annual reports concerning collection of debts, rate increases, and negotiated payments for emergency services. The Advocate must provide an annual summary of such data to the Legislative Committee on Health Care.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

A.B. 403 (Vetoed June 8, 2017)

Assembly Bill 403 authorizes the Legislative Commission to suspend or nullify, in whole or in part, a regulation of a State agency under certain circumstances and sets forth agency notification requirements prior to such suspension or nullification. Judicial review of such actions is precluded.

Under the bill, a State agency must submit its proposed regulation to the Legislative Commission for review within a specified period. The measure provides an opportunity for the agency to comment on whether the regulation should be nullified or suspended and sets limits on the time frame by which a regulation may be suspended or nullified, with exceptions provided for those regulations necessary to protect public health and safety.

The Legislative Commission shall adopt regulations as necessary to carry out the provisions of the Nevada Administrative Procedure Act. These regulations also must establish the proceedings of the Commission relating to the suspension and nullification of regulations and provide procedural rights for those impacted by a regulation under consideration by the Commission.

With regard to emergency regulations, a copy of a written statement of emergency, endorsed by the Governor, must be filed with the Secretary of State before an emergency regulation becomes effective. The measure specifies that an adopted emergency regulation may not be substantially identical to a regulation suspended or nullified by the Commission. Finally, A.B. 403 specifies that the Legislative Counsel is no longer required to publish a paper copy of the Register of Administrative Regulations.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

A.B. 407 (Vetoed June 12, 2017)

Assembly Bill 407 specifies that the State land grant institutions of the University of Nevada are the University of Nevada, Las Vegas; the University of Nevada, Reno; and the Desert Research Institute. It also requires the Legislative Auditor to conduct a performance and compliance audit of the cooperative extension program of the Nevada System of Higher Education for Fiscal Year 2017-2018, and any prior years deemed necessary by the Legislative Auditor, and requires the Legislative Auditor to submit a report of the results of the audit to the Audit Subcommittee of the Legislative Commission on or before February 4, 2019.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

A.B. 408 (Vetoed June 16, 2017)

Assembly Bill 408 aligns Nevada law with certain provisions of the Patient Protection and Affordable Care Act (ACA). It requires all insurers to offer health insurance coverage regardless of a person's health status. In addition, insurers are prohibited from denying, limiting, or excluding a benefit or requiring an insured to pay a higher premium, deductible, coinsurance, or copay based on the health status of the insured or the covered spouse or dependent of the insured. Also in accordance with the ACA, the measure requires all health insurers to:

- Extend dependent child coverage up to 26 years of age;

- Include coverage for maternity and newborn care; and

- Include coverage without any copay, coinsurance, or higher deductible for certain preventive health care services, including certain screenings, tests, counseling, contraceptives, and other family planning drugs, devices, and services.

In addition, A.B. 408 requires a pharmacist to dispense up to a 12-month supply of a drug for contraception or a therapeutic equivalent pursuant to a valid prescription if certain conditions are met.

Further, the bill requires the State Plan for Medicaid to include coverage for certain preventive health care services and extends similar requirements to health insurance purchased by local governments and the Public Employees' Benefits Program. Finally, the measure prohibits a provider of health care or an insurer from discriminating against a person on certain grounds including, without limitation, race, color, national origin, sex, age, disability, gender identity or expression, or sexual orientation.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

S.B. 106 (Vetoed June 8, 2017)

Senate Bill 106 requires the Labor Commissioner, in adopting by regulation the minimum wage that may be paid per hour to an employee in private employment in this State, to ensure the minimum wage for such an employee is increased by 75 cents each year for five years, or until the minimum wage is: (1) $12 or more, if the employer does not offer health insurance for the employee; and (2) $11 or more, if the employer offers health insurance for the employee.

The bill also codifies into *Nevada Revised Statutes* certain provisions of the *Constitution of the State of Nevada* related to noncompliance of payment of the minimum wage. These provisions: (1) authorize an employee who prevails in a civil action to recover all legal or equitable remedies, including back pay, damages, reinstatement, or injunctive relief; and (2) require a court to award reasonable attorney's fees and costs to an employee who prevails in such a civil action.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

S.B. 392 (Vetoed June 16, 2017)

Senate Bill 392 increases the total amount of incentives paid by utilities in this State for the installation of various solar energy systems, and it authorizes the Public Utilities Commission of Nevada (PUCN) to pay incentives of not more than $1 million per year for the installation of solar energy systems, community solar gardens, and distributed generation systems located

throughout the service territories of utilities in this State to benefit low- and moderate-income customers. Additionally, the bill requires the PUCN to adopt regulations establishing standards for the operation of community solar gardens. The bill requires that for a period of 25 years after a community solar garden begins generating electricity, a subscriber of the solar garden is entitled to a credit proportionally related to the amount of energy attributed to that subscriber.

Senate Bill 392 also requires a utility to apply a monetary credit on a subscriber's monthly utility bill equal to the amount of the reduced credit applicable to a customer-generator at the time the community solar garden was allocated capacity if Assembly Bill 405 is enacted and becomes effective. If A.B. 405 is not enacted or does not become effective, S.B. 392 requires a utility to apply a full monetary credit on a subscriber's monthly utility bill.

The measure further requires a utility to purchase unsubscribed electricity generated by a community solar garden within the service area of the utility and requires the PUCN to issue and designate portfolio energy credits generated, acquired, or saved from solar renewable energy systems. Finally, S.B. 392 requires a subscription to a community solar garden to be subject to a written agreement containing various provisions and repeals *Nevada Revised Statutes* 704.786 relating to the Lower Income Solar Energy Pilot Program.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

S.B. 427 (Vetoed June 8, 2017)

Senate Bill 427 requires any Class I Freight railroad, Class I railroad, or Class II railroad for transporting freight that operates a train or locomotive in Nevada, and any officer of such a railroad, to ensure the train or locomotive contains a crew of not less than two persons. The bill offers limited exceptions to these provisions, and it provides that any railroad or officer of a railroad who violates these provisions is liable to the Public Utilities Commission of Nevada for a civil penalty of $1,000 for a first violation and $5,000 for a second or subsequent violation within three years.

Finally, the bill repeals outdated provisions concerning employment protections for certain railroad employees.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

S.B. 464 (Vetoed June 8, 2017)

Senate Bill 464 authorizes the Las Vegas Convention and Visitors Authority to require a bidder, contractor, or subcontractor to enter into and adhere to a project labor agreement in regard to the project to renovate or expand the convention center, which is authorized by Senate Bill 1 of the 30th Special Session.

NOTE: Will be returned to the 2019 Legislature for the veto to be sustained or overridden.

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ASSEMBLY STANDING COMMITTEES AND LEADERSHIP

Seventy-Ninth Session—2017

(The Chair is named first, the Vice Chair second, followed by majority party members in alphabetical order, and then minority party members in alphabetical order.)

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Bustamante Adams, Carlton, Araujo, Brooks, Daly, Frierson, Jauregui, Neal, Ohrenschall, P. Anderson, Hansen, Kramer, Marchant, Tolles

CORRECTIONS, PAROLE, AND PROBATION
Ohrenschall, Yeager, E. Anderson, Cohen, Fumo, Jauregui, Miller, Thompson, Watkins, Hansen, Krasner, Pickard, Tolles, Wheeler

EDUCATION
Thompson, Joiner, E. Anderson, Diaz, Flores, Fumo, McCurdy, Miller, Swank, Edwards, Krasner, Pickard, Tolles, Woodbury

GOVERNMENT AFFAIRS
Flores, Neal, Bilbray-Axelrod, Brooks, Carrillo, Daly, Joiner, McCurdy, Monroe-Moreno, Ellison, Kramer, Marchant, McArthur, Woodbury

HEALTH AND HUMAN SERVICES
Sprinkle, Joiner, Benitez-Thompson, Carrillo, McCurdy, Miller, Thompson, Yeager, Edwards, Hambrick, Oscarson, Titus

JUDICIARY
Yeager, Ohrenschall, E. Anderson, Cohen, Fumo, Jauregui, Miller, Thompson, Watkins, Hansen, Krasner, Pickard, Tolles, Wheeler

LEGISLATIVE OPERATIONS AND ELECTIONS
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NATURAL RESOURCES, AGRICULTURE, AND MINING
Swank, Cohen, Brooks, Carlton, Jauregui, Watkins, Yeager, Ellison, Krasner, Titus, Wheeler

TAXATION
Neal, Bustamante Adams, Benitez-Thompson, Cohen, Flores, Frierson, Spiegel, P. Anderson, Kramer, Marchant, Pickard

TRANSPORTATION
Carrillo, Spiegel, Bilbray-Axelrod, Fumo, Monroe-Moreno, Sprinkle, Watkins, Ellison, McArthur, Wheeler, Woodbury

WAYS AND MEANS
Carlton, Frierson, Araujo, Benitez-Thompson, Bustamante Adams, Diaz, Spiegel, Sprinkle, Swank, P. Anderson, Edwards, Hambrick, Oscarson, Titus

SPEAKER
Jason Frierson

SPEAKER PRO TEMPORE
Irene Bustamante Adams

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Teresa Benitez-Thompson

ASSISTANT MAJORITY FLOOR LEADER
Nelson Araujo

MAJORITY WHIP
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Tyrone Thompson

CO-ASSISTANT MAJORITY WHIPS
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Heidi Swank

MINORITY FLOOR LEADER
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Jim Wheeler

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Melissa Woodbury

MINORITY WHIP—RURAL
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SENATE STANDING COMMITTEES AND LEADERSHIP

Seventy-Ninth Session—2017

(The Chair is named first, the Vice Chair second, followed by majority party members in alphabetical order, and then minority party members in alphabetical order.)

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Denis, Woodhouse, Segerblom, Spearman, Gustavson, Hammond, Harris

FINANCE
Woodhouse, Parks, Denis, Ford, Goicoechea, Harris, Kieckhefer

GOVERNMENT AFFAIRS
Parks, Manendo, Ratti, Goicoechea, Hardy

HEALTH AND HUMAN SERVICES
Spearman, Ratti, Woodhouse, Hammond, Hardy

JUDICIARY
Segerblom, Cannizarro, Denis, Ford, Gustavson, Harris, Roberson

LEGISLATIVE OPERATIONS AND ELECTIONS
Cannizarro, Segerblom, Atkinson, Gansert, Settelmeyer

NATURAL RESOURCES
Cancela, Manendo, Ratti, Goicoechea, Settelmeyer

REVENUE AND ECONOMIC DEVELOPMENT
Ratti, Ford, Parks, Gansert, Kieckhefer, Roberson, Farley

TRANSPORTATION
Through May 22, 2017: Manendo, Atkinson, Gustavson, Hammond, Farley
After May 22, 2017: Farley, Atkinson, Manendo, Gustavson, Hammond

PRESIDENT PRO TEMPORE
Moises (Mo) Denis

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Joyce Woodhouse

MINORITY LEADER
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ASSISTANT MINORITY LEADER
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