

NEVADA LEGISLATURE

EIGHTY-FIRST SESSION
2021

THIRTY-FIRST SPECIAL SESSION
JULY 8–19, 2020

THIRTY-SECOND SPECIAL SESSION
JULY 31–AUGUST 6, 2020

THIRTY-THIRD SPECIAL SESSION
NOVEMBER 12–16, 2021

SUMMARY OF LEGISLATION



PREPARED BY
RESEARCH DIVISION
LEGISLATIVE COUNSEL BUREAU

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INTRODUCTION

The 81st (2021) Regular Session of the Nevada Legislature convened on February 1, 2021, and adjourned *sine die* on June 1, 2021. The 31st Special Session convened on July 8, 2020, and adjourned on July 19, 2020; the 32nd Special Session convened on July 31, 2020, and adjourned on August 6, 2020; and the 33rd Special Session convened on November 12, 2021, and adjourned on November 16, 2021.

The 81st Session considered a total of 1,035 measures, including: 958 new bills (495 from the Assembly and 463 from the Senate); 1 vetoed bill that was returned for consideration from the 80th (2019) Regular Session; 74 resolutions (joint, concurrent, and one-house); and 2 initiative petitions. Of the bills, 561 were approved by both Houses of the Legislature. Governor Steve Sisolak vetoed 4 bills, which were returned to the 82nd (2023) Session for a possible veto override. He signed the remaining 557 bills, which became law. Of the 74 resolutions that were considered during the 81st Session, 48 were approved by the Legislature and filed with the Secretary of State.

The 31st and 32nd Special Sessions each considered 8 bills and 14 resolutions. Of the bills considered during the 31st Special Session, 5 were passed and signed by the Governor; all 14 of the resolutions were approved and filed with the Secretary of State. All of the measures considered during the 32nd Special Session were approved by the Legislature and signed by the Governor or filed with the Secretary of State, as applicable. The 33rd Special Session considered 2 bills and 11 resolutions, all of which were approved by the Legislature and signed by the Governor or filed with the Secretary of State, as applicable.

The *Summary of Legislation* reviews each of the bills and joint and concurrent resolutions that were passed by both Houses during the 81st Regular Session and 31st, 32nd, and 33rd 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* for the relevant session. The *Statutes of Nevada* are a compilation of all legislation passed by the Nevada Legislature during a particular legislative session.

To best utilize this document, 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. Also, please note that many measures are included in more than one chapter of this document.

For a comprehensive index to all legislative measures introduced during the 81st Regular Session and 31st, 32nd, and 33rd Special Sessions—rather than just those measures that were passed by the Legislature, as included in this document—please consult the *Index and Tables* for the relevant session, prepared by the Legal Division of the Legislative Counsel Bureau (LCB). Thorough coverage of legislative budgetary and taxation issues is also available in the *Nevada Legislative Appropriations Report*, prepared by the LCB’s Fiscal Analysis Division.

Research Division
Legislative Counsel Bureau
May 2024

APPROPRIATIONS AND AUTHORIZED EXPENDITURES

Note: This chapter includes the major budget bills enacted during the 81st Session, as well as bills that are solely or primarily appropriations rather than policy-related, regardless of the recipient of the appropriation. Please see the “[Subject Index](#)” for more information about appropriations by recipient or subject matter.

Major State Budget Bills (Including K–12 Funding Bill)

AB 492 (Chapter 466)

[Assembly Bill 492](#) provides for the implementation of the State’s Capital Improvement Program (CIP) for the 2021–2023 Biennium. The bill contains funding of approximately \$413.1 million for capital improvements and \$75 million to launch the State Infrastructure Bank. The Bank provides 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. Funding in the amount of \$44 million is provided for resource conservation and preservation programs, including the Lake Tahoe Environmental Improvement Program and the Water Infrastructure Grant Program, among others.

During the 2021–2023 Biennium, the CIP is supported by the following major funding sources:

- \$409.5 million in general obligation bonds;
- \$45.7 million in agency funds to support Nevada System of Higher Education (NSHE), Department of Wildlife, and Department of Administration projects;
- \$61.9 million in federal funds for Office of the Military, Department of Tourism and Cultural Affairs, Department of Veterans Services, State Department of Conservation and Natural Resources, and Department of Administration projects; and
- \$14.9 million in State Highway Funds for Department of Motor Vehicles and Department of Public Safety projects.

Assembly Bill 492 provides \$173.9 million to support 12 construction projects in the 2021 CIP. Notable construction projects include:

- \$73.7 million to fund construction of a new 52,000 square foot engineering academic and research building at the University of Nevada, Las Vegas;
- \$46.1 million to fund a 55,000 square foot addition at the Washoe County Training Center for the Nevada Army National Guard;
- \$23.4 million to fund both the Hobart Reservoir Dam Rehabilitation of the Marlette Lake Water System and the Cave Creek Dam Rehabilitation at Cave Lake State Park; and
- \$6.3 million to complete the welding lab addition and renovation at Great Basin College.

APPROPRIATIONS AND AUTHORIZED EXPENDITURES

The bill provides \$186.6 million for various maintenance projects for existing State facilities; \$23.6 million for advance planning and design projects; and \$28.9 million for statewide projects, including roofing repairs, paving, fire and life safety, accessibility projects, and others.

Funding for notable maintenance projects includes:

- \$89.2 million for the Department of Corrections for replacement or renovation of HVAC systems, doors and locks, water and sewer systems, plumbing fixtures, boilers, underground piping, and electrical equipment;
- \$27.1 million for the Department of Health and Human Services for replacement of electrical systems, central plant renovations, fire system upgrades, replacement of HVAC systems, and chiller and boiler replacements;
- \$15 million to address deferred maintenance projects for institutions of NSHE; and
- \$21.2 million to address deferred maintenance projects for the Department of Administration.

Funding for notable planning projects includes:

- \$4.9 million for the advance planning of the Grant Sawyer State Office Building remodel;
- \$4.2 million for the advance planning to remodel and construct an addition to the Southern Nevada Veterans Home; and
- \$5.5 million for the advance planning for a new general instructional building at the Floyd Edsall Training Center in North Las Vegas.

The bill includes a 16.18 cent property tax levy for debt service in each year of the 2021–2023 Biennium for general obligation bonds issued to finance the CIP. The bill includes an additional 0.82 cent levy that must be used exclusively for the repayment of bonded indebtedness issued as a result of the approval by the voters of Question 1 on the November 2002 ballot and for bonds to be issued for the conservation bond program established through the passage of [AB 84 of the 2019 Session](#). The total property tax levy of 17 cents remains unchanged from the levies approved for the 2019–2021 Biennium. The levies above the historic 15 cent levy (2 cents) are not subject to the \$3.64 local government property tax cap.

This bill is effective on June 4, 2021.

AB 493 (Chapter 309)

[Assembly Bill 493](#) establishes the maximum allowable salaries for certain State employees who are not in classified service. The bill also makes appropriations from the State General Fund and State Highway Fund for salary increases for nonclassified, classified, and unclassified State employees.

Specifically, the bill includes funding for a 1 percent salary increase in Fiscal Year (FY) 2022–2023 for State employees not represented by an approved collective bargaining unit.

The bill provides for a 3 percent salary increase for those State employees organized in the following collective bargaining units, effective July 1, 2022:

- Unit A: Labor, maintenance, custodial, and institutional employees;
- Unit E: Professional employees who provide health care;
- Unit F: Employees, other than professional employees, who provide health care and personal care;
- Unit I: Category III peace officers; and
- Unit K: Firefighters.

For Category II peace officers organized in Unit H, the bill also includes funding for a 2 percent salary increase in addition to the 1 percent salary increase for nonrepresented State employees for FY 2022–2023, effective July 1, 2022, as well as one-time bonus payments in July 2022 for personnel who have certain continuous State service levels.

The bill authorizes the Department of Health and Human Services and the Department of Corrections to provide callback pay for unclassified medical positions and pharmacists to perform on-call responsibilities to ensure 24-hour coverage in psychiatric and correctional medical facilities. The bill also authorizes the Nevada Gaming Control Board to continue the credential pay plan, which provides up to \$5,000 annually for unclassified employees who possess a current Nevada certified public accountant certificate or a license to practice law, or who are in a qualifying position as an 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, 2021.

AB 494 (Chapter 310)

[Assembly Bill 494](#) is the General Appropriations Act to support Nevada State government during the 2021–2023 Biennium. State General Fund appropriations included in this bill total \$2.925 billion in Fiscal Year (FY) 2021–2022 and \$3.091 billion in FY 2022–2023, or approximately \$6.016 billion over the 2021–2023 Biennium—an increase of approximately \$292.3 million when compared to State General Fund appropriations approved by the 2019 Legislature for the 2019–2021 Biennium. The bill includes State Highway Fund appropriations totaling \$146,678,364 in FY 2021–2022 and \$158,702,610 in FY 2022–2023, or \$305.4 million over the 2021–2023 Biennium, an increase of approximately \$41.1 million from the previous biennium.

K–12 Education—*Note: Funding for public schools is considered separately in the school funding bill ([Senate Bill 458](#)), which contains funding for career and technical education, a contingency for services to pupils with disabilities, the Pupil-Centered Funding Plan, Teach Nevada Scholarships, teacher and administrator training, and other State education programs.* This bill provides State General Fund support totaling \$91.7 million over the 2021–2023 Biennium, which includes \$25.7 million to fund the administration of statewide assessments. The bill also includes \$19.8 million in each year of the 2021–2023 Biennium for

subgrants to entities participating in the State's pre-K program, as well as State General Fund appropriations of \$1.3 million to continue the literacy programs budget.

Nevada System of Higher Education (NSHE)—The bill provides for total State General Fund appropriations of \$1.28 billion for NSHE over the 2021–2023 Biennium. It continues funding the seven State-supported instructional budgets with the higher education funding formula and distributes State General Fund appropriations based on NSHE institutions' FY 2019–2020 weighted student credit hours. The bill allows funding for weighted student credit hour caseload adjustments with State General Fund appropriations of \$24 million in each fiscal year of the 2021–2023 Biennium. Small institution funding for Great Basin College and Western Nevada College are contained within the approved funding formula budgets.

Department of Health and Human Services (DHHS)—The measure provides funding of \$1.8 million to establish a new Office of Data Analytics to support agency standardization, collaboration, and capacity building in relation to analytics. In addition, the Aging and Disability Services Division is funded at \$413.2 million over the 2021–2023 Biennium for ongoing services, caseload growth and/or waitlist reductions, and associated staffing adjustments for various programs.

Division of Health Care Financing and Policy, DHHS—The bill provides the agency with State General Fund appropriations totaling \$2.110 billion over the 2021–2023 Biennium. This funding supports projected Medicaid average monthly caseloads of approximately 831,000 in the first year of the biennium and 822,000 in the second year. The funds also support projected Check Up average monthly caseloads of approximately 28,400 in the first year and 29,000 in the second year. Additional waiver slots were approved to reduce Medicaid wait lists. The budget for the agency was approved to preserve access to behavioral health services by retaining basic skills training, psychosocial rehabilitation, or behavioral health case management services for certain individuals. Funding for certain personal care services for individuals with a live-in caregiver were maintained.

Division of Welfare and Supportive Services, DHHS—The bill appropriates \$203.4 million over the 2021–2023 Biennium to the Division. This amount includes State General Fund appropriations of \$49.2 million for the Temporary Assistance to Needy Families program. Additionally, due to a projected increase in caseload and client transactions, an additional 295 positions were approved for the 2021–2023 Biennium, with a State General Fund cost of \$12.3 million over the biennium.

Department of Corrections—The measure contains \$632.6 million in State General Fund appropriations for the Department to provide housing for an average of 11,043 inmates in FY 2021–2022 and 11,319 inmates in FY 2022–2023. In addition, the bill contains appropriations of \$3.5 million in the Prison Medical Care budget to support per-inmate medical cost adjustments over the 2021–2023 Biennium. Additional funds allowing the Ely Conservation Camp to partially reopen are included in the agency appropriation.

Department of Motor Vehicles (DMV)—The bill appropriates \$137.8 million over the 2021–2023 Biennium from the State Highway Fund to support the operations of the DMV. Included in this amount are appropriations totaling \$39.2 million over the biennium to continue the Department's system transformation effort.

Public Employees’ Benefits Program—Assembly Bill 494 appropriates \$6 million in each fiscal year of the 2021–2023 Biennium to fund the cost of a one-month premium holiday for State participants regardless of the plan or tier in which a participant is enrolled. A comparable participant premium holiday for nonstate active and retiree participants is to be funded through assessments to those employers and former employers.

Statewide—Finally, the bill restores funding for 795.57 full-time equivalent positions in various State agency budget accounts that were recommended to be held vacant or eliminated in the Governor’s *Executive Budget*. These State General Fund savings of \$116.2 million were replaced with funds from the federal American Rescue Plan Act of 2021.

Provisions of this bill relating to the appropriation or reversion of certain remaining funds, as well as the appropriation of certain funds related to the 81st Session, are effective on June 3, 2021. Remaining provisions are effective on July 1, 2021.

SB 458 (Chapter 473)

Senate Bill 458 provides funding for K–12 public education for the 2021–2023 Biennium. The bill apportions the State Education Fund and authorizes certain expenditures. Appropriations are made concerning base per-pupil funding and weighted funding and for other programs and purposes. The measure also makes technical changes and adjustments to certain provisions contained in SB 439 of the 2021 Session—the Pupil-Centered Funding Plan. The total public support for school districts, charter schools, and university schools for profoundly gifted pupils is estimated to be \$10,204 per pupil for Fiscal Year (FY) 2021–2022 and \$10,290 per pupil in FY 2022–2023.

Among the significant provisions of the bill are the following:

- Approximately \$1.4 billion is appropriated in the first year and \$1.2 billion in the second year of the 2021–2023 Biennium from the State General Fund to the Pupil-Centered Funding Plan Account. In FY 2021–2022 and FY 2022–2023, total funds of \$3 billion and \$3.2 billion, respectively, in other revenues are authorized to be received and expended for the State support of K–12 public education. These other revenues include in-State and out-of-State local school support tax, interest earned on the State Permanent School Fund, revenue from mineral leases on federal land, room tax revenue, recreational marijuana retail excise tax, and transfers from the marijuana regulation program.
- Under the Pupil-Centered Funding Plan, the statewide base per-pupil funding is set at \$6,980 per pupil in FY 2021–2022 and \$7,074 per pupil in FY 2022–2023. Pupil enrollment is projected to increase slightly from 484,892 pupils in FY 2021–2022 and to 485,950 pupils in FY 2022–2023.
- Nevada’s Department of Education must transfer to school districts funds totaling \$442.1 million in FY 2021–2022 and \$442.4 million in FY 2022–2023 to provide local funding for pupils with disabilities.
- The bill also requires the Department to transfer total funding of \$201.3 million in FY 2021–2022 and \$201.5 million in FY 2022–2023 to school districts for food services and transportation.

APPROPRIATIONS AND AUTHORIZED EXPENDITURES

- The measure clarifies provisions related to transportation services and the reimbursement of costs for pupils who reside on an Indian reservation located in two or more counties.
- Additional weighted funding is provided for each English learner, at-risk pupil, and gifted and talented pupil estimated to be enrolled in a public school, which is expressed as a multiplier or weight to the statewide base per-pupil funding. The multiplier for English learner pupils is 0.24 in FY 2021–2022 and 0.23 in FY 2022–2023 for total funding of \$85 million and \$85.1 million in FY 2021–2022 and FY 2022–2023, respectively. The multiplier for at-risk pupils is 0.03 each fiscal year for total funding of \$60.3 million for the first year and \$60.4 million for the second year. The multiplier for gifted and talented pupils is 0.12 in each fiscal year for total funding of \$6.7 million for the first year and \$6.8 million for the second year.
- Approximately \$50 million is appropriated from the State General Fund to the Education Stabilization Account as a loan to the Account to provide seed money for any future needed transfers from the Account on or after July 1, 2021. Repayment of the loan will be made in annual installments.
- The bill appropriates a total of \$37.4 million in each fiscal year of the 2021–2023 Biennium to the Other State Education Programs Account budget. Through this budget, State General Fund support is provided for a variety of programs, including the Adult High School Diploma program, Career and Technical Education, the Jobs for America’s Graduates program, and others.
- A total of \$7.3 million in each fiscal year of the 2021–2023 Biennium is appropriated to the Professional Development Programs Account budget for the continued support of the three regional professional development programs to provide professional development to teachers and administrators, the Teacher of the Year program, and the Nevada Early Literacy Intervention Program.
- The sum of \$100,000 is appropriated from the State General Fund for each fiscal year of the 2021–2023 Biennium to provide additional training opportunities for education administrators.
- The bill appropriates \$224.7 million in FY 2021–2022 and \$230.3 million in FY 2022–2023 to the Contingency Account for Special Education Services and authorizes expenditures of approximately \$2 million in each fiscal year to reimburse school districts and charter schools for extraordinary expenses related to the education of students with disabilities.
- The bill appropriates \$459,849 in each fiscal year of the 2021–2023 Biennium to fund the outstanding liability of the cost of the one-fifth retirement credit program in the Grant Fund for Incentives for Licensed Educational Personnel.
- To continue the Teach Nevada Scholarship program, the bill appropriates \$2.4 million in each fiscal year of the 2021–2023 Biennium. Additional expenditures of \$4.0 million in FY 2021–2022 and \$4.1 million in FY 2022–2023 are authorized from funds in the

Teach Nevada Scholarship Program Account that were not appropriated from the State General Fund to award grants for Teach Nevada Scholarships.

- As part of the transition from the previous K–12 education funding plan, SB 458 provides that it is the intent of the Legislature for school districts, charter schools (considered as a whole), and university schools for profoundly gifted pupils that may receive less money on a per-pupil basis under the Pupil-Centered Funding Plan to receive a reasonably similar level of funding to what they received on a per-pupil basis during the fiscal year ending on June 30, 2020.
- The bill also revises the hold-harmless provision related to student enrollment for school districts and charter schools as part of the transition to the new funding plan.
- The measure amends statutes requiring the use of a statewide multiplier for pupils with disabilities or providing an amount determined necessary to satisfy any applicable requirement for maintenance of effort required under federal law.
- Senate Bill 458 creates a separate tier in the Pupil-Centered Funding Plan for local funding to support pupils with disabilities. An attendance area adjustment is applied to the statewide base per-pupil funding amount to calculate the adjusted base per-pupil funding.
- Finally, the bill revises SB 439 of the 2021 Session to include local funding for pupils with disabilities as a separate tier in the Pupil-Centered Funding Plan.

Provisions of this bill that create the State Education Fund are effective on June 4, 2021. Provisions that amend SB 439 and that implement support for pupils with disabilities are effective on June 30, 2021. All other provisions are effective on July 1, 2021.

SB 459 (Chapter 434)

[Senate Bill 459](#) is the Authorized Expenditures Act and, with certain exceptions, authorizes the expenditure of funding other than State General Fund appropriations or State Highway Fund appropriations. The funding sources include federal funds, gifts, grants, interagency transfers, service fees, and other funds, which total \$28.11 billion over the 2021–2023 Biennium. This amount includes \$2.83 billion in federal funding, including anticipated federal American Rescue Plan Act funds in the COVID-19 Relief Programs budget and \$1.36 billion in federal funding provided for pre-K–12 education in response to the COVID-19 pandemic.

Additionally, due to specific statutory language for these agencies, SB 459 includes authority for the Nevada Gaming Control Board and the Nevada Gaming Commission to spend \$63.9 million from the State General Fund over the 2021–2023 Biennium. Similarly, the bill includes authority for Nevada’s Department of Transportation to spend \$900.6 million from the State Highway Fund over the 2021–2023 Biennium.

A summary of selected major funding decisions linked to these authorized expenditures is as follows:

Cannabis Compliance Board—The bill includes reserve reductions totaling \$1.5 million over the 2021–2023 Biennium for ten new full-time positions for the Cannabis Compliance Board.

Nevada System of Higher Education (NSHE)—The bill authorizes revenue for NSHE from all sources totaling \$2.143 billion for the 2021–2023 Biennium. Of the total revenues, non-General-Fund revenues total \$865.7 million, or 40.4 percent of total funding, and include federal and county revenues, nonresident tuition, student application and registration fees, and a transfer from a non-State-supported budget. The total includes \$93.1 million in American Rescue Plan Act funds to restore all positions held vacant or eliminated for budget reductions.

Department of Tourism and Cultural Affairs—The bill authorizes room tax revenues of \$16.3 million in Fiscal Year (FY) 2021–2022 and \$22.5 million in FY 2022–2023, based on the agency’s March 2021 projections. To align expenditures with projected revenue levels, the bill provides expenditure reductions totaling \$3.5 million over the 2021–2023 Biennium, including reduced transfers of room tax revenue to other budgets in the Department and the budget of the Division of State Parks in the State Department of Conservation and Natural Resources.

Division of Public and Behavioral Health, Department of Health and Human Services (DHHS)—The bill authorizes non-General-Fund revenues of \$710.4 million for the Division over the 2021–2023 Biennium. That amount includes grant funds from the federal Centers for Disease Control and Prevention’s Epidemiology and Laboratory Capacity for Infectious Disease COVID-19 component. These funds total \$58.4 million in FY 2021–2022 and \$78.3 million in FY 2022–2023 for the Biostatistics and Epidemiology budget and are provided to support the public health response of Nevada to the COVID-19 pandemic. Creation of a new Infectious Disease Unit is approved within the Health Facilities Regulation budget. The overall total also includes \$12.3 million in federal Substance Abuse Prevention and Treatment and Community Mental Health Services COVID-19 relief funds for this budget in FY 2021–2022 and \$8.7 million in FY 2022–2023 for the Behavioral Health Prevention and Treatment budget. These funds are used to prepare and organize a response to the mental and behavioral health effects of the COVID-19 pandemic.

Division of Welfare and Supportive Services, DHHS—The bill authorizes revenues for the Division of \$610.5 million over the 2021–2023 Biennium. Due to projected increases in caseload transactions, the measure includes funding support for a total of 306 new positions for the Welfare Field Services budget. For the Child Assistance and Development budget, the bill authorizes expenditures of federal Child Care Discretionary grant funding of \$6.5 million over the 2021–2023 Biennium to begin system modernization for the child care case management system.

Department of Employment, Training and Rehabilitation (DETR)—The bill authorizes non-General-Fund revenues of \$427.5 million over the 2021–2023 Biennium for DETR. In addition to other purposes, the funding supports the continuation of 189 intermittent positions in FY 2021–2022 to address the increased workload associated with increased unemployment claim activity.

State Department of Conservation and Natural Resources (DCNR)—The bill authorizes non-General-Fund revenues of \$217.3 million over the 2021–2023 Biennium for the Department. This amount includes authorized funding of \$134.6 million over the 2021–2023 Biennium for the Division of Environmental Protection, comprised primarily of fees and federal funds. Part of this amount includes Hazardous Waste Management funds totaling \$3.6 million over the

2021–2023 Biennium to support ongoing environmental cleanup efforts at the Anaconda Copper Mine Site and at the Black Mountain Industrial Complex.

Nevada’s Department of Transportation (NDOT)—For NDOT, the bill authorizes funding of \$831.9 million in FY 2021–2022 and \$837.1 million in FY 2022–2023. This amount includes \$543 million in the first year and \$545.5 million in the second year to support highway and other capital construction. The funding supports the addition of 26 new positions—including 15 student worker positions—for the Department. The bill also includes the creation of the Statewide Infrastructure Bank budget that is funded at \$484,665 over the 2021–2023 Biennium using unobligated reserved interest earnings from the Bond Interest and Redemption Account. This new budget reflects the administrative costs associated with the Nevada State Infrastructure Bank.

Office of the Military—The bill approves federal funds of \$3 million over the 2021–2023 Biennium and K–12 funding of \$1.2 million to continue the implementation of the Nevada National Guard Youth Challenge Program in Elko County. In addition, federal funding amounting to \$2.1 million over the 2021–2023 Biennium is approved to establish a StarBase Science, Technology, Engineering, and Math (STEM) program in Clark and Washoe Counties.

Public Employees’ Benefits Program (PEBP)—The bill authorizes \$497.9 million in FY 2021–2022 and \$524.7 million in FY 2022–2023 for PEBP, inclusive of reserves and balance forwards. The State’s contribution for active employee group insurance is \$727 per month for FY 2021–2022 and \$755 per month for FY 2022–2023. The State’s base monthly subsidy for non-Medicare retiree health insurance is \$471.50 in FY 2021–2022 and \$498 in FY 2022–2023. For Medicare retirees, the base subsidy is \$13 per month per year of service credit.

Certain provisions of this bill concerning authorized budget transfers by the Division of Forestry of DCNR approved by the 2019 Legislature, Catalyst Account reversions scheduled in 2023, and technical authority relating to any changes to agencies or officers are effective on June 4, 2021. All other provisions are effective on July 1, 2021.

Other Appropriations and Authorizations

AB 106 (Chapter 2)

[Assembly Bill 106](#) appropriates \$50 million from the State General Fund to the Office of Economic Development in the Office of the Governor to provide grants for operational support to small businesses, nonprofit organizations, and other similar entities impacted by the COVID-19 pandemic. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on February 12, 2021.

AB 355 (Chapter 546)

[Assembly Bill 355](#) makes several appropriations from the State General Fund to various not-for-profit entities. Specifically, the bill appropriates:

- \$2 million to the Nevada State Museum Las Vegas to construct an ethnobotanical garden at the Las Vegas Springs Preserve;

APPROPRIATIONS AND AUTHORIZED EXPENDITURES

- \$2 million to the Lou Ruvo Center for Brain Health for research, clinical studies, operations, and educational programs at the Center;
- \$1,084,686 to the Lou Ruvo Center for operations and educational programs to restore funding previously received by the Center for this purpose from the University of Nevada, Reno, School of Medicine;
- \$1 million to the Nevada Blind Children’s Foundation for afterschool programs;
- \$1 million to Immunize Nevada for public health activities;
- \$750,000 to the Interim Finance Committee for allocation to the International Gaming Institute of the University of Nevada, Las Vegas, for the “Expanding the Leaderverse” initiative. This appropriation is contingent upon matching funds being obtained by the International Gaming Institute; and
- \$350,000 to the Nevada Center for Civic Engagement to support the We The People: The Citizen and the Constitution Program.

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

This bill is effective on June 10, 2021.

AB 451 (Chapter 453)

[Assembly Bill 451](#) appropriates \$2,530,292 from the State General Fund to the Office of the Secretary of State for the replacement of computer hardware and software. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

AB 453 (Chapter 454)

[Assembly Bill 453](#) appropriates \$34,000 from the State General Fund to the Account for Pensions for Silicosis, Diseases Related to Asbestos and Other Disabilities.

This bill is effective on June 4, 2021.

AB 454 (Chapter 448)

[Assembly Bill 454](#) appropriates \$7,328,366 from the State General Fund to the Nevada Promise Scholarship Account to support the Nevada Promise Scholarship Program.

This bill is effective on June 4, 2021.

AB 455 (Chapter 449)

[Assembly Bill 455](#) appropriates \$18,848 from the State General Fund to the Office of the State Controller for the replacement of printers. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

AB 456 (Chapter 450)

Assembly Bill 456 appropriates \$85,750 from the State General Fund to the Aging and Disability Services Division of the Department of Health and Human Services for pavement maintenance at the Jones campus of the Desert Regional Center. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

AB 457 (Chapter 451)

Assembly Bill 457 appropriates \$637,890 from the State General Fund to the Division of Forestry of the State Department of Conservation and Natural Resources for deferred maintenance projects. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

AB 458 (Chapter 452)

Assembly Bill 458 appropriates \$693,670 from the State General Fund to the Real Estate Division of the Department of Business and Industry for an update of its licensing software system. Additionally, the bill appropriates \$37,654 from the State General Fund to the Division for the replacement of computer hardware and software. Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

AB 460 (Chapter 437)

Assembly Bill 460 appropriates \$200,000 from the State General Fund to the Division of Museums and History of the Department of Tourism and Cultural Affairs to restore the school bus program to reimburse transportation costs for public school students to visit State museums. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

AB 461 (Chapter 435)

Assembly Bill 461 appropriates \$96,000 from the State General Fund to the Office of the Attorney General for the cost of replacing standard glass windows and doors with ballistic glass and frames at the Carson City office. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

AB 462 (Chapter 463)

Assembly Bill 462 makes several appropriations from the State General Fund to the Department of Corrections. Specifically, the bill appropriates:

- \$2,189,808 for an upgrade to the Offender Management System;
- \$1,436,720 for the reintegration of the Offender Sentence Management System into the Nevada Offender Tracking Information System;

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- \$247,012 for replacement cameras and storage area networks; and
- \$102,747 for replacement ovens at the High Desert State Prison.

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

This bill is effective on June 4, 2021.

AB 463 (Chapter 469)

[Assembly Bill 463](#) makes a supplemental appropriation of \$2,359,168 from the State General Fund to the State Department of Conservation and Natural Resources for an unanticipated shortfall in the Forest Fire Suppression budget account relating to directly incurred or projected costs for forest fire suppression.

The bill also provides that any remaining balance of the \$5 million appropriation made from the State General Fund to the Interim Finance Committee by [Senate Bill 508 of the 80th Session](#) for allocation to the State Department of Conservation and Natural Resources for wildfire prevention, restoration, and long-term planning must be reverted to the State General Fund on or before September 19, 2025.

This bill is effective on June 4, 2021.

AB 464 (Chapter 424)

[Assembly Bill 464](#) appropriates from the State General Fund the following amounts to restore the required account balances:

- \$13,667,305 to the Contingency Account;
- \$12,051,658 to the Reserve for Statutory Contingency Account;
- \$3,570,578 to the Stale Claims Account; and
- \$239,791 to the Emergency Account.

The bill also appropriates \$267,500 from the State General Fund to the Interim Finance Committee for allocation to the Department of Taxation for personnel costs related to the issuance of refunds for the portion of modified business taxes paid in Fiscal Years 2019–2020 and 2020–2021 that exceeded the reduced tax rates determined by the Department. Any remaining balance of the appropriation must be reverted to the State General Fund.

Finally, the bill appropriates \$2.5 million from the State General Fund to the Interim Finance Committee for allocation to the Division of Forestry of the State Department of Conservation and Natural Resources only for expenses incurred in the suppression of fires or response to emergencies charged to the Forest Fire Suppression budget account. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

AB 465 (Chapter 464)

Assembly Bill 465 appropriates \$2,119,308 from the State General Fund to the Division of Water Resources of the State Department of Conservation and Natural Resources for the repair and maintenance of the South Fork Dam. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

AB 466 (Chapter 461)

Assembly Bill 466 appropriates \$15,842,443 from the State General Fund to the Department of Corrections for hepatitis C treatments for offenders. The bill also appropriates \$196,523 from the State General Fund to the Department for new and replacement medical and dental equipment at State correctional facilities. Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

AB 467 (Chapter 455)

Assembly Bill 467 appropriates \$2,614,908 from the State General Fund and \$19,398,147 from the State Highway Fund to the Department of Transportation for the continuing costs of the replacement of the Nevada Shared Radio System. Any remaining balance of the appropriations must be reverted to the respective fund.

This bill is effective on June 4, 2021.

AB 468 (Chapter 425)

Assembly Bill 468 makes several appropriations from the State Highway Fund to various divisions of the Department of Motor Vehicles. Specifically, the bill appropriates:

- \$745,632 to the Division of Field Services for the replacement of computer hardware and software;
- \$645,078 to the Division of Information Technology for the replacement of computer hardware and software and associated equipment;
- \$561,647 to the Division of Field Services for the replacement of credit card readers, scanners, shredders, facsimile machines, and a stylus marking system;
- \$61,614 to the Division of Field Services for the replacement of barcode scanners;
- \$51,874 to the Division of Compliance Enforcement for the replacement of computer hardware and software;
- \$46,888 to the Administrative Services Division for the replacement of computer hardware and software;
- \$42,408 to the Office of the Director for the replacement of computer hardware and software;

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- \$38,916 to the Motor Carrier Division for the replacement of computer hardware and software; and
- \$23,677 to the Division of Information Technology for the replacement of the DUO Digipass security application and one UPS battery backup unit.

The bill also appropriates \$615,643 from the State Highway Fund to the Interim Finance Committee for allocation to the Department of Motor Vehicles for the costs of computer programming related to legislation enacted by the 81st Session of the Nevada Legislature and approved by the Governor. Any remaining balance of the appropriations must be reverted to the State Highway Fund.

This bill is effective on June 4, 2021.

AB 469 (Chapter 456)

[Assembly Bill 469](#) makes a supplemental appropriation of \$549,998 from the State General Fund to the Office of the Secretary of State for a projected shortfall related to credit card processing fees.

This bill is effective on June 4, 2021.

AB 470 (Chapter 457)

[Assembly Bill 470](#) makes a supplemental appropriation of \$481,920 from the State General Fund to the Real Estate Division of the Department of Business and Industry for a projected shortfall relating to time share filing fees.

This bill is effective on June 4, 2021.

AB 474 (Chapter 458)

[Assembly Bill 474](#) appropriates \$17,472,208 from the State General Fund to the Division of Welfare and Supportive Services of the Department of Health and Human Services and authorizes during Fiscal Years 2021–2022 and 2022–2023 the expenditure of \$34,316,638 not appropriated from the State General Fund or State Highway Fund by the Division for continuation of the technology modernization project for the child support enforcement program. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

AB 475 (Chapter 459)

[Assembly Bill 475](#) appropriates \$42 million from the State General Fund to the Millennium Scholarship Trust Fund to support the Governor Guinn Millennium Scholarship Program.

This bill is effective on June 4, 2021.

AB 484 (Chapter 544)

[Assembly Bill 484](#) requires the Budget Division of the Office of Finance in the Office of the Governor to disburse \$54 million in federal funds authorized to be used for the administration of unemployment compensation to the Employment Security Division of the Department of

Employment, Training and Rehabilitation for the upgrade of its unemployment compensation information system.

This bill is effective on June 10, 2021.

AB 489 (Chapter 474)

Assembly Bill 489 appropriates \$11,403,000 from the State General Fund to the Legislative Fund for capital improvement projects. The bill also appropriates \$4,583,500 from the State General Fund to the Legislative Fund for computer hardware, voting system modernization, facility security system upgrades, broadcast infrastructure upgrades, one-time building maintenance, and the payment of dues to national and regional organizations.

This bill is effective on June 4, 2021.

SB 1 (Chapter 1)

Senate Bill 1 appropriates \$15 million from the State General Fund to the Legislative Fund for the costs of the 2021 Legislative Session.

This bill is effective on February 5, 2021.

SB 185 (Chapter 326)

Senate Bill 185 appropriates \$250,000 in each fiscal year of the 2021–2023 Biennium from the State General Fund to the Department of Veterans Services to provide financial assistance and support for the Adopt a Vet Dental Program. Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on July 1, 2021.

SB 233 (Chapter 411)

Senate Bill 233 appropriates \$250,000 in each fiscal year of the 2021–2023 Biennium from the State General Fund to the Office of Finance in the Office of the Governor for allocation to the Nevada Health Service Corps for the purpose of obtaining matching federal money for the program. Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

SB 310 (Chapter 543)

Senate Bill 310 appropriates \$400,000 from the State General Fund to the College of Southern Nevada, through the Nevada System of Higher Education, to support the NV Grow Program by providing services and making direct program expenditures to carry out the Program, employing a geographic information specialist to assist participating small businesses, employing a lead counselor, and providing stipends for counselors and faculty members who provide services to the Program. Any remaining balance of the appropriation must be reverted to the State General Fund.

The bill also authorizes the disbursement to the College of Southern Nevada certain federal funds authorized to be used to assist small businesses impacted by the COVID-19 pandemic for the support of a small business incubator program.

This bill is effective on July 1, 2021.

SB 410 (Chapter 439)

[Senate Bill 410](#) appropriates \$15,643,998 from the State General Fund to the Central Repository for Nevada Records of Criminal History within the Records, Communications and Compliance Division of the Department of Public Safety for the continuing costs of the modernization program for the Nevada Criminal Justice Information System. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

SB 411 (Chapter 440)

[Senate Bill 411](#) appropriates \$313,157 from the State General Fund to the Division of Parole and Probation of the Department of Public Safety for the replacement of computer hardware and software. The bill also appropriates \$66,384 from the State General Fund to the Investigation Division of the Department of Public Safety for the replacement of computer hardware and software. Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

SB 412 (Chapter 441)

[Senate Bill 412](#) appropriates \$53,550 from the State General Fund to the State Department of Agriculture for new laboratory equipment and maintenance contracts related to veterinary medical services. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

SB 413 (Chapter 442)

[Senate Bill 413](#) appropriates \$5,409,619 from the State General Fund to the Nevada Gaming Control Board for the continuing costs of replacement of its information system. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

SB 414 (Chapter 426)

[Senate Bill 414](#) appropriates \$2,943,463 from the State General Fund to the Department of Taxation for the continuing costs of the modernization of the Unified Tax System as part of Project MYNT. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

SB 415 (Chapter 427)

[Senate Bill 415](#) appropriates \$632,854 from the State General Fund to the Department of Taxation for the relocation and consolidation of two offices in the Las Vegas Valley into one office in southern Nevada. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

SB 416 (Chapter 334)

[Senate Bill 416](#) makes several appropriations from the State General Fund to the Department of Taxation. Specifically, the bill appropriates:

- \$259,743 for the replacement of information technology hardware;
- \$146,822 for the replacement of computer hardware and software; and
- \$108,944 for the replacement of printers.

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

This bill is effective on June 3, 2021.

SB 417 (Chapter 335)

[Senate Bill 417](#) appropriates \$1,336,800 from the State General Fund to the Nevada Supreme Court and authorizes the expenditure of \$203,533 not appropriated from the State General Fund or State Highway Fund during Fiscal Year (FY) 2021–2022 and FY 2022–2023 for the initial implementation of a statewide E-filing solution for local trial courts. The bill also appropriates \$1,290,292 from the State General Fund to the Nevada Supreme Court for the initial implementation of a statewide case management system in the trial courts. Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on June 3, 2021.

SB 418 (Chapter 428)

[Senate Bill 418](#) appropriates \$422,000 from the State General Fund to the Budget Division of the Office of Finance in the Office of the Governor for the continuation of the Nevada Executive Budget System upgrade project. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

SB 425 (Chapter 471)

[Senate Bill 425](#) makes a supplemental appropriation of \$76,807 from the State General Fund to the Division of Internal Audits of the Office of Finance in the Office of the Governor for an unanticipated shortfall related to payroll.

This bill is effective on June 4, 2021.

SB 426 (Chapter 431)

[Senate Bill 426](#) appropriates \$1,784,500 from the State General Fund to the Office of Finance in the Office of the Governor as a loan to the Division of Enterprise Information Technology Services of the Department of Administration for the replacement of a content management and portal platform. Beginning on July 1, 2023, the Division must use revenues from intergovernmental transfers to repay the loan in annual installments, and the loan must be fully repaid by the end of

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Fiscal Year 2026–2027. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

SB 427 (Chapter 432)

[Senate Bill 427](#) makes several appropriations from the State General Fund to the Division of Child and Family Services of the Department of Health and Human Services to fund various deferred maintenance projects. Specifically, the bill appropriates:

- \$433,894 for projects at the Southern Nevada Child and Adolescent Services Campus;
- \$145,790 for projects at the Summit View Youth Center;
- \$129,908 for projects at the Nevada Youth Training Center; and
- \$56,969 for projects at the Caliente Youth Center.

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

This bill is effective on June 4, 2021.

SB 428 (Chapter 337)

[Senate Bill 428](#) makes several appropriations from the State Highway Fund to the Nevada Highway Patrol Division of the Department of Public Safety. Specifically, the bill appropriates:

- \$10,433,390 for the replacement of fleet vehicles and associated special equipment;
- \$1,211,984 for the replacement of mobile data computer tablets;
- \$278,772 for the replacement of fleet motorcycles and associated special equipment;
- \$238,989 for equipment items for the Division's multidisciplinary investigation and reconstruction teams;
- \$198,050 for the replacement of computer hardware and software; and
- \$143,043 for the replacement of printers and associated mobile adapters.

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

This bill is effective on June 3, 2021.

SB 429 (Chapter 470)

[Senate Bill 429](#) makes a supplemental appropriation of \$350,254 from the State General Fund to the Office of the Attorney General for the Office of Extradition Coordinator budget account to cover a projected shortfall related to extradition costs.

This bill is effective on June 4, 2021.

SB 431 (Chapter 338)

[Senate Bill 431](#) makes several appropriations from the State General Fund to the Nevada Supreme Court. Specifically, the bill appropriates the following amounts for the replacement of computer hardware and software:

- \$164,801 for the Supreme Court budget account;
- \$42,903 for the Court of Appeals budget account;
- \$13,652 for the Judicial Programs and Services Division budget account; and
- \$9,753 for the Supreme Court Law Library budget account.

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

Additionally, the bill authorizes the expenditure of funds not appropriated from the State General Fund or the State Highway Fund during Fiscal Year (FY) 2021–2022 and FY 2022–2023 by the Nevada Supreme Court. Specifically, the bill authorizes the expenditure of the following amounts for the replacement of computer hardware and software:

- \$64,353 from the Administrative Office of Courts budget account;
- \$19,503 from the Uniform System of Judicial Records budget account;
- \$7,802 from the Judicial Education budget account; and
- \$1,952 from the Specialty Court budget account.

This bill is effective on June 3, 2021.

SB 432 (Chapter 341)

[Senate Bill 432](#) appropriates \$530,024 from the State General Fund to the Office of the Military and authorizes the expenditure by the Office of \$741,824 not appropriated from the State General Fund or the State Highway Fund during Fiscal Year (FY) 2021–2022 and FY 2022–2023 for maintenance projects at certain Nevada Army National Guard facilities. The bill also appropriates \$43,180 from the State General Fund to the Office and authorizes the expenditure by the Office of \$84,872 not appropriated from the State General Fund or State Highway Fund during FY 2021–2022 and FY 2022–2023 for the replacement of equipment and shop tools.

Finally, the bill appropriates \$39,750 from the State General Fund to the Office for the replacement of computer hardware and software. Any remaining balance of the appropriations must be reverted to the State General Fund.

This bill is effective on June 3, 2021.

SB 433 (Chapter 477)

[Senate Bill 433](#) makes several appropriations from the State General Fund to the Division of Public and Behavioral Health of the Department of Health and Human Services for various building maintenance and repair projects. Specifically, the bill appropriates:

- \$1,457,870 for the maintenance and repair of Buildings 1, 2, 3, 3A, 6, and 6A on the Southern Nevada Adult Mental Health Services Campus;
- \$565,500 for the maintenance and repair of Buildings 1 and 2 of the Rawson Neal Psychiatric Hospital on the Southern Nevada Adult Mental Health Services Campus;
- \$261,362 for deferred maintenance projects at Building 13 on the Northern Nevada Adult Mental Health Services Campus;
- \$145,000 for the maintenance and repair of Buildings 1 and 3 of the Rawson Neal Psychiatric Hospital on the Southern Nevada Adult Mental Health Services Campus;
- \$111,860 for deferred maintenance projects at Building 25 of the Dini-Townsend Hospital and the Central Kitchen in Building 26 on the Northern Nevada Adult Mental Health Services Campus;
- \$51,534 for deferred maintenance projects at Buildings 8 and 8A on the Northern Nevada Adult Mental Health Services Campus; and
- \$27,285 for the replacement of kitchen equipment in Building 13 on the Northern Nevada Adult Mental Health Services Campus.

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

This bill is effective on June 4, 2021.

SB 434 (Chapter 540)

[Senate Bill 434](#) appropriates \$25 million from the State General Fund to the Office of Finance in the Office of the Governor for the construction of a medical school at the University of Nevada, Las Vegas. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 9, 2021.

SB 435 (Chapter 339)

[Senate Bill 435](#) appropriates \$23,567,659 from the State General Fund and \$5,615,901 from the State Highway Fund to the Office of Finance in the Office of the Governor for the costs associated with the replacement of the Advantage Financial and Human Resources System with the Enterprise Resource Planning System. Additionally, the bill appropriates \$32,055 from the State General Fund and \$7,519 from the State Highway Fund to the Office of Finance for the costs of furnishings for the operations center for the Enterprise Resource Planning System. Any remaining balance of the appropriations must be reverted to the respective fund.

This bill is effective on June 3, 2021.

SB 444 (Chapter 48)

[Senate Bill 444](#) appropriates \$268,433,822 from the State General Fund to the State Distributive School Account for an unanticipated decrease in revenues for School Years 2019–2020 and 2020–2021.

This bill is effective on May 25, 2021.

SB 457 (Chapter 336)

[Senate Bill 457](#) temporarily increases the maximum amount of State Highway Fund proceeds that may be used by the Department of Motor Vehicles (DMV) for its cost of administration from 22 percent to 27 percent beginning on July 1, 2021, and ending on June 30, 2026. The bill also appropriates \$7,840,974 from the State Highway Fund to the DMV for the cost of issuing refunds of the technology fee which were paid during Fiscal Year 2020–2021. Any remaining balance of the appropriation must be reverted to the State Highway Fund.

Provisions of this bill relating to the appropriation are effective on June 3, 2021. Provisions related to the percentage of State Highway Fund proceeds that may be used by the DMV for administration costs are effective on July 1, 2021, and expire by limitation on June 30, 2026.

SB 460 (Chapter 312)

[Senate Bill 460](#) makes several appropriations from the State General Fund to the Division of Public and Behavioral Health of the Department of Health and Human Services. Specifically, the bill appropriates:

- \$2.5 million in each fiscal year of the 2021–2023 Biennium for vaping prevention activities;
- \$486,321 in each fiscal year of the 2021–2023 Biennium for the Rural Clinics budget account for psychiatric services;
- \$389,399 for the Northern Nevada Adult Mental Health Services budget account for community-based living arrangement services;
- \$176,000 in each fiscal year of the 2021–2023 Biennium for gambling treatment and prevention services;
- \$76,871 in Fiscal Year (FY) 2021–2022 and \$78,987 in FY 2022–2023 for the Southern Nevada Adult Mental Health Services budget account for office space and associated operating costs;
- \$61,205 in FY 2021–2022 and \$63,855 in FY 2022–2023 for the Health Care Facilities Regulation budget account for community-based living arrangement services; and
- \$1,089 in FY 2021–2022 and \$2,129 in FY 2022–2023 for the Health Care Facilities Regulation budget account for replacement equipment.

Additionally, the bill makes several appropriations from the State General Fund to various other State agencies. Specifically, the bill appropriates:

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- \$2,677,500 in FY 2021–2022 and \$2,415,000 in FY 2022–2023 to the Division of Child and Family Services (DCFS) of the Department of Health and Human Services for the Clark County Child Welfare budget account for the fiscal incentives program;
- \$892,500 in FY 2021–2022 and \$805,000 in FY 2022–2023 to DCFS for the Washoe County Child Welfare budget account for the fiscal incentives program;
- \$750,000 in each fiscal year of the 2021–2023 Biennium to the Department of Education for the Nevada Institute on Teaching and Educator Preparation;
- \$621,707 in each fiscal year of the 2021–2023 Biennium to the Account for Family Planning;
- \$302,596 in FY 2021–2022 and \$5,925 in FY 2022–2023 to the Legislative Fund for personnel, travel, and operating costs for three positions for the Senate;
- \$213,771 in each fiscal year of the 2021–2023 Biennium to the Nevada System of Higher Education for the Cooperative Extension Service budget account for travel and operating costs;
- \$124,182 in FY 2021–2022 and \$129,272 in FY 2022–2023 to the Legislative Fund for personnel costs for two security scanner positions;
- \$64,963 in FY 2021–2022 and \$65,106 in FY 2022–2023 to DCFS for the Nevada Partnership for Training contract with the School of Social Work in the University of Nevada, Reno; and
- \$25,000 in each fiscal year of the 2021–2023 Biennium to the Department of Tourism and Cultural Affairs for the Nevada Humanities Program.

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

This bill is effective on July 1, 2021.

SB 461 (Chapter 465)

Senate Bill 461 requires the transfer of federal Coronavirus State and Local Fiscal Recovery Funds to the State General Fund in an amount determined to be equal to a reduction in general revenue of the State resulting from the COVID-19 pandemic. After the transfer to the State General Fund is made, the Chief of the Budget Division of the Office of Finance in the Office of the Governor must disburse the money received in the following order of priority:

- \$335 million to repay federal advances to the State’s Unemployment Compensation Fund;
- \$20.9 million for mental health treatment, substance use disorder treatment, and other behavioral health services, as well as for construction costs and other capital improvements in public facilities necessary to meet the needs of the COVID-19 public health emergency;
- \$7.6 million to address increased food insecurity related to the COVID-19 pandemic;

- \$6 million to the Collaboration Center Foundation to augment services and programs implemented to address the negative or disparate impacts of the COVID-19 pandemic on persons with disabilities;
- \$5 million to the State Treasurer to be administered as grants to persons with disabilities who are under 18 years of age through the Nevada ABLE Savings Program to assist persons with disabilities who have been negatively or disparately impacted by the COVID-19 pandemic with expenses related to education, housing, transportation, employment training and support, assistive technology, personal support services, health care costs, financial management, and other qualified disability expenses;
- \$4 million to the University of Nevada, Reno, to establish a statewide program to assist pupils who are in grade 6 or higher, are prospective first-generation college students, and have been negatively or disparately impacted by the COVID-19 pandemic by providing support and services related to mentorship, tutoring, and access to food, technology, and activities and programs designed to address, support, or reduce learning loss caused or exacerbated by the COVID-19 pandemic; and
- Other authorized purposes, including increasing access to health care and community-based services, strengthening public education and Nevada’s workforce, supporting small businesses and revitalizing the State’s economy, investing in infrastructure, supporting disadvantaged communities, and modernizing and enhancing State government services.

The bill is effective on June 4, 2021.

SB 463 (Chapter 468)

[Senate Bill 463](#) appropriates \$3,806,363 from the State General Fund to the Other State Education Programs Account in the State General Fund for transfer to certain charter schools that have the potential to receive less funding under the Pupil-Centered Funding Plan than the calculated hold-harmless threshold amounts for the respective charter schools. The bill clarifies this is a one-time appropriation to enable such charter schools to transition fully to the Pupil-Centered Funding Plan. Any remaining balance of the appropriation at the end of Fiscal Year (FY) 2021–2022, less the amount of \$1,717,080, must be reverted to the State General Fund. Any remaining balance of the money carried over from FY 2021–2022 not expended by the end of FY 2022–2023 must be reverted to the State General Fund.

This bill is effective on June 4, 2021.

CANNABIS

AB 149 (Chapter 316)

[Assembly Bill 149](#) requires the Cannabis Compliance Board to develop, implement, and maintain an electronic database containing certain information relating to the testing of cannabis and cannabis products by cannabis independent testing laboratories. The database must contain the final results of all testing performed on cannabis or cannabis products that have been collected through computer software used for the seed-to-sale tracking of cannabis and cannabis products. In addition, the data must be easily accessible to the public and in a format that is exportable. Lastly, the Board must submit a biennial report to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature that details the amount of data uploaded to the database and the statistical relevance of such data as it pertains to cannabis independent testing laboratories in this State.

This bill is effective on October 1, 2021.

AB 158 (Chapter 183)

[Assembly Bill 158](#) establishes and revises the penalties for certain misdemeanor offenses involving alcohol, marijuana, and cannabis. Instead of imposing imprisonment in the county jail, a fine, or both a fine and imprisonment for these offenses, the bill requires that an offender perform community service; attend a meeting of a panel of persons who were injured or had family members or close friends injured or killed by a person driving under the influence of alcohol or a controlled substance; undergo an evaluation to determine whether the offender has an alcohol or other substance use disorder; or any combination thereof. If the offender completes the terms and conditions imposed by the court, the court is required to automatically seal records relating to such convictions.

The bill also expands the jurisdiction of juvenile courts to include offenses committed by children relating to the possession or consumption of alcohol or offenses relating to possessing one ounce or less of marijuana. The measure provides that first and second offenses will result in the juvenile offender being deemed a child in need of supervision rather than a delinquent child.

This bill is effective on October 1, 2021.

AB 326 (Chapter 359)

[Assembly Bill 326](#) makes various changes related to cannabis. It authorizes a district attorney or a city attorney to bring a civil action against a person who engages in certain activities relating to cannabis without the required license or registration card issued by the Cannabis Compliance Board.

The bill prohibits a person from acting as a receiver for a cannabis establishment subject to a receivership unless the person has been issued a cannabis establishment agent registration card for a cannabis receiver and sets forth certain requirements for obtaining such a card. The bill provides that holding a cannabis establishment agent registration card is a revocable privilege, and such a card may not be issued if any proposed owners, officers, or board members have previously had this type of card revoked.

The Board must adopt regulations prescribing procedures and requirements by which a court-appointed receiver who has an appropriate cannabis establishment agent registration card may take possession of, manage the operations of, and take any other action authorized by the court with respect to a cannabis establishment. The Board may adopt regulations to give priority to a transfer of a license to another party who is qualified to hold such a license if the transfer is subject to a receivership, involved in a recapitalization, or party to a court proceeding involving financial distress.

Additionally, this bill requires that all advertising by a cannabis establishment contain the name of the cannabis establishment and the adult-use or medical cannabis establishment license number or other unique identifier of the cannabis establishment. If a cannabis establishment holds more than one license, it may use any one of the license numbers or unique identifiers to satisfy this requirement.

This bill is effective on July 1, 2021.

AB 341 (Chapter 387)

Assembly Bill 341 provides for the licensure and regulation of retail and independent cannabis consumption lounges by the Cannabis Compliance Board and sets forth requirements for the licensure, fees, and transfer of licenses and operation of cannabis consumption lounges. The Board must adopt regulations designating types of cannabis and cannabis products as single-use cannabis products and establishing requirements for the preparation and sale of ready-to-consume cannabis products. The bill prohibits the consumption of any cannabis or cannabis product at a cannabis consumption lounge that is not a single-use or ready-to-consume cannabis product.

This bill also:

- Sets forth certain requirements for the issuance of adult-use cannabis establishment licenses for cannabis consumption lounges in a local governmental jurisdiction that limits the number of business licenses issued to cannabis consumption lounges;
- Provides provisions governing the requirements, limitations, and Board issuance of written notification of eligibility for a retail cannabis lounge license;
- Applies the excise tax to retail sales of cannabis and cannabis products by a cannabis consumption lounge;
- Revises provisions relating to the consumption of cannabis in a public place or in a cannabis establishment for the purpose of authorizing a person to engage in such activities in a cannabis consumption lounge;
- Establishes provisions relating to the civil liability of a person who serves, sells, or furnishes cannabis or a cannabis product to another person for damages caused as a result of the consumption of the cannabis or cannabis product; and
- Requires the Board to submit to the Legislature a report containing information about the effect of certain violations of the Nevada Unfair Trade Practice Act on independent cannabis consumption lounges and including certain recommendations for legislation.

Provisions of this bill governing the written notification of eligibility for a retail cannabis lounge license are effective on June 4, 2021. All other provisions are effective on October 1, 2021.

AB 400 (Chapter 277)

Assembly Bill 400 prohibits a person who uses marijuana from driving or being in actual physical control of a vehicle or commercial motor vehicle on a highway or on premises to which the public has access, or operating or being in actual physical control of a vessel under power or sail on the waters of this State, in the same manner as a person being under the influence of a controlled substance in certain circumstances. Under this measure, per se limits currently in statute regarding marijuana now apply only to felony offenses. In such cases, a person is under the influence of marijuana if the person's blood contains 2 or more nanograms of marijuana per milliliter.

The bill also revises the workers' compensation statutes by retaining the amounts of certain prohibited substances that are in existing law for the purpose of determining whether an employee is under the influence of a prohibited substance, but removing the specified amount of marijuana metabolite. Similarly, the measure provides that drivers of commercial motor vehicles cannot be under the influence of alcohol or have any amount of a federally defined schedule I controlled substance in their blood while operating a commercial vehicle, and the Department of Motor Vehicles may sanction both the driver of a commercial motor vehicle and the driver's employer in accordance with federal law.

A provision of this bill revising allowable blood alcohol content for the driver of a commercial vehicle is effective upon repeal of pertinent federal law. All other provisions are effective on July 1, 2021.

SB 49 (Chapter 486)

Senate Bill 49 makes various changes related to cannabis. Specifically, it:

- Revises various powers granted to the Cannabis Compliance Board (CCB) relating to disciplinary proceedings;
- Authorizes the Board to adopt policies and procedures to waive registration requirements for people who have an ownership interest of less than 5 percent in a cannabis establishment;
- Prohibits the production, distribution, sale, or offering for sale of a synthetic cannabinoid, which is a cannabinoid that is produced artificially and is not derived from a plant of the genus *Cannabis*;
- Requires the State Department of Agriculture to establish by regulation the maximum tetrahydrocannabinol (THC) concentration for hemp;
- Revises the definition of marijuana to include any commodity or product made using hemp which exceeds the maximum THC concentration established by the Department and a product or commodity made from hemp and manufactured or sold by a cannabis establishment which exceeds the maximum THC concentration established by the CCB;

- Revises the definition of THC to include delta-9-tetrahydrocannabinol and any structural, optical, or geometric isomer; and
- Revises labeling requirements for all cannabis products offered for sale.

This bill is effective on June 4, 2021.

SB 122 (Chapter 55)

[Senate Bill 122](#) requires certain employees and supervisory employees at a cannabis establishment to obtain and present to their employer a card stating that they have completed an approved general industry safety and health hazard recognition and prevention course. If an employee or supervisory employee fails to do so, the cannabis establishment must suspend or terminate the employment of the individual. The bill requires the Division of Industrial Relations of the Department of Business and Industry to assess administrative fines against a cannabis establishment that fails to suspend or terminate an employee as required.

The measure also provides that an employee or supervisor hired before the effective date of this bill must obtain a completion card no later than July 1, 2022. Finally, SB 122 requires the Division to establish a registry of providers of approved general industry safety and health hazard recognition and prevention courses.

This bill is effective on July 1, 2021.

SB 168 (Chapter 168)

[Senate Bill 168](#) makes various changes related to cannabis. Specifically, it requires the Cannabis Compliance Board to adopt regulations governing curbside pickup and allowing certain records to be created and maintained electronically. The bill also authorizes the Board to adopt regulations imposing packaging and labeling requirements for cannabis products. Cannabis sales facilities may engage in curbside pickup in accordance with Board regulations.

The bill removes a requirement for cannabis production facilities to affix a label containing certain information on each cannabis product, and instead requires cannabis establishments, in consultation with the Board, to ensure that all cannabis products are labeled with specified information. Further, cannabis sales facilities must “convey” certain information, rather than providing written notification.

This bill is effective on May 27, 2021.

SB 278 (Chapter 330)

[Senate Bill 278](#) defines the term “wholesale sale,” for the purposes of the wholesale excise tax on cannabis, as a sale or transfer of cannabis by a cannabis cultivation facility to another cannabis establishment. The term does not include a transfer of cannabis by a cannabis cultivation facility to another cannabis cultivation facility when both facilities share identical ownership.

This bill is effective on July 1, 2021.

SB 359 (Chapter 300)

[Senate Bill 359](#) provides that if a fire or explosion occurs as the result of the unauthorized manufacturing or compounding of a controlled substance other than marijuana, the person who has engaged in such unlawful activity is also guilty of a category B felony and must be punished by imprisonment in the State prison for a minimum term of not less than 3 years and a maximum term of not more than 20 years and may be further punished by a fine of not more than \$100,000.

This bill also reduces the penalty for the unauthorized extraction of concentrated cannabis from a category C felony to a category D felony and provides for the imposition of an additional penalty if the unauthorized manufacturing, growing, planting, cultivating, harvesting, drying, propagating, or processing of marijuana or the unauthorized extraction of concentrated cannabis causes a fire or explosion.

This bill is effective on October 1, 2021.

SB 404 (Chapter 534)

[Senate Bill 404](#) authorizes the State Sealer of Consumer Equitability to adopt and enforce regulations relating to cannabis weighing and measuring equipment. The State Sealer of Consumer Equitability must ensure through inspection and testing that such equipment is suitable for its intended use, is properly installed and accurate, and is so maintained by its owner or user. The bill exempts noncommercial cannabis weighing and measuring equipment from the inspection and testing requirements. It is prohibited for a person to have an incorrect weight or measure in his or her possession in a cannabis establishment and for a person to sell or offer to sell an incorrect weight or measure for use in a cannabis establishment.

The State Sealer of Consumer Equitability may establish an annual license fee for all cannabis weighing and measuring equipment.

This bill is effective on July 1, 2021.

COMMERCE

AB 184 (Chapter 240)

[Assembly Bill 184](#) temporarily creates the Office of Small Business Advocacy within the Office of the Lieutenant Governor to provide certain information to small businesses and to coordinate with certain State agencies and local governments to facilitate interactions between such entities and small businesses. The bill also authorizes the Lieutenant Governor to employ any necessary personnel within the limits of money available other than from the State General Fund. In addition to other provisions, the bill authorizes the Office of Small Business Advocacy to establish and maintain an education course for small businesses. Finally, the communications, files, and records of the Office are confidential and are not public records.

This bill is effective on May 31, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes. The bill expires by limitation on June 30, 2023.

Financial Institutions

AB 290 (Chapter 270)

[Assembly Bill 290](#) revises the definition of a fiduciary to provide that a trust company or a savings bank that acts as a custodian for an individual retirement account (IRA) is not a fiduciary for the purposes of certain provisions of law governing the business of a trust company. The bill also applies to savings banks certain rules relating to bank deposits and required collateralization of fiduciary funds that are applicable to bank charters other than savings banks. Further, the bill requires any trust company or savings bank that assumes from any affiliate of the trust company or savings bank the role of custodian for any IRA to provide each IRA account holder notice of the assumption of the role of custodian of the account.

This bill is effective on October 1, 2021.

AB 359 (Chapter 275)

[Assembly Bill 359](#) requires certain financial institutions that provide credit cards and automobile loans and, in the course of business, advertise in a language other than English and negotiate certain transactions in a language other than English, to provide a translation of the contract or agreement in the language that was used in the advertisement and the negotiation to the person who is party to the contract. Such translated disclosures must be provided before the execution of the contract or agreement. A person who is aggrieved by a party that fails to comply with these provisions may rescind the contract or agreement. A person who knowingly violates these provisions is guilty of a deceptive trade practice. The provisions of this bill do not apply to certain financial institutions that have a physical location and engage in transactions other than the issuance of credit cards or automobile loans.

This bill is effective on October 1, 2021.

SB 145 (Chapter 166)

[Senate Bill 145](#) requires a financial institution subject to the federal Community Reinvestment Act of 1977 (CRA) to notify the Commissioner of Financial Institutions of their CRA rating as soon

as it becomes publicly available. The bill also requires financial institutions to provide training to persons and organizations in the community—including, but not limited to, faith-based and consumer advocacy organizations—about the obligations imposed on financial institutions by the CRA. The financial institutions must report to the Commissioner the number of training sessions conducted each year. Finally, the bill requires the Division to post on its website the current CRA rating for each financial institution and to submit a biennial report to the Legislature containing the name of each financial institution, its most current CRA rating, and the number of training sessions conducted.

The bill is effective on October 1, 2021.

SB 453 (Chapter 347)

[Senate Bill 453](#) revises various provisions regarding the issuance and renewal of licenses and certificates by the Commissioner of Financial Institutions. The bill authorizes licensure through the Nationwide Multistate Licensing System and Registry. In addition, the Commissioner is authorized to take any action regarding participation in the Registry that is deemed necessary to carry out the Commissioner's duties, including, but not limited to, utilizing the Registry to collect licensing fees, reports, and fingerprints for the purpose of conducting a background check.

The bill requires certain licensees who are required to submit certain annual reports to the Commissioner to also submit such reports to the Registry. Lastly, the Commissioner must notify the Governor and the Director of the Legislative Counsel Bureau (LCB) once the Nationwide Multistate Licensing System and Registry has sufficient operational capabilities to allow the Commissioner to carry out the necessary provisions.

This bill is effective on June 3, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on the date the Governor and the Director of the LCB are notified that the Nationwide Multistate Licensing System and Registry is operational for all other purposes.

Other Business Entities and General Business Laws

AB 245 (Chapter 200)

[Assembly Bill 245](#) increases the fees a public notary is authorized to charge for certain activities. The bill also increases the application and renewal fee for a person who wishes to engage in the business of a document preparation service. Application and renewal fees for registration to engage in the business of document preparation services must be placed in a special fund that can only be used to administer and enforce the document preparation services program. Finally, the bill authorizes the Secretary of State to impose a civil penalty upon persons registered to engage in the business of document preparation service and persons who are engaged in the business but have not registered. Any determination by the Secretary of State that a violation has occurred is a public record.

This bill is effective on July 1, 2021.

AB 281 (Chapter 90)

[Assembly Bill 281](#) permits short-term lessors, brokers, and dealers of motor vehicles to maintain and store the books and records of their business electronically and to produce these records within three business days upon request.

The measure specifies that rather than considering certain records containing information about short-term lessees as publicly available records, they will be made available to the Departments of Motor Vehicles and Taxation and certain local government employees upon request.

This bill is effective on October 1, 2021.

AB 482 (Chapter 381)

[Assembly Bill 482](#) requires the Secretary of State to suspend a State business license if the State Controller has notified the Secretary of State that the person who holds the license owes a debt to a State agency that has been assigned to the State Controller for collection and the person has not satisfied the debt, entered into an agreement with the State Controller for the payment of the debt, or demonstrated to the State Controller that the debt is not valid.

The bill also makes existing reporting requirements for the State Controller and State agencies regarding licenses and debt collection applicable to State business licenses issued by the Secretary of State.

This bill is effective on July 1, 2021.

SB 9 (Chapter 60)

[Senate Bill 9](#) creates a State-level exemption from licensure requirements for investment advisers to specific types of qualifying private funds as defined in federal law. The bill sets forth the following conditions an adviser must meet to qualify for an exemption:

- The adviser provides advice solely to one or more qualifying funds;
- The adviser is not required to register with the Securities and Exchange Commission (SEC);
- Neither the adviser nor any of its advisory affiliates are subject to an event that would disqualify an issuer pursuant to federal regulations;
- The adviser files with the Administrator of the Securities Division of the Office of the Secretary of State, who is the Deputy of Securities appointed by the Secretary of State, any report or amendment thereto required by the SEC pursuant to federal regulations; and
- The adviser pays the fee required by the Administrator.

An adviser who becomes ineligible for the licensing exemption must comply with any applicable laws for licensure within 90 days of ineligibility.

The Administrator must submit a biennial report relating to securities to the Legislative Commission and publish the report on the Secretary of State's website. Lastly, the bill requires the

Administrator to consider any model rule, regulation, exemption, or like provision adopted by the North American Securities Administrators Association.

This bill is effective on July 1, 2022.

SB 55 (Chapter 322)

Senate Bill 55 transfers the duties of regulating employee leasing companies from the Administrator of the Division of Industrial Relations of the Department of Business and Industry to the Labor Commissioner. The bill also replaces the defined term “employee leasing company” with the term “professional employer organization” and authorizes the Labor Commissioner to adopt regulations governing professional employer organizations, as well as impose an administrative fine on a licensee for a violation of any statutory provisions. Finally, the bill revises the definitions of “client company” and “professional employer organization” to allow professional employer organizations to manage the labor compliance services of the client company without hiring and leasing back the client company’s employees.

This bill is effective on July 1, 2021.

SB 62 (Chapter 54)

Senate Bill 62 expands the types of organizations that must register with the Secretary of State as charitable organizations to include entities that solicit donations but that are not exempt from federal income taxes. These include:

- Entities established for any benevolent, philanthropic, patriotic, educational, humane, scientific, public health, environment conservation, civic, or other eleemosynary purpose;
- Entities established for the benefit of law enforcement, firefighting, or public safety personnel; and
- Entities that employ a charitable appeal or reason in soliciting contributions.

The bill makes several technical changes to reflect that these entities may not be required to register as tax exempt organizations with the Internal Revenue Service or be organized as entities that file with the Secretary of State. Similarly, the bill revises information required to be disclosed in solicitations made by these organizations and makes them subject to laws governing deceptive trade practices.

This bill is effective on October 1, 2021.

SB 95 (Chapter 281)

Senate Bill 95 revises various provisions governing Nevada business entities. Among other things, the bill:

- Transfers, from the clerk of the court to the party who serves the document, responsibility for mailing certain documents to a company’s management;
- Moves the definition of “publicly traded corporation” to a different section of statute to make it more generally applicable;

- Allows a corporation to include a federal forum selection clause in its articles of incorporation or bylaws;
- Clarifies a corporation’s fiduciary duties;
- Expands the definition of “distribution” regarding classes or series of shares;
- Revises provisions concerning the ability of a corporation to hold virtual meetings and who may attend such meetings;
- Revises provisions concerning the applicability of certain voting agreements and time limits placed on such agreements, and clarifies the voting requirements for certain types of business entities;
- Expands a corporation’s ability to indemnify managers in certain circumstances;
- Clarifies that certificate of membership interest requirements for some associations do not apply to common-interest communities;
- Clarifies the terms “distribution” and “in interest” as they relate to limited-liability companies and their members;
- Revises provisions concerning the notification of stockholders concerning actions that create dissenter’s rights; and
- Clarifies provisions governing a stockholder’s demand for payment of shares, and requires a stockholder to file a statement of intent under certain circumstances.

This bill is effective on October 1, 2021.

SB 237 (Chapter 490)

[Senate Bill 237](#) makes a legislative declaration that the elimination of discrimination against LGBTQ-owned businesses is important to the future welfare of this State. The bill requires the Secretary of State to provide these businesses with certain financing information through the State business portal in the same manner that such information is provided to minority-owned, woman-owned, and veteran-owned businesses. Further, SB 237 adds LGBTQ-owned business enterprises to the list of entities that qualify for a loan program administered by the Office of Economic Development in the Office of the Governor.

Nevada’s Department of Transportation, the Cannabis Advisory Commission, and the Regional Business Development Advisory Council for Clark County are each directed to include LGBTQ-owned businesses in their planning and programming related to business ownership and development by disadvantaged persons.

This bill is effective on January 1, 2022. Provisions regarding the Department of Transportation expire by limitation on the earlier of September 30, 2023, or 90 days after the date on which the Director of the Department transmits a statement to the Governor and the Legislature determining that disparities no longer exist in the awarding of contracts to certain business enterprises.

Trade Practices and Consumer Protection

AB 47 (Chapter 77)

[Assembly Bill 47](#) imposes notification requirements relating to certain transactions involving health carriers or certain business entities consisting of health care practitioners. A person who is required to file notification regarding any transaction involving assets of a group practice or health carrier in Nevada under the federal Hart-Scott-Rodino Antitrust Improvements Act of 1976 must simultaneously submit a copy of the filing to the Attorney General. All information must be kept confidential and is authorized to be disclosed only under certain circumstances. A civil penalty of up to \$1,000 per day may be imposed for a willful violation of the notification requirements.

The measure also revises provisions relating to proceedings under the Nevada Unfair Trade Practice Act, including requiring that public officers and employees provide information to the Attorney General relating to such proceedings under certain circumstances.

The bill prohibits a noncompetition covenant from applying to employees who are paid solely on an hourly wage basis, exclusive of tips and gratuities, and provides that an employer may not bring an action to restrict employees from providing service to a former customer or client under certain circumstances. An employer is liable to an employee for attorney's fees and costs if a noncompetition covenant is found to be unlawful or if the employer is found to have restricted an employee from providing services to a former customer or client.

This bill is effective on October 1, 2021.

AB 61 (Chapter 256)

[Assembly Bill 61](#) makes various changes relating to deceptive trade practices. Among other things, the measure:

- Provides that certain offenses relating to robocalling are a deceptive trade practice, and increases the penalties for such offenses from a misdemeanor to a category E felony and a civil penalty of not more than \$10,000 for each violation;
- Makes it a deceptive trade practice to sell, rent, or offer to sell or rent certain goods and services during a state of emergency or declared disaster that has been in effect for 75 days or less for a price that is grossly in excess of the usual prices for that good or service;
- Makes it an unfair trade practice to engage in any act or practice that takes advantage of a consumer to a grossly unfair degree;
- Revises the criminal penalties imposed for engaging in a deceptive trade practice and establishes a tier of penalties based on the value of the property or service; and
- Provides there is no limitation on the time in which a criminal prosecution involving a deceptive trade practice is required to be commenced by the Attorney General. However, a civil action against certain deceptive trade practices that occur during a state of emergency or declared disaster that has been in effect for 75 days or less must be commenced within the four-year statute of limitations.

The measure also authorizes the Consumer’s Advocate of the Bureau of Consumer Protection in the Office of the Attorney General to have access to all records in the possession of any agency, board, or commission of this State that he or she determines are necessary to exercise his or her powers relating to consumer protection.

This bill is effective on October 1, 2021.

AB 140 (Chapter 120)

[Assembly Bill 140](#) revises provisions governing service of process in certain actions or proceedings involving short-term lessors of vehicles. The bill requires a short-term lessor to accept service of a summons and complaint and any other required documents on behalf of a short-term lessee who is not a resident of the United States and who purchased liability insurance for any crash resulting from the operation of the vehicle within this State during the lease. The lessor of the vehicle is required to provide a copy of such documents to the lessee by first-class mail, return receipt requested.

This bill is effective on October 1, 2021.

AB 207 (Chapter 265)

[Assembly Bill 207](#) provides that a business that offers goods or services to the general public in this State through an Internet website, mobile application, or other electronic medium which is not operated in conjunction with a physical location that is open to the public is considered to be a “place of public accommodation.” A private online discussion forum with not more than 1,000 members, operated for the primary purpose of allowing its members to exercise their constitutionally protected right of expressive association and whose operator does not regularly receive certain payments from nonmembers, is exempt from the provisions governing places of public accommodation.

This bill is effective on October 1, 2021.

AB 280 (Chapter 386)

[Assembly Bill 280](#) requires that any single-stall restroom located in a place of public accommodation be as inclusive and accessible as possible to a person of any gender identity or expression. The bill prohibits the owner or operator of a place of public accommodation from labeling a single-stall restroom with signage that indicates the restroom is for a specific gender, and instead authorizes the labeling of the single-stall restroom as available for use by any person. Similar requirements for inclusivity, accessibility, and signage are also applied to public buildings and facilities owned by a public body, as well as applicable areas leased by or on behalf of a public body. A person may report a violation committed in such an area to the Attorney General, who must take the necessary action to ensure compliance.

The bill requires each county, city, and any other governmental entity that adopts a building code to include a requirement that any single-stall restroom made available to the public that is constructed on or after October 1, 2021, be as inclusive and accessible as possible to a person of any gender identity or expression.

Finally, the bill appropriates \$40,320 from the State General Fund to the Division of State Parks of the State Department of Conservation and Natural Resources to replace signage on restroom stalls in State parks.

Provisions of this bill relating to an appropriation are effective on June 4, 2021. Provisions relating to enforcement of the bill's requirements are effective on February 1, 2022. All other provisions are effective on October 1, 2021.

AB 298 (Chapter 271)

Assembly Bill 298 sets forth provisions that govern a "consumer vehicle lease." The measure provides that default on the part of the lessee in a consumer vehicle lease is enforceable only under certain conditions. A lessor who is a dealer must use a lease agreement for a consumer vehicle lease of a used vehicle that provides certain requirements and contains disclosures, notices, and provisions. In addition, the bill sets forth requirements for a retail consumer vehicle lease that are similar to certain requirements for retail installment contracts.

The term "open-end vehicle lease" is defined to establish that the lessee's obligation upon termination or expiration of the lease is based on the difference between the residual value of the leased vehicle and its realized value. A violation of the provisions of this bill constitutes a deceptive trade practice, and a lessee and certain other persons are authorized to bring a civil action against a dealer for such a violation.

This bill is effective on October 1, 2021.

AB 357 (Chapter 365)

Assembly Bill 357 creates the Consumer Protection Legal Account in the Office of the Attorney General and the Consumer Protection Administrative Account in the Bureau of Consumer Protection in the Office of the Attorney General. In addition to other provisions, the bill:

- Allocates money in the Consumer Protection Legal Account to legal aid organizations, in certain percentages, to be used for consumer protection and efforts to prevent fraud; and
- Requires the deposit of certain money from settlements and litigation into the Consumer Protection Administrative Account and provides that any balance of more than \$500,000 in the Account at the end of a fiscal year, at the end of a calendar year, and at any other time in the discretion of the Consumer's Advocate reverts to the Consumer Protection Legal Account.

Finally, the bill reallocates money collected in certain actions brought by the Attorney General involving deceptive trade practices or unfair trade practices and provides the money must be deposited in the Consumer Protection Administrative Account rather than the State General Fund or the Attorney General's Special Fund.

This bill is effective on July 1, 2021.

SB 71 (Chapter 20)

Senate Bill 71 revises various portions of the Uniform Unclaimed Property Act. Among other things, the bill:

- Defines “virtual currency” to exclude “game-related digital content,” such as digital tokens or points that cannot be used outside of a game or game platform or otherwise monetized;
- Allows the Administrator of Unclaimed Property to initiate and facilitate the payment or delivery of property to an owner without the owner filing a claim in certain circumstances upon review and confirmation of the identity of the apparent owner;
- Revises provisions concerning a property holder’s domicile, shortens the timeline for a holder to deliver property to the Administrator, and requires a person making a claim on behalf of an estate to prove that they are affiliated with the estate. Documents generated in connection with such a claim are confidential;
- Requires the Administrator to make a “good faith” effort to notify persons who have a statutory duty with respect to unclaimed property that the Administrator intends to examine pertinent records;
- Allows the Administrator to require that records be furnished in certain formats and authorizes the Administrator to issue and enforce administrative subpoenas to obtain such records;
- Requires a property holder to maintain any records used to justify excluding certain information from a report required to be filed with the Administrator; and
- Increases from 10 percent to 20 percent the maximum percentage of the value of property that a firm hired to locate, deliver, recover, or assist in the recovery of property may charge the property owner as a commission under certain circumstances.

This bill is effective on October 1, 2021.

SB 114 (Chapter 163)

[Senate Bill 114](#) revises various provisions concerning hemp and the operation of food establishments at which food is not prepared or served for immediate consumption, for the purpose of authorizing food that contains an approved hemp component to be produced or sold at such a food establishment under certain circumstances.

Nevada’s Department of Health and Human Services is required to adopt regulations that identify contaminants of commodities or products which are foods containing an approved hemp component and that prescribe tolerances for such contaminants. Food containing hemp must not be deemed to be adulterated solely because it contains an approved hemp component.

This bill is effective on October 1, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

SB 186 (Chapter 549)

[Senate Bill 186](#) requires a unit-owners’ association of a common-interest community that contains 150 or more units to establish and maintain a secure Internet website or secure portal through which a unit’s owner may access certain information and pay assessments electronically. In

addition, certain persons are prohibited from purchasing a unit in a common-interest community at a foreclosure sale.

The measure prohibits a collection agency from collecting a debt from a person who owes fees to an apartment manager, unit-owners' association, or tow car operator under certain circumstances. In addition, the bill requires a collection agency to file an annual report with the Commissioner of Financial Institutions that includes certain information pertaining to a debt collected for a unit-owners' association during the immediately preceding year. The manager of the collection agency must provide a signed statement affirming the collection agency did not collect a debt against a prohibited person.

Provisions of this bill requiring a unit-owners' association to establish an Internet website or secure electronic portal are effective on January 1, 2022. Provisions requiring such a website or portal to provide unit owners with the ability to pay assessments electronically are effective on January 1, 2023. All other provisions are effective on October 1, 2021.

SB 205 (Chapter 328)

[Senate Bill 205](#) provides that existing standards governing boilers do not apply to water heaters that do not exceed certain limitations. The bill authorizes the Division of Industrial Relations of the Department of Business and Industry to adopt regulations that apply to equipment and apparatuses used in connection with water heaters.

Provisions of this bill authorizing the Division to adopt regulations are effective on July 1, 2021. All other provisions are effective on June 3, 2021.

SB 248 (Chapter 291)

[Senate Bill 248](#) requires a collection agency to provide written notice to a person who owes a medical debt at least 60 days before taking any action to collect. The measure provides certain protections to a medical debtor who initiates contact with or makes a voluntary payment to a collection agency. Certain protections provided to medical debtors may not be waived. The bill also prohibits a collection agency or its manager, agents, or employees from engaging in certain practices relating to the collection of a medical debt, or from commencing a civil action to collect such a medical debt if the amount of the debt is less than the maximum jurisdictional amount set by law. However, in such instances, a small claims action may be commenced in justice court to collect the medical debt.

This bill is effective on July 1, 2021.

SB 260 (Chapter 292)

[Senate Bill 260](#) requires a data broker to establish a designated request address through which a consumer may submit a verified request directing the data broker not to make any sale of any covered information about the consumer that the data broker has purchased or will purchase. The bill prohibits a data broker from selling the covered information of a consumer who has submitted such a request. The measure authorizes an entity that owns or operates an online service for commercial purposes or a data broker to remedy a failure to comply with certain requirements relating to the collection and sale of certain information about consumers if it is the first failure of the operator or data broker to comply with such requirements.

Additionally, the bill authorizes the Attorney General to seek an injunction or a civil penalty against a data broker who knowingly violates certain provisions. A district court that finds the data broker has violated these provisions may issue a temporary or permanent injunction or impose a civil penalty of not more than \$5,000 for each violation.

Finally, the bill exempts fair credit reporting, fraud prevention organizations, publicly available information, and information and data processed pursuant to the federal Driver's Privacy Protection Act of 1994 from the requirements imposed on operators, data brokers, and covered information.

This bill is effective on October 1, 2021.

SB 303 (Chapter 227)

[Senate Bill 303](#) provides for the regulation by the State Contractors' Board of contractors who install residential photovoltaic systems used to produce electricity. The bill makes provisions regarding:

- Responsibilities of a contractor who installs a residential photovoltaic system;
- Required components of a written contract for such an installation;
- Consumers' rights;
- Authorization for the adoption of certain regulations by the State Contractors' Board;
- Involvement of the Public Utilities Commission of Nevada;
- Restrictions on advertising and solicitations and a requirement for the State Contractors' Board to adopt further regulations on advertising;
- Conditions under which a contract is deemed unenforceable or void;
- Applicability of statutes related to deceptive trade practices and enforcement by the Office of the Attorney General; and
- Enforcement authorities of the State Contractors' Board.

This bill is effective on October 1, 2021.

SB 307 (Chapter 294)

[Senate Bill 307](#) makes various changes to the regulation of brew pubs, craft distilleries, suppliers, and wholesalers. The bill requires a supplier to approve or deny approval for any assignment, sale, or transfer of a wholesaler's stock or assets in writing within 60 days after receiving a notice of the transaction if the person to be substituted under the terms of the franchise meets certain reasonable standards. If a supplier does not approve or deny approval for the transaction within that time period, the transaction is deemed approved. The bill expands certain provisions imposed on suppliers by prohibiting certain conduct in relation to wholesalers. Also, a retail liquor store is authorized to make deliveries of liquor in its original package under certain circumstances.

The measure authorizes a winery to operate from multiple noncontiguous locations, provided the winery has obtained a license for each location. A winery may sell alcoholic beverages at retail if the winery has obtained a license or permit required in the jurisdiction where the winery is located and complies with the requirement to purchase liquor from a State-licensed wholesaler. The bill provides that an estate distillery may blend and distill wine manufactured by a winery if 25 percent of the wine produced, blended, or aged by the winery is produced, blended, or aged from fruit or honey produced in this State.

In addition, the bill authorizes a person who operates one or more brew pubs to manufacture and sell an additional 20,000 barrels of malt beverages to a wholesaler located outside of this State, subject to periodic auditing by the Department of Taxation. Further, SB 307 requires a person who possesses, sells, or transports liquor to be duly designated by the supplier or to have purchased the liquor from certain authorized sources. Finally, a person who enters this State with one gallon or less of alcoholic beverage per month, for household or personal use, is exempt from licensing requirements.

This bill is effective on July 1, 2021.

SB 320 (Chapter 295)

[Senate Bill 320](#) requires a food delivery service platform provider to enter into a written agreement with a food dispensing establishment before facilitating an online food order or using the establishment's likeness, registered trademark, or intellectual property. A food dispensing establishment may, at any time, submit a written request for removal from the food delivery service platform. A food delivery service platform must disclose to a user in a conspicuous manner certain information associated with the online food order and also include this information on the receipt provided for an online food order. A person who knowingly violates the requirement to disclose certain information is deemed to have committed a deceptive trade practice.

A food delivery service platform that violates certain provisions of the bill is subject to a daily \$500 civil penalty. In addition, the bill authorizes a food dispensing establishment to bring an action if its likeness, registered trademark, or intellectual property is used in violation of the prohibition. For any period in which a declaration of emergency is in effect, in a county where social distancing requirements and occupancy limitations on the capacity of food dispensing establishments apply, a food delivery service platform is prohibited from charging a food dispensing establishment a commission for an online food order that exceeds 15 percent of the food purchase price, unless the establishment agrees. A food delivery service platform is prohibited from reducing the compensation rates paid to a food delivery person or garnishing the gratuities of such a person as a result of this commission limitation.

This bill is effective on June 2, 2021.

SB 329 (Chapter 528)

[Senate Bill 329](#) requires hospitals, certain physician group practices, and a person who owns all or substantially all of a physician group practice to notify the Department of Health and Human Services of any merger, acquisition, or similar transaction in which they are involved. The Department must post the information contained in such notices on the Internet and publish an annual report based on the information.

In addition, the bill prohibits health care providers, including health care facilities, from willfully entering into, willfully offering to enter into, or willfully soliciting a contract that:

- Prohibits a third party insurer from steering a covered person to certain health care providers or placing health care providers in tiers; or
- Places certain other restrictions on the insurer.

Health care providers or insurers who violate these provisions are guilty of a misdemeanor and are subject to a civil penalty.

Finally, the bill authorizes the Attorney General to use certain fees to investigate prohibited contracting practices.

This bill is effective on June 8, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 332 (Chapter 297)

[Senate Bill 332](#) replaces current statutory provisions governing structured settlements wherein a payee transfers the right to receive payments for damages from a tort claim to a structured settlement purchase company. These companies are required to register with the Consumer Affairs Division of the Department of Business and Industry and obtain a surety bond or other guarantee in the amount of \$50,000. The bill also sets forth prohibitions against certain behavior by these companies and their employees and provides a private right of action to payees in the event a person engages in prohibited activities. The bill sets out filings a company must make and findings a court must make before a transfer can occur. The bill also sets forth the rights of interested parties after a transfer has occurred, as well as protections for payees. The bill applies only to transfer agreements entered into on or after October 1, 2021.

This bill is effective on October 1, 2021.

SB 447 (Chapter 423)

[Senate Bill 447](#) makes the Consumer Affairs Unit permanent in the Department of Business and Industry and eliminates the Consumer Affairs Division of the Department. The bill provides that the Unit and the Commissioner of Consumer Affairs will carry out powers and duties relating to deceptive trade practices, as well as those relating to sightseeing tours, organizations for buying goods or services at a discount, dance studios, health clubs, consumer reporting, and solicitation by telephone.

This bill is effective on July 1, 2021.

CONSTITUTIONAL AMENDMENTS

AJR 1 (File 36)

Assembly Joint Resolution 1 proposes to amend Section 1 of Article 13 of the Nevada Constitution by replacing the description of persons who benefit from institutions fostered and supported by the State from: “insane” to “persons with significant mental illness”; “blind” to “persons who are blind or visually impaired”; and “deaf and dumb” to “persons who are deaf or hard of hearing.” The resolution further proposes to add entities for the benefit of persons with intellectual disabilities or developmental disabilities to the types of entities that shall be fostered and supported by the State. Finally, the resolution proposes to replace the term “institutions” with the term “entities” in Section 1 of Article 13.

If approved in identical form during the 2023 Legislative Session, the proposal will be submitted to voters for final approval or disapproval.

AJR 10 (File 24)

Assembly Joint Resolution 10 proposes to amend both the Ordinance of the *Nevada Constitution* and the *Nevada Constitution* itself to remove language authorizing the use of slavery and involuntary servitude as a criminal punishment.

If approved in identical form during the 2023 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval.

AJR 10 of the 80th Session (File 41)

Assembly Joint Resolution 10 of the 80th Session proposes to amend the *Nevada Constitution* to set the minimum wage at \$12 per hour worked beginning July 1, 2024, regardless of whether the employer provides health benefits to employees. The resolution proposes to remove the annual adjustment to the minimum wage and instead provides that if at any time the federal minimum wage is greater than \$12 per hour worked, the State minimum wage is increased to the amount established for the federal minimum wage. Finally, this resolution proposes to allow the Legislature to establish a minimum wage that is greater than the hourly rate set forth in the *Constitution*.

This resolution was approved by the 80th Session of the Legislature in 2019 and approved in identical form during the 81st Session. The proposal will be submitted to the voters for final approval or disapproval.

SJR 7 (File 26)

Senate Joint Resolution 7 proposes to amend the *Nevada Constitution* to remove the constitutional provisions governing the Board of Regents of the University of Nevada. The Legislature shall provide by law for the governance of the University and the establishment of its various departments. In addition, the resolution stipulates that 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 2023 Legislative Session, the proposal will be submitted to voters for final approval or disapproval.

SJR 8 of the 80th Session (File 11)

Senate Joint Resolution 8 of the 80th Legislative Session proposes to amend the *Nevada Constitution* by adding a guarantee that equality of rights under the law shall not be denied or abridged by this State or any of its political subdivisions on account of race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry, or national origin.

This resolution was approved by the 80th Session of the Legislature in 2019 and approved in identical form during the 81st Session. The proposal will be submitted to the voters for final approval or disapproval.

COURTS AND JUDICIAL PROCEDURE

Note: See also the “[Criminal and Civil Justice](#)” chapter.

AB 23 (Chapter 72)

[Assembly Bill 23](#) revises the procedure for the commitment of certain criminal defendants who are found to be incompetent by the court. The bill requires that the Division of Public and Behavioral Health of the Department of Health and Human Services complete a comprehensive risk assessment within 40 calendar days after a request for the assessment is received. The court may grant the Division an extension to complete the assessment upon showing of good cause. The assessment must be provided to the court, prosecuting attorney, and counsel for the person. Lastly, within ten judicial days after receiving the assessment, the court must hold a hearing on the motion to determine whether to commit the person to the custody of the Division.

This bill is effective on May 25, 2021.

AB 24 (Chapter 73)

[Assembly Bill 24](#) revises the definition of a “forensic facility” to mean a secure facility of the Division of Public and Behavioral Health of the Department of Health and Human Services that is designated by the Division as appropriate for the evaluation and treatment of offenders and defendants with mental disorders.

This bill is effective on May 25, 2021.

AB 25 (Chapter 74)

[Assembly Bill 25](#) authorizes a forensic facility supervising a person on conditional release to take the person into protective custody and transport him or her to the forensic facility if there is probable cause to believe that the person violated a condition of release and is a danger to himself or herself or others. A forensic facility may also request that a law enforcement agency take the person into protective custody and transport him or her to the forensic facility. A court must hold a hearing not later than three days after the person is taken into custody to determine whether to continue, modify, or terminate the conditional release of the person. The hearing may be continued not more than ten days upon agreement by the person’s counsel and the prosecuting attorney.

This bill is effective on May 25, 2021.

AB 32 (Chapter 252)

[Assembly Bill 32](#) creates a new process for filing a complaint for expedited relief in justice court related to the towing or immobilization of a motor vehicle. If the complaint filed does not meet certain criteria, it may be dismissed by the court, without prejudice. This dismissal does not affect the right of the vehicle owner to pursue civil damages. The court will determine whether the vehicle was lawfully or unlawfully towed or immobilized and will enter an order declaring who is responsible for certain costs. Upon the presentation of a certified copy of the court order, the person storing the vehicle or the person who immobilized the vehicle must release the vehicle to the owner immediately. The measure also requires the operator of any facility or location where towed vehicles are stored to display a statement on the availability of assistance from a legal aid or similar program.

This bill is effective on October 1, 2021.

AB 42 (Chapter 253)

Assembly Bill 42 establishes a statutory right to a jury trial for a person charged with a battery which constitutes domestic violence that is punishable as a misdemeanor and may prohibit the person from owning, possessing, or having under his or her control or custody any firearm. A previous prohibition regarding a firearm does not preclude a person from the right to a jury trial for a new domestic violence charge. The bill removes provisions that prohibit a prosecuting attorney from dismissing a charge of battery which constitutes domestic violence if the defendant makes certain pleas. The courts in which such cases must be tried by a jury are expanded to include a justice court and municipal court for certain cases.

All criminal actions—whether in district court, justice court, or municipal court—must be tried by a jury of 12 jurors, unless before jury selection the parties stipulate in writing with the approval of the court that the jury consist of any number less than 12 but not less than 6. The bill also revises various provisions relating to jury trials, including the selection of jurors, the use of sound recording equipment in certain courts, and the summoning of jurors from the qualified electors of a county.

This bill is effective on January 1, 2022.

AB 43 (Chapter 35)

Assembly Bill 43 requests the Nevada Supreme Court to study and make recommendations concerning the procedural and substantive statutes and rules of the Commission on Judicial Discipline and compile all nonconfidential statistics relating to the work of the Commission for the Legislature’s consideration.

This bill is effective on October 1, 2021.

AB 107 (Chapter 114)

Assembly Bill 107 revises the procedure for determining whether a person may prosecute or defend a civil action without paying costs. The person must file an application, which must include an unsworn declaration, to proceed as an indigent litigant or submit to the court a statement of legal representation or otherwise indicate to the court that he or she is a client of a program for legal aid. Based on the review of the person’s application, the court may allow the person to commence or defend an action without costs and file or issue any necessary writ, process, pleading, or paper without charge. Criteria are established for the court to use in determining whether to grant such an application.

This bill is effective 30 days after May 27, 2021.

AB 140 (Chapter 120)

Assembly Bill 140 revises provisions governing service of process in certain actions or proceedings involving short-term lessors of vehicles. The bill requires a short-term lessor to accept service of a summons and complaint and any other required documents on behalf of a short-term lessee who is not a resident of the United States and who purchased liability insurance for any crash resulting from the operation of the vehicle within this State during the lease. The lessor of

the vehicle is required to provide a copy of such documents to the lessee by first-class mail, return receipt requested.

This bill is effective on October 1, 2021.

AB 141 (Chapter 121)

Assembly Bill 141 requires a court to automatically seal any records relating to any action for summary eviction that is granted during the COVID-19 emergency. These provisions apply to any action for summary eviction filed before, on, or after the effective date of this bill.

This bill is effective on May 27, 2021.

AB 145 (Chapter 122)

Assembly Bill 145 establishes procedures for the recognition and enforcement of Canadian money judgments in Nevada by adopting the Uniform Registration of Canadian Money Judgments Act. The bill provides that recognition of a Canadian judgment applies only to final and enforceable judgments to recover money. This bill authorizes enforcement of the judgment in the same manner and to the same extent as a judgment rendered in Nevada.

This bill is effective on October 1, 2021.

AB 196 (Chapter 502)

Assembly Bill 196 requires, with certain exceptions, each courthouse to contain a lactation room that may be used by members of the public to express breast milk. The bill defines “lactation room” as a hygienic place, other than a bathroom, that is shielded from view; is free from intrusion; and contains a chair, a working surface, and an electrical outlet. Finally, the bill appropriates from the State General Fund to the Administrative Office of the Courts \$50,000 for allocation as grants to municipal, justice, and district courts for the costs of providing a lactation room.

Provisions of this bill relating to the appropriation of money for grants are effective on July 1, 2021. All other provisions are effective on January 1, 2022.

AB 212 (Chapter 197)

Assembly Bill 212 revises and expands the membership of the committee to advise the Court Administrator regarding the adoption of regulations relating to the certification or registration of court interpreters for persons with limited English proficiency who are defendants, litigants, and witnesses. Additionally, the committee is required to make public an annual report that summarizes the activities of the committee and statistical information concerning the usage of court interpreters. The report must be submitted to the Chief Justice of the Nevada Supreme Court and to the Legislature.

This bill is effective on October 1, 2021.

AB 219 (Chapter 403)

Assembly Bill 219 revises provisions governing the sealing of criminal records. Upon receipt of a certified copy of the unconditional pardon of a person from the State Board of Pardons Commissioners, the court and the Central Repository for Nevada Records of Criminal History in

the Records, Communications and Compliance Division of the Department of Public Safety are required to seal the person's criminal records.

If a person receives a pardon from the State Board of Pardons Commissioners, the person may submit a written petition, accompanied by proof of the pardon, to the court for the sealing of all records of criminal history. This measure also specifies the circumstances under which a court must grant the sealing of the criminal records without a hearing. If the prosecuting agency files a written objection to the sealing of the records, a hearing on the petition must be conducted. At the hearing, unless an objecting party presents certain evidence, the court may seal the records. Lastly, this bill allows a person to appeal the denial of a petition to seal records and to appeal the denial of a petition to seal records relating to a crime that has been decriminalized.

This bill is effective on October 1, 2021.

AB 404 (Chapter 501)

[Assembly Bill 404](#) establishes provisions relating to the proper venue for filing an application for an order for protection against domestic violence to include the county where the applicant resides, the county where the adverse party resides, a temporary location away from his or her county to avoid threat of domestic violence, and the county where the act of domestic violence occurred.

In addition, the measure revises provisions relating to the information included in an application for an order for protection against domestic violence. If the applicant reasonably believes that including his or her address and contact information on an application would jeopardize his or her safety, the applicant may decline to disclose that information.

This bill is effective on July 1, 2021.

AB 424 (Chapter 375)

[Assembly Bill 424](#) allows a court to adopt an administrative order relating to the circumstances under which a person may be released pending trial, including circumstances under which a sheriff or chief of police may release a person without bail who is charged with a misdemeanor. The bill also requires a pretrial release hearing to be held within 48 hours after a person has been taken into custody and provides that a continuance may be granted for good cause shown. A pretrial release hearing may be held by a means of remote communication other than telephone, and a justice of the peace may conduct a hearing for a person who is located in another township.

This bill is effective on July 1, 2022.

AB 426 (Chapter 376)

[Assembly Bill 426](#) authorizes a child welfare agency to request that the court issue a warrant to place a child in protective custody if there is reasonable cause to believe that the child needs protection, but the threat is not imminent in the time it would take to obtain a warrant. The bill also sets forth certain requirements for such a warrant.

In addition, the bill:

- Clarifies that a court may, upon the initiative of the court or a special master, find that a person has a special interest in a child and must be involved in and notified of certain plans and proceedings relating to the placement of the child;
- Clarifies that such a finding may be reviewed or modified at any time by the court or special master;
- Revises provisions relating to the notice that must be provided to a parent or other person responsible for a child's welfare before certain hearings related to the child's placement in protective custody;
- Clarifies that certain determinations by a court relating to the placement of a child must be made based on a preponderance of the evidence;
- Allows the Attorney General to sign a petition alleging that a child is in need of protection; and
- Authorizes the court to dispose of a case if the court finds by a preponderance of evidence that the child needed protection at the time the child welfare agency completed the investigation, if the child was not removed from the home.

This bill is effective on October 1, 2021.

AB 427 (Chapter 390)

Assembly Bill 427 revises various provisions relating to driving under the influence of alcohol or a prohibited substance. Among other things, the bill:

- Revises provisions concerning the issuance of a restricted driver's license;
- Revises provisions concerning the revocation and suspension of a person's license, permit, or privilege upon the conviction of certain offenses;
- Requires the Director of the Department of Public Safety to establish the Ignition Interlock Program;
- Removes the requirement that a police officer seize the driver's license or permit of a person who fails to submit to a preliminary breath test to determine the concentration of alcohol in the driver's breath;
- Allows the court to place an offender under a system of active electronic monitoring as part of a program of treatment;
- Revises the Nevada 24/7 Sobriety and Drug Monitoring Program;
- Authorizes a person who commits a first violation of driving under the influence of alcohol or a prohibited substance within seven years to be sentenced to residential confinement in lieu of imprisonment;

- Authorizes a court to order a person to attend a program of treatment for an alcohol or other substance use disorder for certain offenses;
- Authorizes a court to conditionally dismiss the charges against a defendant who is in a program for the treatment of veterans and members of the military upon his or her fulfillment of the terms and conditions of the program;
- Authorizes a court to conditionally dismiss the charges or set aside the judgment of conviction against a defendant who was charged with certain violations upon the defendant's fulfillment of the terms and conditions of the program, and to seal the records not sooner than seven years after the charges are conditionally dismissed or the judgment of conviction is set aside; and
- Provides that the provisions of law that prohibit a person who was convicted of a violation of driving under the influence of alcohol or a prohibited substance that is punishable as a felony from being able to petition the court to seal the records relating to such a conviction must not be construed to preclude certain persons from petitioning the court for the sealing of records.

This bill is effective on June 4, 2021.

AB 480 (Chapter 380)

[Assembly Bill 480](#) revises the process for appointing an attorney other than a public defender to represent a person charged with any offense or delinquent act if the public defender is disqualified from providing representation. The bill also removes limitations in existing law that specify an attorney other than a public defender who is appointed to represent or defend a person during any stage of a criminal proceeding is entitled to receive certain fees for his or her services. Further, the bill revises provisions relating to claims for compensation and expenses made by attorneys.

Finally, the bill creates the Special Account for the Support of Indigent Defense Services and authorizes the Department of Indigent Defense Services to apply for and accept any available grants, bequests, devises, donations, or gifts from any public or private source to carry out the duties of the Department and the Board on Indigent Defense Services.

This bill is effective on October 1, 2021.

AB 486 (Chapter 354)

[Assembly Bill 486](#) establishes temporary procedures relating to claims for wrongful eviction of certain tenants. Specifically, the bill provides that a tenant who has defaulted in the payment of rent can claim, as an affirmative defense in a summary eviction proceeding, that the tenant has a pending application for rental assistance, the landlord has refused to participate in the rental assistance application process, or the landlord has refused to accept rental assistance provided on behalf of the tenant.

The bill also requires the court to stay the proceedings for eviction if the claim relates to a pending application for rental assistance until the application is either granted or denied. The bill provides that if a landlord accepted rental assistance on behalf of a tenant who has defaulted in the payment of rent, and then proceeded to evict the tenant for any reason that existed during the period of

default for which the landlord has been paid rental assistance, the court may impose a civil penalty and order the landlord to pay costs and attorney's fees.

Additionally, the bill expands existing law that authorizes a court to stay proceedings for eviction against a tenant for not more than 30 days to facilitate a program of alternate dispute resolution to apply to all eviction proceedings. The bill also requires a notice of eviction proceeding to contain information relating to the availability of rental assistance.

Further, the bill requires an electronic form to be completed by a landlord who wishes to obtain rental assistance on behalf of a tenant who has defaulted in the payment of rent and provides that an eligible landlord may receive rental assistance, without the application of the tenant, if the eligible landlord agrees to certain conditions. The bill requires the disbursement of \$5 million in federal funds to eligible landlords on behalf of tenants for rental assistance if the State receives federal funding that is authorized for the use of direct payment of rental assistance to landlords on behalf of tenants who have defaulted in the payment of rent. Finally, the bill provides for landlord compensation of 100 percent of delinquent rent.

This bill is effective on June 4, 2021. Provisions relating to stays on eviction proceedings to facilitate a program of alternate dispute resolution expire by limitation on the earlier of June 5, 2023, or the date that the Nevada Supreme Court determines that the programs of alternative dispute resolution established by rule by the Supreme Court or district or justice courts do not have sufficient funds to administer the programs. All other provisions, except the provision relating to the requirement to disburse federal money and the provision that repeals an existing provision in law authorizing a court to stay proceedings for eviction against a tenant, expire by limitation on June 5, 2023.

SB 6 (Chapter 142)

[Senate Bill 6](#) makes various changes to provisions governing orders for protection against high-risk behavior. Among other things, the bill:

- Replaces the term “ex parte order” with “emergency order”;
- Revises various procedures and requirements associated with filing an application for an order for protection against high-risk behavior;
- Establishes various procedures relating to hearings on an application for an order for protection;
- Removes the custody of a firearm from the list of factors a court may consider in finding whether a person poses a risk or an imminent risk of causing a self-inflicted injury or injuring another person;
- Revises the persons to whom an adverse party must surrender firearms;
- Requires a court to order the return of any surrendered firearm of an adverse party upon the expiration of an extended order for protection;
- Revises provisions relating to the dissolution of orders for protection;

- Eliminates the requirement for a court clerk or designee to assist certain persons relating to orders for protection;
- Requires the appropriate law enforcement agency to serve the adverse party personally with the application and any supplemental documents that were submitted to the court; and
- Authorizes the court to order such documents to be redacted and maintained in a separate, confidential file of the court and be made available to the adverse party to inspect and copy or photograph prior to the hearing.

This bill is effective on July 1, 2021.

SB 37 (Chapter 147)

[Senate Bill 37](#) provides that a district attorney is not required to present to the board of county commissioners of his or her county the reasons for requesting the presence of the Attorney General or a deputy attorney general or special investigator to provide assistance in a criminal case. A district attorney also is not required to have the board adopt a resolution joining in the request, unless the Attorney General intends to seek reimbursement for any expenses incurred in providing assistance to the district attorney.

This bill is effective on October 1, 2021.

SB 38 (Chapter 148)

[Senate Bill 38](#) authorizes the Attorney General—or any other officer, agency, or employee of the Executive Branch—to enter into a pro bono contract with an attorney or law firm engaged in private practice for legal services, if the Attorney General determines that the provision of such legal services is necessary. The bill:

- Requires the Attorney General to retain final authority over the course and conduct of any matter that is the subject of a pro bono contract;
- Provides that any law firm or attorney offering pro bono legal services is deemed ineligible for outside counsel contracts with the Office of the Attorney General for a period of one year from the end date of the pro bono contract; and
- Delineates certain requirements associated with such pro bono contracts.

This bill is effective on October 1, 2021.

SB 41 (Chapter 52)

[Senate Bill 41](#) prohibits a person from installing or using a pen register or trap and trace device without first obtaining an order from a district court and provides that a peace officer may apply to a district court for such an order. The bill includes certain federal officers in the definition of “peace officer” when they are acting as members of a task force comprised of federal and State or local enforcement agencies, authorizes a court to accept a facsimile or electronic copy of a signature on an application for such an order, and authorizes the use of secure electronic transmission for the application and issuance of such an order.

This bill is effective on October 1, 2021.

SB 42 (Chapter 53)

Senate Bill 42 removes the requirement that the rules of the Nevada Supreme Court and district courts be included in *Nevada Revised Statutes* and requires instead that the Supreme Court print these documents and distribute them in either pamphlet or electronic format according to statutory requirements. The bill also transfers from the State Printing Office to the Supreme Court the responsibility for printing and distributing the Advance Opinions of the Court and the *Nevada Reports* in the same manner. Funds generated by the sale of these documents are to be deposited in the State General Fund for the exclusive use of the Nevada Supreme Court.

In addition, the bill eliminates a statutory requirement for the Nevada Supreme Court to train district court judges on complex medical malpractice issues.

This bill is effective on October 1, 2021.

SB 70 (Chapter 481)

Senate Bill 70 revises various laws related to mental health. It prescribes separate processes for the detention and release of a person on a mental health crisis hold and the emergency admission of such a person. In addition, the bill prescribes various processes and criteria related to assisted outpatient treatment, which is defined as outpatient mental health services provided to a person with a mental illness pursuant to a court order.

The bill makes various changes related to conditional release and requires the Division of Public and Behavioral Health of the Department of Health and Human Services and the Office of the Attorney General to approve all forms of detainment, evaluation, treatment, and conditional release of any consumer in a mental health facility or a program of assisted outpatient treatment. It revises requirements governing a petition for involuntary court-ordered admission and requires certain notification to be provided if a person is released or transferred to a different mental health facility or hospital. Finally, the bill requires courts to seal records governing proceedings involving a consumer in a mental health facility or a program of assisted outpatient treatment.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 147 (Chapter 325)

Senate Bill 147 authorizes a victim to request an order from a court prohibiting the accused from contacting or attempting to contact the victim or attempting to have another person contact the victim prior to releasing the accused on bail. A court must consider such a request and, if a court issues such an order, the order expires after 120 calendar days; however, the court may extend it under certain circumstances. A person who knowingly violates such an order is guilty of a misdemeanor. The court must also notify a person subject to such an order of the consequences that may result if the order is violated.

If a court issues an order imposing, modifying, suspending, or canceling such an order prohibiting the contact or attempted contact of a specific person, the court must transmit a copy of the order to the Central Repository for Nevada Records of Criminal History in the Records, Communications and Compliance Division of the Department of Public Safety. The bill requires

the Repository for Information Concerning Orders for Protection within the Central Repository to contain records relating to such orders.

Lastly, the bill appropriates from the State General Fund to the Central Repository for Nevada Records of Criminal History \$44,522 for the costs of computer programming to carry out the provisions of the bill.

Provisions of this bill relating to an appropriation are effective on June 3, 2021. All other provisions are effective on October 1, 2021.

SB 219 (Chapter 505)

[Senate Bill 219](#) removes a court's authority to suspend a driver's license or prohibit a defendant from applying for a driver's license as the result of any delinquent fine, administrative assessment, fee, or restitution the defendant owes.

The Department of Motor Vehicles (DMV) must reinstate the driver's license of a person whose license was suspended and reinstate the ability of a person to apply for a license if the suspension or delay was a result of any unpaid delinquent fine, administrative assessment, fee, or restitution. The DMV may not charge a fee for reinstatement of a license or require a person to undergo any physical or mental examination to be eligible for reinstatement of a license. The bill also appropriates from the State Highway Fund to the DMV \$14,950 for the cost of notifying persons of the reinstatement of their licenses or of their ability to apply for a license.

Provisions of this bill relating to an appropriation are effective on July 1, 2021. All other provisions are effective on October 1, 2021.

SB 358 (Chapter 299)

[Senate Bill 358](#) clarifies that under certain circumstances involving a person who has created a hostage situation, threatened imminent illegal use of an explosive, or barricaded himself or herself and is not exiting or surrendering at the request of a peace officer, the interception or attempted interception of a wire communication is not unlawful and does not require the consent of the person whose wire communication is intercepted or attempted to be intercepted. In addition, the filing of an application for ratification by the court of such an interception or attempted interception is not required.

This bill is effective on October 1, 2021.

SB 369 (Chapter 532)

[Senate Bill 369](#) revises statutes regarding the imposition of bail or other conditions of release to comport with the *Nevada Constitution*. The bill removes provisions requiring an arrested person to show good cause in order to be released without bail. Additionally, the bill consolidates existing procedures for releasing a person with or without bail into a standard procedure for courts to follow in making pretrial custody determinations. A court must only impose bail or a condition of release, or both, on a person if it deems doing so to be the least restrictive means necessary to protect the safety of the community or ensure the person will appear at all times and places ordered by the court.

A prosecuting attorney may request bail, but must prove by clear and convincing evidence why it is necessary to protect the community or ensure the accused will appear. A court must make findings of fact for certain determinations relating to the imposition of bail or any condition of release, or both.

This bill is effective on October 1, 2021.

SB 436 (Chapter 420)

Senate Bill 436 repeals the prospective expiration established through Assembly Bill 540 of the 80th Session of a provision revising the distribution of certain money collected from an administrative assessment paid by a person who pleads or is found guilty or guilty but mentally ill of a misdemeanor.

This bill is effective on June 4, 2021.

CRIMINAL AND CIVIL JUSTICE

Note: See also the “[Courts and Judicial Procedure](#)” chapter. For legislation related to peace officers and law enforcement, see the “[Peace Officers and Law Enforcement](#)” section in the “[State and Local Government](#)” chapter.

AB 138 (Chapter 19)

[Assembly Bill 138](#) removes provisions that make a person who has been convicted of a felony drug offense ineligible for assistance through the Temporary Assistance for Needy Families (TANF) program or the Supplemental Nutrition Assistance Program (SNAP) in this State, thereby authorizing such a person to receive TANF and SNAP benefits.

This bill is effective on July 1, 2021.

AB 214 (Chapter 266)

[Assembly Bill 214](#) replaces gendered language in statute regarding sexual assault with gender-neutral language and requires the Advisory Commission on the Administration of Justice to appoint a subcommittee to conduct an interim study of laws governing sexual assault. The subcommittee must report its findings and recommendations to the Advisory Commission by September 1, 2022.

Provisions of this bill that require an interim study are effective on July 1, 2021. All other provisions are effective on October 1, 2021.

AB 228 (Chapter 127)

[Assembly Bill 228](#) provides for the establishment of children’s advocacy centers where multidisciplinary teams work to investigate and help children recover from abuse and neglect, and hold accountable perpetrators of child abuse and neglect. The bill outlines credentialing and operational requirements of such centers. In addition, AB 228:

- Requires the governing body of each county and each child welfare agency to ensure, to the extent that money is available, that children who are victims of abuse or neglect have access to the services provided through a children’s advocacy center; and
- Creates the Account to Support Children’s Advocacy Centers in the State General Fund, administered by the Division of Child and Family Services of the Department of Health and Human Services.

This bill is effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 393 (Chapter 389)

[Assembly Bill 393](#) requires the Executive Director of the Department of Sentencing Policy to assist the Nevada Sentencing Commission in carrying out requirements relating to the use of a formula to calculate the amount of costs avoided by the State each fiscal year as a result of the enactment of [AB 236 of the 80th Session](#), which made various changes to criminal law and criminal procedure. The bill provides that certain information required to be included in several reports by the Commission is to be combined into a single biennial report. This bill also authorizes

the Commission to adopt any qualifications that a person must meet before being appointed as a member of the Nevada Local Justice Reinvestment Coordinating Council.

The Attorney General may investigate and prosecute a city officer or employee for committing any criminal offense in the course of his or her duties or arising out of circumstances related to his or her position if the district attorney or city attorney, as applicable, does not act in the matter.

Additionally, this bill makes various changes related to criminal law and criminal procedure, including, but not limited to, revising provisions related to:

- Sex offenders petitioning to be released from lifetime supervision;
- Reports of presentence investigations;
- Parolees and probationers;
- Embezzlement of a vehicle; and
- Possession of marijuana or concentrated cannabis.

Finally, the bill appropriates from the State General Fund to the Department of Sentencing Policy \$75,345 in Fiscal Year (FY) 2021–2022 and \$96,987 in FY 2022–2023 for personnel costs related to data management.

Provisions of this bill concerning the Department of Sentencing Policy and the Nevada Sentencing Commission are effective on June 4, 2021. Provisions relating to investigating and prosecuting city officers and employees are effective on June 4, 2021, and apply to an offense committed on or after July 1, 2021, and before the effective date of the bill if the statute of limitations has not yet expired by July 1, 2021. Other provisions of the bill are effective on July 1, 2021.

SB 31 (Chapter 144)

[Senate Bill 31](#) revises provisions relating to the Central Repository for Nevada Records of Criminal History. The Central Repository is authorized to monitor criminal justice agencies in this State for compliance with statutory requirements relating to the submission or transmission of certain information concerning mental health records and certain other records. If the Central Repository chooses to perform such monitoring, it must prepare an annual report regarding such compliance and post the report on its website.

The bill eliminates a requirement for the Central Repository to prepare and post certain other reports on its website. Instead, the Central Repository must provide electronic access to this statistical data on its website and must include data on certain orders for protection and on crimes against older or vulnerable persons.

The bill expands the definition of a “record of criminal history” to refer to decisions of any prosecuting attorney not to prosecute a person, rather than to such decisions of a district attorney only.

Finally, the Central Repository must provide to an authorized entity the criminal history of a person that reflects convictions only.

Provisions of this bill relating to the monitoring of criminal justice agencies for compliance are effective on January 1, 2022. All other provisions are effective on May 27, 2021.

SB 58 (Chapter 194)

[Senate Bill 58](#) revises the responsibilities of the Investigation Division of the Department of Public Safety to include investigations relating to technological crimes and assisting other divisions within the Department. Upon request, the Division may also conduct criminal investigations for other departments enforcing statutes relating to cannabis and for any agency, board, commission, or other unit of the Executive Branch that is authorized to conduct criminal investigations. The Director may authorize the Department and its various divisions, employees, and officers to use certain designations to identify themselves.

This bill is effective on May 28, 2021.

SB 161 (Chapter 59)

[Senate Bill 161](#) eliminates the Advisory Committee to Study Laws Concerning Sex Offender Registration and transfers its duties to the Advisory Commission on the Administration of Justice. Any funds remaining in the Committee's account are also transferred to the Commission.

This bill is effective on July 1, 2021.

Civil Actions

Note: See also "Actions, Civil" in the "[Subject Index](#)."

AB 60 (Chapter 37)

[Assembly Bill 60](#) provides that a provision of a contract or settlement agreement is void and unenforceable if the provision prohibits or restricts the party to the contract or settlement agreement from testifying as a witness at a judicial or administrative proceeding concerning another party to the contract or settlement agreement and his or her commission of:

- A criminal offense;
- An act of sexual harassment;
- An act of discrimination based on race, religion, color, national origin, disability, sexual orientation, gender identity or expression, ancestry, familial status, age, or sex by an employer or a landlord; or
- An act of retaliation for reporting such discrimination.

These provisions do not apply to a settlement agreement that results from successful mediation or conciliation by the Nevada Equal Rights Commission.

This bill is effective on May 21, 2021.

AB 86 (Chapter 260)

Assembly Bill 86 authorizes the governing body of a county, city, or general improvement district created to furnish fire protection to bring an action against a person, firm, association, or agency that is responsible for willfully or negligently causing a wildfire to recover any expenses incurred in extinguishing the wildfire and reasonable attorney's fees and litigation expenses.

The bill also revises the circumstances under which a person, firm, association, or agency may be liable for the cost to extinguish a fire or meet an emergency to remove the requirement that the fire or other emergency must have threatened human life for expenses to be recovered.

Finally, the bill provides that, with certain exceptions, a person, firm, association, or agency may also be liable for the expenses incurred in extinguishing a fire or meeting an emergency by a city agency or general improvement district created to furnish fire protection.

This bill is effective on October 1, 2021.

AB 104 (Chapter 261)

Assembly Bill 104 revises provisions related to persons who have received compensation for a wrongful conviction. The period of time used to calculate an award of monetary compensation is each year the person was imprisoned for his or her wrongful conviction. The bill establishes limitations on the dollar amount of awards for certain items, such as payment for counseling, health care, housing, and tuition.

A person who receives compensation resulting from his or her action against the State for a wrongful conviction and who obtains a subsequent civil settlement or award for the wrongful conviction is required to reimburse the State for the amount previously obtained and must notify the State Board of Examiners of the subsequent award of damages or settlement not later than four months after the date of the award. Additionally, the person is required to reimburse the State not later than six months after the date of the subsequent award or settlement. If the person does not notify the State of the award, the court may terminate any future payments. Lastly, payment does not become effective without the prior approval of the State Board of Examiners.

This bill is effective on July 1, 2021.

AB 107 (Chapter 114)

Assembly Bill 107 revises the procedure for determining whether a person may prosecute or defend a civil action without paying costs. The person must file an application, which must include an unsworn declaration, to proceed as an indigent litigant or submit to the court a statement of legal representation or otherwise indicate to the court that he or she is a client of a program for legal aid. Based on the review of the person's application, the court may allow the person to commence or defend an action without costs and file or issue any necessary writ, process, pleading, or paper without charge. Lastly, criteria are established for the court to use in determining whether to grant such an application.

This bill is effective 30 days after May 27, 2021.

AB 112 (Chapter 117)

[Assembly Bill 112](#) provides that a parent or guardian is not required to establish a blocked financial investment involving a compromised claim of a minor if the net proceeds of the compromise are \$2,500 or less. The parent or guardian may also use the proceeds at his or her discretion for the benefit of the minor in compliance with any terms or conditions ordered by the court. The bill also revises the definition of “blocked financial investment” to include a savings account in any financial institution in this State.

This bill is effective on October 1, 2021.

AB 157 (Chapter 86)

[Assembly Bill 157](#) authorizes a person who is the victim of certain discriminatory conduct relating to an incident involving a peace officer to bring a civil action for damages. Specifically, a civil action may be brought if another person—without reasonable cause and because of the actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation, or gender identity or expression of the person—knowingly causes a peace officer to respond to a location with the intent to:

- Infringe on the constitutional rights of the person;
- Cause the person to feel harassed, humiliated, or embarrassed;
- Cause the person to be removed from a location where he or she is lawfully located; or
- Damage the reputation or economic interests of the person.

This bill is effective on October 1, 2021.

AB 222 (Chapter 267)

[Assembly Bill 222](#) extends the coverage of certain provisions concerning civil actions involving claims of unfair employment practices to:

- Actions in the district court for the occurrence of unlawful employment practices prohibited under Title VII of the Civil Rights Act of 1964;
- Issuance of right-to-sue letters by the federal Equal Employment Opportunity Commission; and
- The tolling of the 90-day and 180-day periods of limitation during the pendency of a complaint before the Commission.

This bill is effective on June 2, 2021.

AB 284 (Chapter 356)

[Assembly Bill 284](#) establishes a procedure to contest the validity of certain liens on motor vehicles and for the return of a vehicle if a justice of the peace finds a lien invalid. After receiving notice of opposition to a lien, the Department of Motor Vehicles (DMV) is prohibited from transferring the vehicle’s title until the matter has been adjudicated. A lien on a motor vehicle expires

six months after it is filed with the DMV, except when tolled by a pending civil action or administrative proceeding conducted by the DMV. The provisions of this bill do not affect the rights of a secured party pursuant to statute and do not apply to a lien asserted by a tow car operator holding a certificate of public convenience and necessity.

This bill is effective on July 1, 2021.

AB 296 (Chapter 357)

[Assembly Bill 296](#) establishes a civil cause of action against a person who disseminates personal identifying information or sensitive information of another person without the consent of that person, knowing that the person could be identified. A person is liable for the dissemination of such information if it:

- Would cause a reasonable person to fear the death, bodily injury, or stalking of himself or herself or a close relation; or
- Causes the death, bodily injury, stalking, or mental anguish of the person whose information was disseminated or a close relation of the person.

If a person is found liable, the person whose information was disseminated may recover damages, reasonable attorney's fees, and costs under certain circumstances. A court may also issue a temporary restraining order or a permanent or temporary injunction to prevent the dissemination of any personal identifying information or sensitive information of a person. Lastly, the bill clarifies that these provisions do not apply to the dissemination of such information under certain circumstances, including good faith communication in furtherance of the right to petition or the right to free speech in connection with an issue of public concern.

This bill is effective on July 1, 2021.

SB 107 (Chapter 161)

[Senate Bill 107](#) provides for a two-year statute of limitations to commence an action in tort for common law wrongful termination of employment. The statute of limitations is tolled during consideration of any pending related State or federal administrative charge on the matter until 93 days after the conclusion of the administrative proceedings.

The bill also requires the default statute of limitations of four years to apply to certain causes of action whose statute of limitations is not otherwise prescribed by law, regardless of whether the underlying cause of action is analogous to any other cause of action with a statute of limitations expressly prescribed by law.

This bill is effective on May 27, 2021.

SB 203 (Chapter 288)

[Senate Bill 203](#) sets a 20-year statute of limitations after a plaintiff reaches 18 years of age on commencing a civil action to recover damages for sexual abuse or sexual exploitation that occurred when the plaintiff was less than 18 years of age and for injuries suffered by a victim of pornography involving minors. A plaintiff may bring such an action against a perpetrator or whoever knowingly benefits financially or by receiving anything of value from participation in a venture which that

person knew or should have known has engaged in an act in violation of the provisions of the bill. A person who is found liable to a plaintiff under these provisions is liable for treble damages as well as reasonable attorney's fees. The bill also provides that the mere rental of a hotel room in an establishment having more than 175 rooms does not constitute proof of a benefit to a defendant.

This bill is effective on June 2, 2021.

SB 245 (Chapter 305)

[Senate Bill 245](#) requires that the Labor Commissioner decline jurisdiction of a claim or complaint concerning the payment of wages, commissions, and other benefits if a claimant is covered by a collective bargaining agreement that provides the claimant with exclusive remedy or relief for a violation of its terms until those remedies, reliefs, or appeals are exhausted. The Labor Commissioner may, however, assert jurisdiction under certain circumstances.

If an employer fails to pay wages, compensation, or salary to an employee upon termination as required under existing law, an employee may bring a civil action against an employer for up to two years after the employer's failure. The Labor Commissioner shall not take jurisdiction of a claim for wages during the pendency of such a civil action.

The bill also provides that wages include amounts owed to a discharged employee or an employee who resigns or quits and whose former employer fails to pay the employee by the statutory deadlines.

This bill is effective on July 1, 2021.

SB 332 (Chapter 297)

[Senate Bill 332](#) replaces current statutory provisions governing structured settlements wherein a payee transfers the right to receive payments for damages from a tort claim to a structured settlement purchase company. These companies are required to register with the Consumer Affairs Division of the Department of Business and Industry and obtain a surety bond or other guarantee in the amount of \$50,000. The bill also sets forth prohibitions against certain behavior by these companies and their employees and provides a private right of action to payees in the event a person engages in prohibited activities. The bill sets out filings a company must make and findings a court must make before a transfer can occur. The bill also sets forth the rights of interested parties after a transfer has occurred, as well as protections for payees. The bill applies only to transfer agreements entered into on or after October 1, 2021.

This bill is effective on October 1, 2021.

Corrections, Parole, and Probation

AB 16 (Chapter 9)

[Assembly Bill 16](#) prohibits the State Registrar and any person or governmental organization from charging a fee for the issuance of a certified or official copy of a birth certificate or record of birth to a person who submits documentation from the Department of Corrections that the person is currently imprisoned.

This bill is effective on May 4, 2021.

AB 241 (Chapter 406)

Assembly Bill 241 allows an offender to earn additional credits to reduce his or her sentence of imprisonment. To be eligible for the additional credits, the offender must have been incarcerated in an institution or facility of the Department of Corrections during a period in which a state of emergency due to a communicable or infectious disease has been declared by the Governor and remains in effect. Such an offender is eligible for an additional credit of 5 days for each month served, up to 60 days of credits. The credits authorized are to be applied retroactively to the sentence of an offender who was incarcerated during the period described in the March 12, 2020, Declaration of Emergency for COVID-19.

The Director of the Department Corrections must submit to the Chief Justice of the Nevada Supreme Court, the State Public Defender, the Attorney General, the Executive Director of the Department of Sentencing Policy, and the Director of the Legislative Counsel Bureau a report containing a list of the offenders who have received credits.

This bill is effective on June 4, 2021.

AB 342 (Chapter 362)

Assembly Bill 342 revises the frequency of the review of the State Board of Parole Commissioners' standards by providing that the standards must be reviewed at least once every five years.

This bill is effective on July 1, 2021.

AB 358 (Chapter 366)

Assembly Bill 358 requires the suspension, rather than the termination, of Medicaid eligibility for people who are incarcerated. It also requires those who are incarcerated and who were not eligible for Medicaid before being incarcerated, or whose Medicaid eligibility was terminated, to be allowed to apply for Medicaid up to six months before their scheduled release date. The Director of the Department of Corrections must complete a Medicaid application for such offenders as soon as practicable after they are authorized to enroll if they may be eligible for Medicaid upon release. In addition, the bill requires Medicaid eligibility and coverage for eligible offenders to be reinstated or instituted as soon as possible upon release.

Finally, the bill appropriates from the State General Fund to the Department of Corrections \$380,177 for Fiscal Year (FY) 2021–2022 and \$477,169 for FY 2022–2023 for personnel and other costs related to assisting offenders with eligibility assessments and applications for Medicaid.

Provisions of this bill relating to appropriations are effective on July 1, 2021. All other provisions are effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

SB 22 (Chapter 319)

Senate Bill 22 revises the order of priority of deductions made from the individual account of an offender and from the wages of an offender, thereby complying with the prioritization of victim restitution as required by the *Nevada Constitution*.

The bill also reorders the priority of several other deductions depending upon an offender's hourly wage. In each instance where the priority of deductions is reordered, the Director of Nevada's Department of Corrections may deduct no more than 25 percent of any single deposit to an offender's individual account and no more than 50 percent of any single deposit from the wages earned by an offender. The Director must track deductions and provide a free, detailed monthly account statement to each offender.

Finally, the Director must establish and maintain a package program that authorizes certain offenders to order at least one clothing package and one food package per quarter.

This bill is effective on July 1, 2021.

SB 32 (Chapter 51)

[Senate Bill 32](#) eliminates the requirement that the Director of the Department of Corrections establish therapeutic communities for offenders with substance use disorders. Instead, the Director must establish treatment programs for offenders with substance use or co-occurring disorders. Additionally, the bill:

- Authorizes, rather than requires, the Director to segregate offenders who are assigned to treatment programs from those who are not so assigned;
- Authorizes offenders assigned to such programs to be taken outside a correctional institution or facility for treatment; and
- Revises the required period of participation in a program of treatment or aftercare from one year to a minimum of five months for treatment and a minimum of three months for aftercare, as appropriate.

This bill is effective on May 25, 2021.

SB 387 (Chapter 302)

[Senate Bill 387](#) requires the Public Utilities Commission of Nevada (PUCN) to adopt regulations establishing rate caps and limitations on ancillary service charges for intrastate calls made by inmates incarcerated in a public or private correctional facility in Nevada. The PUCN must also adopt regulations for reviewing and approving rates that exceed the established caps or charges that fail to comply with the prescribed limitations. The rate caps set by the PUCN must not exceed the rates set by the Federal Communications Commission (FCC) for interstate and international calls by inmates, and the other limitations set by the PUCN must be consistent with limitations set by the FCC for interstate and international calls by inmates.

A supplier of inmate calling services must request approval from the PUCN for its intrastate rates and ancillary service charges. The PUCN may approve a schedule or tariff that exceeds a rate cap or charges that fail to comply with its prescribed limitations, in accordance with its regulations governing approvals of exceptions. The rate caps and limitations on charges must be reviewed annually by the PUCN and revised as needed.

A supplier of inmate calling services must submit revised rates or charges within 30 days of a revised regulation if the supplier's rates exceed the new caps or the charges fail to comply with

the new limitations. Current suppliers have 30 days after the effective date of the regulations adopted by the PUCN pursuant to this bill to submit rates and charges that comply with the regulations.

A supplier of inmate calling services must publish its rates, terms, and conditions by posting such information on its publicly available website and by having a copy available for public inspection at its principal Nevada office. The supplier must also provide a written copy of the rates, pricing, terms, and conditions to an inmate with the first billing statement or invoice.

This bill is effective on June 2, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

Crimes and Penalties

See also “Crimes and Punishments” in the “[Subject Index](#).”

AB 59 (Chapter 105)

[Assembly Bill 59](#) prohibits a person from selling, distributing, or offering to sell cigarettes; products containing or made or derived from tobacco; vapor products; alternative nicotine products; or products containing or made or derived from nicotine to a person under 21 years of age, as opposed to the previous age of 18 years old. This bill eliminates the authorization for a person who sells certain tobacco products through an electronic network to require a customer to create an online account, thereby requiring such sellers to use an independent, third-party age verification system to establish the age of a customer for each sale. To the extent possible, the Attorney General must arrange for an inspection of each location that sells tobacco products to be conducted at least once every three years.

This bill also repeals a statutory provision creating criminal penalties for certain violations relating to the sale of certain tobacco products and instead provides that a violation may result in a civil penalty and the suspension or revocation of the person’s business license. Such a violation also constitutes a deceptive trade practice.

Finally, the bill revises certain definitions relating to the regulation and taxation of tobacco products and makes various other conforming changes.

Provisions of this bill that revise certain definitions relating to the regulation and taxation of tobacco products are effective on July 1, 2021. All other provisions are effective on May 27, 2021.

AB 61 (Chapter 256)

[Assembly Bill 61](#) makes various changes relating to deceptive trade practices. Among other things, the measure:

- Provides that certain offenses relating to robocalling are a deceptive trade practice and increases the penalties for such offenses from a misdemeanor to a category E felony and a civil penalty of not more than \$10,000 for each violation;

- Makes it a deceptive trade practice to sell, rent, or offer to sell or rent certain goods and services during a state of emergency or declared disaster that has been in effect for 75 days or less for a price that is grossly in excess of the usual prices for that good or service;
- Makes it an unfair trade practice to engage in any act or practice that takes advantage of a consumer to a grossly unfair degree;
- Revises the criminal penalties imposed for engaging in a deceptive trade practice and establishes a tier of penalties based on the value of the property or service; and
- Provides there is no limitation on the time in which a criminal prosecution involving a deceptive trade practice is required to be commenced by the Attorney General. However, a civil action against certain deceptive trade practices that occur during a state of emergency or declared disaster that has been in effect for 75 days or less must be commenced within the four-year statute of limitations.

The measure also authorizes the Consumer's Advocate of the Bureau of Consumer Protection in the Office of the Attorney General to have access to all records in the possession of any agency, board, or commission of this State that he or she determines are necessary to exercise his or her powers relating to consumer protection.

This bill is effective on October 1, 2021.

AB 64 (Chapter 38)

[Assembly Bill 64](#) grants the Attorney General concurrent jurisdiction to prosecute a person for committing the crime of facilitating sex trafficking, engaging in prostitution, or solicitation for prostitution. Additionally, the crime of soliciting a child for prostitution is revised. A person is guilty of such a crime if the person solicits a child, a peace officer who is posing as a child, or a person who is assisting an investigation on behalf of peace officer posing as a child.

This bill is effective on October 1, 2021.

AB 113 (Chapter 180)

[Assembly Bill 113](#) provides that sex trafficking must be found, or an information or complaint filed, within six years after the commission of the offense. The amendatory provisions of this bill apply to a person who:

- Committed sex trafficking before July 1, 2021, if the applicable statute of limitations has commenced but has not yet expired on July 1, 2021; or
- Commits sex trafficking on or after July 1, 2021.

This bill is effective on July 1, 2021.

AB 158 (Chapter 183)

[Assembly Bill 158](#) establishes and revises the penalties for certain misdemeanor offenses involving alcohol, marijuana, and cannabis. Instead of imposing imprisonment in the county jail, a fine, or both a fine and imprisonment for these offenses, the bill requires that an offender perform

community service; attend a meeting of a panel of persons who were injured or had family members or close friends injured or killed by a person driving under the influence of alcohol or a controlled substance; undergo an evaluation to determine whether the offender has an alcohol or other substance use disorder; or any combination thereof. If the offender completes the terms and conditions imposed by the court, the court is required to automatically seal records relating to such convictions.

The bill also expands the jurisdiction of juvenile courts to include offenses committed by children relating to the possession or consumption of alcohol or offenses relating to possessing one ounce or less of marijuana. The measure provides that first and second offenses will result in the juvenile offender being deemed a child in need of supervision rather than a delinquent child.

This bill is effective on October 1, 2021.

AB 182 (Chapter 262)

Assembly Bill 182 revises the elements of the crime of advancing prostitution by providing that a person who owns, leases, operates, controls, or manages any business or private property is guilty of the crime if the person:

- Knows that illegal prostitution is being conducted at the business or upon such private property due to having been notified, in writing, by a law enforcement agency of at least one incident of illegal prostitution that occurred at the business or upon such private property;
- Receives notice pursuant to the bill's provisions that the illegal prostitution may result in prosecution for pandering or sex trafficking or for facilitating sex trafficking; and
- Fails to take reasonable steps to abate such illegal prostitution within 30 days after receipt of such written notice.

Any action taken to abate illegal prostitution must comply with all applicable laws of this State, including those governing both domestic and commercial landlord-tenant relations. This measure further revises the elements of the crime of advancing prostitution by removing provisions concerning involuntary servitude and the promotion of ongoing education for employees about illegal prostitution.

This bill is effective on October 1, 2021.

AB 219 (Chapter 403)

Assembly Bill 219 revises provisions governing the sealing of criminal records. Upon receipt of a certified copy of the unconditional pardon of a person from the State Board of Pardons Commissioners, the court and the Central Repository for Nevada Records of Criminal History in the Records, Communications and Compliance Division of the Department of Public Safety are required to seal the person's criminal records.

If a person receives a pardon from the State Board of Pardons Commissioners, the person may submit a written petition, accompanied by proof of the pardon, to the court for the sealing of all records of criminal history. This measure also specifies the circumstances under which a court

must grant the sealing of the criminal records without a hearing. If the prosecuting agency files a written objection to the sealing of the records, a hearing on the petition must be conducted. At the hearing, unless an objecting party presents certain evidence, the court may seal the records. Lastly, this bill allows a person to appeal the denial of a petition to seal records and to appeal the denial of a petition to seal records relating to a crime that has been decriminalized.

This bill is effective on October 1, 2021.

AB 286 (Chapter 496)

[Assembly Bill 286](#) places restrictions on the manufacture, possession, purchase, transfer, transportation, or sale of firearms and unfinished frames or receivers that have not been imprinted with a serial number in accordance with federal law and provides penalties for violating those restrictions. Exceptions are provided for firearms manufactured prior to 1969, as well as for importers, manufacturers, and law enforcement agencies and for certain firearms that have been rendered inoperable or are antiques, collector's items, curios, or relics. Nothing in the bill is to be deemed to prohibit the sale of an unfinished frame, receiver, or firearm that is not imprinted with a serial number to a federally licensed importer, manufacturer, or dealer before January 1, 2022.

Provisions of this bill prohibiting a person from possessing, selling, offering to sell, transferring, purchasing, transporting, or receiving a firearm that is not imprinted with a serial number issued in accordance with federal law are effective on January 1, 2022. All other provisions are effective on June 7, 2021.

AB 345 (Chapter 189)

[Assembly Bill 345](#) provides that it is not unlawful to provide, administer, or use a testing product to assist a person in determining whether a controlled substance contains chemicals, toxic substances, or hazardous compounds. It exempts a person or entity who acts in good faith and with reasonable care in providing, administering, or using a testing product for that purpose from professional discipline and civil liability. The bill further excludes testing products used to analyze a controlled substance for the presence of adulterants from the definition of "drug paraphernalia," thereby authorizing the delivery, sale, possession, manufacture, advertising, or use of such products.

This bill is effective on May 28, 2021.

AB 360 (Chapter 178)

[Assembly Bill 360](#) prohibits a person from selling, distributing, or offering to sell cigarettes, cigarette paper, or other tobacco products to any person under 40 years of age without first conducting age verification through enhanced controls that utilize a scanning technology or other automated, software-based system to ensure the purchaser is 18 years of age or older. A person who violates these provisions is liable for a civil penalty of \$100 for each offense.

This bill is effective on January 1, 2023.

AB 440 (Chapter 520)

[Assembly Bill 440](#) requires peace officers to issue misdemeanor citations, traffic citations, vessel citations, and wildlife citations under certain circumstances for offenses punishable as misdemeanors that do not constitute repeat offenses, crimes of violence, or other prohibited

offenses. The bill revises the discretionary issuance of misdemeanor citations and traffic citations by requiring an officer to issue such citations in accordance with the standards set forth in the bill. Additionally, the bill decreases, from 100,000 to 30,000, the county population threshold that requires a candidate for the office of county sheriff to meet certain qualifications relating to employment, service, certification, and training by the date he or she files for candidacy.

This bill is effective on October 1, 2021. However, provisions relating to the mandatory issuance of misdemeanor citations, traffic citations, vessel citations, and wildlife citations do not apply to a peace officer employed by the Division of Parole and Probation of the Department of Public Safety (DPS) until the earlier of July 1, 2023, or the date that the Director of DPS notifies the Director of the Legislative Counsel Bureau that the Division has sufficient resources to carry out such provisions.

AJR 10 (File 24)

[Assembly Joint Resolution 10](#) proposes to amend both the Ordinance of the *Nevada Constitution* and the *Nevada Constitution* itself to remove language authorizing the use of slavery and involuntary servitude as a criminal punishment.

If approved in identical form during the 2023 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval.

SB 4 (Chapter 278)

[Senate Bill 4](#) clarifies that criminal or civil penalties, or both, may be imposed for violation of an ordinance that regulates the sale, use, storage, and possession of fireworks. The bill provides that a civil penalty imposed must not be less than \$250 nor more than \$10,000 depending on the amount of fireworks in possession and requires the consideration of certain factors in determining the amount and category of civil and criminal penalties. Finally, the bill provides that civil penalties may not be imposed on a person who has received a license or permit pursuant to the ordinance and that the ordinance does not apply to a child under 18 years of age unless the child has been emancipated.

This bill is effective on June 2, 2021.

SB 45 (Chapter 150)

[Senate Bill 45](#) changes the name of the Office of Ombudsman for Victims of Domestic Violence within the Office of the Attorney General to the Office of Ombudsman for Victims of Domestic Violence, Sexual Assault and Human Trafficking to reflect the expanded scope of the Office to include the crimes of sexual assault and human trafficking and makes conforming changes to the name, duties, and qualifications of the Ombudsman. In addition, the bill revises the composition and duties of the Committee on Domestic Violence.

The bill also revises the punishment imposed upon a person convicted of a first offense of domestic violence against a pregnant victim to require that the offender be imprisoned in county jail for not less than 20 days and may be further punished by a fine of between \$500 and \$1,000.

This bill is effective on October 1, 2021.

SB 94 (Chapter 280)

[Senate Bill 94](#) provides that an unlocked gate does not, in and of itself, constitute a nuisance if a board of county highway commissioners or a board of county commissioners, as appropriate, authorizes the erection and maintenance of the gate across certain public roads in the county.

It is also not a public nuisance for a person to fence or enclose public land if the fencing or enclosure is authorized or required by a federal agency having jurisdiction over the public land.

Lastly, this bill removes a provision of existing law making a place where vagrants resort a public nuisance.

This bill is effective on October 1, 2021.

SB 164 (Chapter 483)

[Senate Bill 164](#) makes technical and conforming changes to provisions relating to the prohibition against prostitution and solicitation for prostitution by separating into two different sections of *Nevada Revised Statutes* provisions applicable only to prostitutes and to customers of prostitutes, respectively.

This bill is effective on July 1, 2021.

SB 166 (Chapter 284)

[Senate Bill 166](#) removes a provision from law which requires that, in order for certain penalty enhancements to apply to felonies committed because of characteristics of the victim—including color, gender identity or expression, mental or physical disability, national origin, race, religion, or sexual orientation—the perpetrator must not share those characteristics with the victim.

Instead, this bill provides that the perpetrator may be punished by an additional penalty if the crime was committed based primarily on the characteristics of the victim, which makes the standard for these crimes the same as the standard that applies in misdemeanor cases. For an additional or enhanced penalty to be imposed, the prosecuting attorney must prove beyond a reasonable doubt that the person would not have committed the crime but for the existence of a protected characteristic.

This bill is effective on October 1, 2021.

SB 275 (Chapter 491)

[Senate Bill 275](#) makes various changes to provisions governing public health and communicable diseases and sets forth the legislative finding that the spread of communicable diseases is a public health matter that should not be addressed through criminalization. The bill revises multiple provisions relating to communicable diseases by State and local health authorities including, without limitation:

- Specifying procedures to be followed by a county or city board of health when isolating, quarantining, or treating certain persons;
- Authorizing the investigation of a case or suspected case of a communicable disease; and

- Requiring that any order to isolate, quarantine, or treat an infected person or group of persons must state the reasons for taking such actions.

The bill revises or repeals multiple criminal penalties relating to communicable diseases, modifies provisions concerning court-ordered testing for a communicable disease, and requires the alleged victim of a crime involving sexual penetration to be provided with certain information concerning sexually transmitted diseases.

Senate Bill 275 modifies terminology used to refer to the human immunodeficiency virus (HIV) and revises or repeals various provisions of existing law related to HIV and people with HIV. Finally, the bill reestablishes the Advisory Task Force on HIV Exposure Modernization for the 2021–2022 Legislative Interim and requires the Legislative Counsel, to the extent practicable, to ensure that people with HIV are referred to using language commonly viewed as respectful and to avoid duplicative references to HIV and acquired immunodeficiency syndrome throughout *Nevada Revised Statutes* and *Nevada Administrative Code*.

This bill is effective on June 6, 2021.

SB 344 (Chapter 298)

[Senate Bill 344](#) prohibits a person from allowing a dangerous wild animal to come in direct contact with a member of the public. The prohibition on direct contact does not apply to the owner of the animal, certain employees or other persons engaged by the owner of the animal, veterinarians, law enforcement officers, animal control officers, or Nevada’s Department of Wildlife.

The bill authorizes a law enforcement officer or an animal control agent to seize a dangerous wild animal if there is probable cause to believe the owner or possessor of the animal has allowed prohibited contact. A person who violates certain provisions of this bill is subject to a civil penalty of not more than \$20,000.

This bill is effective on July 1, 2021.

SB 359 (Chapter 300)

[Senate Bill 359](#) provides that if a fire or explosion occurs as the result of the unauthorized manufacturing or compounding of a controlled substance other than marijuana, the person who has engaged in such unlawful activity is also guilty of a category B felony and shall be punished by imprisonment in the State prison for a minimum term of not less than 3 years and a maximum term of not more than 20 years and may be further punished by a fine of not more than \$100,000.

This bill also reduces the penalty for the unauthorized extraction of concentrated cannabis from a category C felony to a category D felony and provides for the imposition of an additional penalty if the unauthorized manufacturing, growing, planting, cultivating, harvesting, drying, propagating, or processing of marijuana or the unauthorized extraction of concentrated cannabis causes a fire or explosion.

This bill is effective on October 1, 2021.

SB 400 (Chapter 217)

[Senate Bill 400](#) revises the penalties for certain unlawful acts relating to weights and measures, public weighing, petroleum products, and advertisements of motor vehicle fuel and petroleum products.

The State Sealer of Consumer Equitability must adopt regulations establishing a schedule of civil penalties for the commission of certain unlawful acts relating to petroleum products. Finally, the bill establishes procedures for an administrative hearing if requested by a person who is subject to such a civil penalty.

This bill is effective on May 29, 2021.

Family Law**AB 27 (Chapter 30)**

[Assembly Bill 27](#) revises the Uniform Interstate Family Support Act by authorizing a support enforcement agency of this State, in addition to a tribunal, to issue a child-support order and an income-withholding order that redirects payment of current support, arrears, and interest if requested to do so by a support-enforcement agency of another state.

This bill is effective on July 1, 2021.

AB 33 (Chapter 33)

[Assembly Bill 33](#) authorizes the paternity of a child to be legally established during a civil proceeding concerning the protection of a child. A judgment or order entered in an action to establish paternity issued during such a proceeding:

- Is not subject to the provisions relating to the confidentiality of judgments or orders in a proceeding concerning the protection of a child; and
- Is a final order.

This bill is effective on October 1, 2021.

AB 37 (Chapter 382)

[Assembly Bill 37](#) revises the definition of “income” for purposes related to enforcement of child support obligations to expressly include a lump sum payment and prohibits income payers from releasing a lump sum payment to an obligor before certain criteria are met. The bill requires the reporting and withholding of lump sum payments by income payers under certain circumstances. A court is authorized to impose penalties on an income payer who refuses to withhold money or intentionally fails to deliver money from a lump sum payment to an enforcing authority. An income payer who complies with a written notice concerning a lump sum payment is granted immunity and any liability is discharged. Restrictions are applied on the total amount of income that may be withheld to all obligors, and various changes are made to an income payer’s deduction of the fee that is required by the State Treasurer.

This bill is effective on October 1, 2021.

AB 115 (Chapter 512)

[Assembly Bill 115](#) authorizes one or more adults to petition a court for the adoption of a child. Each prospective adopting adult and legal parent seeking to retain his or her parental rights must be considered by the court as a joint petitioner. The court may waive the hearing on a petition under certain circumstances and determine that a child has a legal relationship with more than two persons. Any parent who has signed a relinquishment of his or her rights shall not exercise or have any rights over the adopted child or the child's property. Lastly, the petition must state that there are no known signs that the child is currently experiencing victimization from human trafficking, exploitation, or abuse.

This bill is effective on June 8, 2021.

AB 406 (Chapter 92)

[Assembly Bill 406](#) allows the withholding of money for the support of a child from the gambling winnings of an obligor.

This bill is effective on October 1, 2021.

SB 8 (Chapter 49)

[Senate Bill 8](#) establishes provisions for the transfer of jurisdiction of a guardianship of a juvenile from another state to Nevada and for the recognition of a guardianship order for a juvenile that was issued in another state. It also authorizes a guardian appointed in this State to petition to transfer the guardianship to another state and sets forth provisions regarding court orders that must be issued in such matters, including when a guardianship in another state is terminated and whether a guardianship needs to be modified to comply with Nevada law.

The bill revises the definition of "home state" for the purposes of determining the home state of a child less than six months of age, authorizes a court to appoint a guardian in this State for a minor whose home state is not Nevada but who is physically present in this State, and authorizes a court to appoint a guardian of the child, the estate, or both if the court has jurisdiction to make an initial child custody decision under the Uniform Child Custody Jurisdiction and Enforcement Act.

This bill is effective on July 1, 2021.

Juvenile Justice

AB 132 (Chapter 508)

[Assembly Bill 132](#) requires a peace officer or probation officer who takes a child into custody to make certain disclosures to the child in accessible language concerning his or her rights before initiating a custodial interrogation.

This bill is effective on July 1, 2021.

AB 158 (Chapter 183)

[Assembly Bill 158](#) establishes and revises the penalties for certain misdemeanor offenses involving alcohol, marijuana, and cannabis. Instead of imposing imprisonment in the county jail, a fine, or both a fine and imprisonment for these offenses, the bill requires that an offender perform community service; attend a meeting of a panel of persons who were injured or had family

members or close friends injured or killed by a person driving under the influence of alcohol or a controlled substance; undergo an evaluation to determine whether the offender has an alcohol or other substance use disorder; or any combination thereof. If the offender completes the terms and conditions imposed by the court, the court is required to automatically seal records relating to such convictions.

The bill also expands the jurisdiction of juvenile courts to include offenses committed by children relating to the possession or consumption of alcohol or offenses relating to possessing one ounce or less of marijuana. The measure provides that first and second offenses will result in the juvenile offender being deemed a child in need of supervision rather than a delinquent child.

This bill is effective on October 1, 2021.

AB 230 (Chapter 515)

[Assembly Bill 230](#) revises the jurisdiction of the juvenile court. This bill provides that sexual assault and attempted sexual assault involving the use or threatened use of force or violence and an offense or attempted offense involving the use or threatened use of a firearm are under the jurisdiction of the juvenile court rather than the criminal justice system. In addition, the mandatory certification of a child as an adult for these offenses is eliminated; instead, the measure provides for the discretionary certification of a child for criminal proceedings as an adult for all offenses over which the juvenile court has exclusive jurisdiction.

This bill is effective on October 1, 2021.

AB 251 (Chapter 516)

[Assembly Bill 251](#) establishes provisions relating to the expungement of certain records relating to children. A child 18 years of age or older may petition the juvenile court for an order expunging all records relating to certain offenses. If the juvenile court enters an order expunging the records, all proceedings recounted in the records are deemed never to have occurred and a probation officer, probation department, or law enforcement agency must destroy such records held in their custody.

The juvenile court must notify the district attorney and the chief probation officer or the Chief of the Youth Parole Bureau of the Division of Child and Family Services in the Department of Health and Human Services if a petition is filed. In addition, certain persons who have evidence that is relevant to the consideration of the petition may testify at the hearing. Lastly, this bill requires that certain records be automatically sealed within 60 days after the date a child reaches 18 years of age, rather than at 21 years of age.

This bill is effective on December 31, 2021.

SB 7 (Chapter 143)

[Senate Bill 7](#) provides that the district court has exclusive jurisdiction over any action relating to the issuance or dissolution of an order for protection against domestic violence, workplace harassment, high-risk behavior, sexual assault, or stalking, aggravated stalking, or harassment that is sought against a child who is under 18 years of age. However, the juvenile court has exclusive jurisdiction over any action in which it is alleged that a child has committed a delinquent act by violating such an order. If such an order is sought against a child, the district court must appoint counsel for the child who is the adverse party. The district court must automatically seal all records

related to the order upon the dissolution or expiration of the order or when the adverse party reaches the age of 18 years, whichever is earlier.

The bill also establishes procedures relating to orders declaring that the basis no longer exists for certain orders for protection to be transmitted to the Central Repository for Nevada Records of Criminal History if the adverse party is a child under 18 years of age.

This bill is effective on October 1, 2021.

SB 108 (Chapter 409)

[Senate Bill 108](#) requires instruction relating to implicit bias and cultural competency be provided to any person who is employed in the juvenile justice system and who has routine contact with juveniles in their work, including employees of regional facilities for treatment and rehabilitation. The training must include the impact of trauma and adverse childhood experiences on decision-making and behavior. The Division of Child and Family Services of the Department of Health and Human Services must develop regulations governing the implementation of such training, and responsibility for providing the training rests with an individual's employer. The Nevada Supreme Court is authorized to provide by rule training for any magistrate, judge, master, or employee in the juvenile court system who routinely interacts with system-involved juveniles.

Finally, the bill authorizes public or private institutions and agencies to which a juvenile court commits a child, child welfare agencies, and certain residential mental health treatment facilities to waive the requirement, for the first background investigation only, to terminate the employment of or prohibit the hiring of an employee who has been convicted of a specified crime other than one that was sexually related and the victim was under 18 years of age when the crime was committed.

Provisions of this bill authorizing certain institutions, agencies, and facilities to waive the requirement to terminate employment or prohibit the hiring of certain employees or applicants are effective on January 1, 2022. All other provisions are effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and nine months after the date on which the regulations adopted by the Division pursuant to this bill become effective for all other purposes.

SB 356 (Chapter 531)

[Senate Bill 356](#) requires Nevada's Department of Corrections (NDOC) and the Division of Child and Family Services (DCFS) of the Department of Health and Human Services, in consultation with the Juvenile Justice Oversight Commission and other stakeholders, to study the feasibility of:

- Housing youthful offenders regionally in DCFS facilities or in county facilities; and
- Developing a new model for housing youthful offenders in which those between 18 and 24 years of age who have been convicted as adults and who will be released from confinement before reaching 25 years of age would be housed separately from offenders who will not be released before reaching 25 years of age.

The bill enumerates the issues to be addressed in the study, including costs for facility upgrades or new construction, the complexities of utilizing memorandums of understanding between

appropriate entities regarding staffing and other issues, cost savings and other budgetary matters, needed statutory changes, and any other matters deemed pertinent by the agencies. This bill also requires NDOC and DCFS to prepare and submit a report of the findings of the study to the Legislative Committee on Child Welfare and Juvenile Justice no later than July 1, 2022.

Finally, the bill appropriates \$50,000 from the State General Fund to DCFS for the costs of conducting the study. Any remaining balance of the appropriation must be reverted to the State General Fund.

This bill is effective on June 8, 2021.

SB 357 (Chapter 212)

[Senate Bill 357](#) requires the Director of the Department of Corrections to establish a system to track expenses directly related to housing youthful offenders who are under 18 years of age. Expenses to be tracked include education, communication and interaction with family members and others, health care, mental health, recreational programming, and other costs the Director determines to be appropriate. The Director must report the expenses tracked by the system to the Legislative Committee on Child Welfare and Juvenile Justice by July 30 of each year.

This bill is effective on July 1, 2021.

SB 366 (Chapter 395)

[Senate Bill 366](#) authorizes a juvenile court to issue an order to join any governmental entity or other person as a party to enforce a legal obligation to a child who is the subject of the order if the court provides the entity notice and an opportunity to be heard before issuing the order. The court may order a facility of the Division of Child and Family Services (DCFS) of the Department of Health and Human Services to accept and provide services to a child who has been deemed incompetent.

Additionally, the administrator of a facility must assist the juvenile court in identifying an alternate facility if the administrator determines that the treatment available at the facility is not appropriate or necessary for the child's health and welfare.

If a child is determined to be incompetent and is unlikely to attain competence in the foreseeable future, the juvenile court is to hold a hearing on the matter, is then to issue all necessary and appropriate recommendations and orders, and is authorized to order a DCFS facility to accept and provide services to the child. The bill also provides that a child found to be incompetent may not be committed to the custody of a correctional facility and, in certain circumstances, may petition to have his or her records sealed.

The bill requires each department of juvenile services and the Youth Parole Bureau to submit to the DCFS data and information regarding proceedings to determine the competency of a child. Finally, the DCFS must review current services being provided relating to the competency of children, develop a plan for the structure of services for the competency of children, and submit the plan to the Legislative Committee on Child Welfare and Juvenile Justice.

This bill is effective on July 1, 2021.

SB 385 (Chapter 476)

[Senate Bill 385](#) requires the Division of Child and Family Services of the Department of Health and Human Services to conduct an interim study related to investments in juvenile justice prevention activities. The Division must consult with local probation departments, regional facilities for the treatment and rehabilitation of children, and any other entities the Division determines to have special knowledge of or interest in juvenile justice prevention. The study is to include a review of current investments in juvenile justice prevention activities, best practices and funding mechanisms from other jurisdictions, and recommendations for improving investments in juvenile justice prevention activities.

The report must be submitted to the Juvenile Justice Oversight Commission and the Legislative Committee on Child Welfare and Juvenile Justice on or before August 1, 2022.

This bill is effective on July 1, 2021.

SB 398 (Chapter 216)

[Senate Bill 398](#) requires the Juvenile Justice Oversight Commission to submit a report to the Legislative Committee on Child Welfare and Juvenile Justice by August 1, 2022, containing an update on the progress made by the Division of Child and Family Services of the Department of Health and Human Services in implementing its current five-year plan, as well as any recommendations for legislation relating to improvements to the upcoming five-year plan, any disparities in the juvenile justice system related to race or ethnicity, and compliance with the federal Juvenile Justice and Delinquency Prevention Act (34 U.S.C. §§ 11101 *et seq.*).

This bill is effective on July 1, 2021.

Traffic Laws

Note: See also the “[Traffic Safety](#)” section in the “[Transportation](#)” chapter.

AB 116 (Chapter 506)

[Assembly Bill 116](#) provides that certain violations of traffic laws are civil infractions unless a criminal penalty is prescribed for the violation by a specific statute, defines certain traffic and vehicle violations as misdemeanors, and establishes procedures for civil infractions for traffic and related violations to be adjudicated.

In addition, the bill appropriates from the State Highway Fund to the Office of Traffic Safety of the Department of Public Safety \$310,000 to make system upgrades and provide training to personnel to carry out the provisions of the bill.

Provisions of this bill appropriating funds to the Office of Traffic Safety are effective on July 1, 2021. All other provisions are effective on June 8, 2021, for the purposes of adopting rules or regulations and performing preparatory administrative tasks and on January 1, 2023, for all other purposes.

AB 400 (Chapter 277)

[Assembly Bill 400](#) prohibits a person who uses marijuana from driving or being in actual physical control of a vehicle or commercial motor vehicle on a highway or on premises to which the public

has access, or operating or being in actual physical control of a vessel under power or sail on the waters of this State, in the same manner as a person being under the influence of a controlled substance in certain circumstances. Under this measure, per se limits currently in statute regarding marijuana now apply only to felony offenses. In such cases, a person is under the influence of marijuana if the person's blood contains 2 or more nanograms of marijuana per milliliter.

The bill also revises the workers' compensation statutes by retaining the amounts of certain prohibited substances that are in existing law for the purpose of determining whether an employee is under the influence of a prohibited substance, but removing the specified amount of marijuana metabolite. Similarly, the measure provides that drivers of commercial motor vehicles cannot be under the influence of alcohol or have any amount of a federally defined schedule I controlled substance in their blood while operating a commercial vehicle, and the Department of Motor Vehicles may sanction both the driver of a commercial motor vehicle and the driver's employer in accordance with federal law.

A provision of this bill revising allowable blood alcohol content for the driver of a commercial vehicle is effective upon repeal of pertinent federal law. All other provisions are effective on July 1, 2021.

AB 403 (Chapter 91)

Assembly Bill 403 decriminalizes the commission of certain prohibited acts by a pedestrian who:

- Does not yield the right-of-way to vehicles when crossing a highway;
- Does not cross an intersection at a crosswalk; or
- Crosses an intersection diagonally.

Such a violation is no longer a misdemeanor, but instead is punishable by a civil penalty of up to \$100. In addition, the violation is no longer subject to any additional penalties if it is committed in a pedestrian safety zone.

This bill applies to persons who are alleged to have committed the violation but have not been convicted of it before July 1, 2021. Lastly, each court is required to cancel outstanding bench warrants issued for failure to appear in court for the violation, and the Central Repository for Nevada Records of Criminal History must remove all records of such bench warrants issued.

This bill is effective on July 1, 2021.

AB 427 (Chapter 390)

Assembly Bill 427 revises various provisions relating to driving under the influence of alcohol or a prohibited substance. Among other things, the bill:

- Revises provisions concerning the issuance of a restricted driver's license;
- Revises provisions concerning the revocation and suspension of a person's license, permit, or privilege upon the conviction of certain offenses;

- Requires the Director of the Department of Public Safety to establish the Ignition Interlock Program;
- Removes the requirement that a police officer seize the driver's license or permit of a person who fails to submit to a preliminary breath test to determine the concentration of alcohol in the driver's breath;
- Allows the court to place an offender under a system of active electronic monitoring as part of a program of treatment;
- Revises the Nevada 24/7 Sobriety and Drug Monitoring Program;
- Authorizes a person who commits a first violation of driving under the influence of alcohol or a prohibited substance within seven years to be sentenced to residential confinement in lieu of imprisonment;
- Authorizes a court to order a person to attend a program of treatment for an alcohol or other substance use disorder for certain offenses;
- Authorizes a court to conditionally dismiss the charges against a defendant who is in a program for the treatment of veterans and members of the military upon his or her fulfillment of the terms and conditions of the program;
- Authorizes a court to conditionally dismiss the charges or set aside the judgment of conviction against a defendant who was charged with certain violations upon the defendant's fulfillment of the terms and conditions of the program, and to seal the records not sooner than seven years after the charges are conditionally dismissed or the judgment of conviction is set aside; and
- Provides that the provisions of law that prohibit a person who was convicted of a violation of driving under the influence of alcohol or a prohibited substance that is punishable as a felony from being able to petition the court to seal the records relating to such a conviction must not be construed to preclude certain persons from petitioning the court for the sealing of records.

This bill is effective on June 4, 2021.

Victims of Crime

AB 143 (Chapter 181)

Assembly Bill 143 requires the Administrator of the Division of Child and Family Services of the Department of Health and Human Services to:

- Designate a human trafficking specialist within the program for compensation for victims of crime;
- Ensure that a directory of services for victims of human trafficking is publicly accessible on the Internet;

- Develop a statewide plan for the delivery of services to victims of human trafficking; and
- Form the State of Nevada Human Trafficking Coalition to assist the designated human trafficking specialist in carrying out his or her duties and in maximizing resources for local human trafficking task forces.

Finally, the bill requires the Administrator to periodically review the statewide plan and its implementation for compliance with the established requirements.

This bill is effective on October 1, 2021.

AB 404 (Chapter 501)

[Assembly Bill 404](#) establishes provisions relating to the proper venue for filing an application for an order for protection against domestic violence to include the county where the applicant resides, the county where the adverse party resides, a temporary location away from his or her county to avoid threat of domestic violence, and the county where the act of domestic violence occurred.

In addition, the measure revises provisions relating to the information included in an application for an order for protection against domestic violence. If the applicant reasonably believes that including his or her address and contact information on an application would jeopardize his or her safety, the applicant may decline to disclose that information.

This bill is effective on July 1, 2021.

AB 481 (Chapter 379)

[Assembly Bill 481](#) requires the Division of Child and Family Services of the Department of Health and Human Services, to the extent money is available, to designate a statewide center to provide assistance to victims. The bill defines “victim” to mean a person who suffers harm, either directly or indirectly, as a result of a violent crime.

If a center to provide assistance to victims is designated, it must be located in a county whose population is 700,000 or more (currently Clark County). To the extent money is available, the center must provide certain support services to victims, assist the Division with expanding victims’ services, and provide certain training and technical assistance for victim support services relating to critical incidents.

Finally, the bill establishes the Victim Support Gift Account within the State General Fund, in which gifts, grants, and donations for the benefit of the victim support center may be accepted.

This bill is effective on October 1, 2021.

SB 147 (Chapter 325)

[Senate Bill 147](#) authorizes a victim to request an order from a court prohibiting the accused from contacting or attempting to contact the victim or attempting to have another person contact the victim prior to releasing the accused on bail. A court must consider such a request and, if a court issues such an order, the order expires after 120 calendar days; however, the court may extend it under certain circumstances. A person who knowingly violates such an order is guilty of a

misdemeanor. The court must also notify a person subject to such an order about the consequences that may result if the order is violated.

If a court issues an order imposing, modifying, suspending, or canceling such an order prohibiting the contact or attempted contact of a specific person, the court must transmit a copy of the order to the Central Repository for Nevada Records of Criminal History in the Records, Communications and Compliance Division of the Department of Public Safety. The bill requires the Repository for Information Concerning Orders for Protection within the Central Repository to contain records relating to such orders.

Lastly, the bill appropriates from the State General Fund to the Central Repository for Nevada Records of Criminal History \$44,522 for the costs of computer programming to carry out the provisions of the bill.

Provisions of this bill relating to an appropriation are effective on June 3, 2021. All other provisions are effective on October 1, 2021.

SB 203 (Chapter 288)

[Senate Bill 203](#) sets a 20-year statute of limitations after the plaintiff reaches 18 years of age on commencing a civil action to recover damages for sexual abuse or sexual exploitation that occurred when the plaintiff was less than 18 years of age and for injuries suffered by a victim of pornography involving minors. A plaintiff may bring such an action against a perpetrator or whoever knowingly benefits financially or by receiving anything of value from participation in a venture which that person knew or should have known has engaged in an act in violation of the provisions of the bill. A person who is found liable to a plaintiff under these provisions is liable for treble damages as well as reasonable attorney's fees. The bill also provides that the mere rental of a hotel room in an establishment having more than 175 rooms does not constitute proof of a benefit to a defendant.

This bill is effective on June 2, 2021.

SB 274 (Chapter 412)

[Senate Bill 274](#) revises provisions relating to receiving centers, which are secured facilities that operate 24 hours per day, 7 days per week, to provide specialized inpatient and outpatient services to commercially sexually exploited children. A person or entity must apply for a license to operate a receiving center from the Division of Child and Family Services of the Department of Health and Human Services, and the Division is authorized to require the certification of other facilities or organizations to provide services to commercially sexually exploited children.

Among other things, the bill:

- Requires the plan that must be developed to establish the infrastructure to provide treatment, housing, and services to commercially sexually exploited children to include plans for providing specialized housing including receiving centers or other appropriate placements to meet the needs of these children;
- Removes a requirement that the plan ensure any secured placement for a commercially sexually exploited child is temporary, subject to judicial review, and utilized only when necessary; and

- Requires child welfare agencies, upon a report of the commercial sexual exploitation of a child, to conduct an assessment using the resources of a children's advocacy center, when such resources are available, to determine whether a child is a victim of commercial sexual exploitation, a victim of abuse or neglect, or in immediate danger of serious bodily harm, or suffers from unmet basic needs.

Finally, SB 274 postpones from July 1, 2022, to July 1, 2023, the effective date of existing provisions that prohibit the adjudication of a child who is alleged to have violated certain provisions of law relating to prostitution as delinquent or in need of supervision or the detention of such a child if there is reasonable cause to believe that the child is a commercially sexually exploited child.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and for the purpose of postponing the effective date of provisions that prohibit the adjudication of a child under certain circumstances. Provisions concerning plans for providing receiving centers or other appropriate placements to meet the housing needs of commercially sexually exploited children are effective on July 1, 2023. All other provisions are effective on January 1, 2022.

SB 364 (Chapter 229)

[Senate Bill 364](#) requires the State Board of Health to adopt regulations requiring a hospital or independent center for emergency medical care to provide certain training to employees who provide care to victims of sexual assault or attempted sexual assault. These facilities must inform victims of their right to receive emergency contraception and provide such contraception upon request. Failure to comply with the bill's requirements may result in disciplinary action for these facilities, including administrative sanctions or the denial, suspension, or revocation of a license.

This bill is effective on May 30, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

EDUCATION

SB 327 (Chapter 296)

[Senate Bill 327](#) provides that—for the purposes of certain prohibited discrimination related to education and public and private employment—the term “race” includes traits associated with race, including hair texture and protective hairstyles. Further, the bill requires the Nevada Equal Rights Commission to provide complainants with certain information in instances when the Commission does not conclude that an unfair employment practice has occurred.

In addition, the bill sets forth requirements for testing used by a city, county, or school district for a decision regarding the promotion of an employee and makes it a category E felony to tamper with the test score of an employee.

Provisions of this bill regarding testing requirements are effective on October 1, 2021. All other provisions are effective on June 2, 2021.

Accountability and Operations

AB 88 (Chapter 348)

[Assembly Bill 88](#) requires the board of trustees of each school district, the governing body of each charter school, and the governing body of each university school for profoundly gifted pupils to change and adopt policies prohibiting the use of any name, logo, mascot, song, or other identifier that is racially discriminatory or that contains racially discriminatory language or imagery. However, an identifier associated with a federally recognized Indian tribe may be used if the school obtains permission for such use from the tribe.

Assembly Bill 88 also requires the Nevada State Board on Geographic Names to recommend changing the name of any geographic feature or place in the State that is racially discriminatory, or that contains racially discriminatory language or imagery. The Board must submit a report to the Legislature on any such recommended changes.

Finally, AB 88 prohibits a county, city, or incorporated place in this State from sounding a siren, bell, or alarm at a time during which the siren, bell, or alarm was previously sounded in association with an ordinance that required persons of a particular race, ethnicity, ancestry, national origin, or color to leave by a certain time.

This bill is effective on October 1, 2021.

AB 194 (Chapter 196)

[Assembly Bill 194](#) requires the board of trustees of each school district and the governing body of each charter school or university school for profoundly gifted pupils to adopt a policy for appealing the suspension or expulsion of a pupil. The bill specifies certain limitations and other requirements that must be included in the policy and provides that appeal hearings are not subject to Nevada’s Open Meeting Law. The policy must be posted on the websites of the school districts and of individual schools. Nevada’s Department of Education is required to provide guidance on such appeal policies in as many languages as possible.

EDUCATION

The bill also provides that a pupil who is suspended or expelled, or who is being considered for suspension or expulsion, is entitled to be educated in the least restrictive environment possible.

Additionally, AB 194 requires the annual report of accountability submitted by each school district and charter school sponsor to include information on a plan for restorative justice, the process in which progressive discipline is used, and the manner in which school employees are trained on restorative justice and progressive discipline.

Finally, the bill requires each school's plan to improve student achievement to be developed in accordance with existing law relating to academic and nonacademic supports for pupils.

This bill is effective on July 1, 2021.

AB 257 (Chapter 307)

[Assembly Bill 257](#) requires the board of trustees of a school district and the governing body of a charter school to assess the status of, make improvements to, and report on the ventilation and air filtration systems of a school and ensure that the systems are performing adequately and efficiently. The bill also sets forth requirements for certain personnel to assess and perform updates to systems, rates, and monitors in schools for filtration, ventilation, heating and air conditioning, and monitoring carbon dioxide.

The board of trustees of a school district or governing body of a charter school must prepare a report on work performed and make it available to the Office of Energy in the Office of the Governor and the public upon request. Further, a local education agency must prepare an addendum to a plan for the safe return to in-person instruction describing how the entity will ensure a school is equipped with functional ventilation systems.

This bill is effective on July 1, 2021, and expires by limitation on June 30, 2023.

AB 371 (Chapter 507)

[Assembly Bill 371](#) extends provisions related to bullying and cyber-bullying to additionally prohibit and address discrimination based on race. Further, among other items, the bill requires the governing body of a school district or charter school to categorize an incident of discrimination based on race as a racially motivated or hate incident. The governing bodies must also develop restorative practices for both victims and perpetrators of discrimination based on race.

After reviewing certain reports regarding bullying, cyber-bullying, and discrimination based on race, the Office for a Safe and Respectful Learning Environment within Nevada's Department of Education must make any appropriate recommendations for intervention or training. The bill also requires an evaluation of a school employee to indicate any disciplinary actions taken against the employee if he or she knowingly and willfully violated certain statutory provisions concerning bullying, cyber-bullying, and discrimination based on race.

This bill is effective on July 1, 2021.

AB 417 (Chapter 93)

[Assembly Bill 417](#) revises provisions related to school bus inspections by reducing the frequency of inspections from semiannually to annually and requiring the reinspection of any vehicle that

receives a violation notice. The bill also increases the number of days to correct a bus defect from 10 days to 20 calendar days. Finally, AB 417 requires the Department of Public Safety to submit an annual report to each superintendent of a school district on the health and safety of the district's fleet.

This bill is effective on January 1, 2022.

SB 2 (Chapter 61)

[Senate Bill 2](#) requires the board of trustees of a school district or the governing body of a charter school to assess the reading proficiency of a pupil during each elementary school grade level, as necessary, and removes the requirements that these entities report certain information concerning pupils with disabilities to Nevada's Department of Education (NDE). The bill allows NDE to prescribe regulations for assessing the development of pupils enrolled in kindergarten. Finally, SB 2 revises the height and weight measurement requirements of certain pupils in certain grades.

The bill is effective on July 1, 2021.

SB 36 (Chapter 146)

[Senate Bill 36](#) provides that the emergency operations plan development committee of a school district's board of trustees, charter school's governing board, and private school must include a representative of the county or district board of health and requires that the parent or legal guardian representative not be an employee of a school or school district. Certain plans developed by the emergency operations plan development committees to respond to a crisis, emergency, or suicide must be used for responding to all hazards. Senate Bill 36 further requires that notice of a plan's review and update be posted on the website of each school district and school. Nevada's Open Meeting Law does not apply to meetings concerning emergency response plans.

The bill also requires Nevada's Department of Education to include a procedure for responding to an epidemic in its model plan for managing a crisis, emergency, or suicide. Finally, SB 36 requires the governing body of each charter school to designate a school safety specialist who must provide certain employees of public safety agencies with an opportunity to become familiar with a school's blueprint every three years.

This bill is effective on May 27, 2021.

SB 66 (Chapter 193)

[Senate Bill 66](#) requires the Office of Science, Innovation and Technology in the Office of the Governor to develop a statewide system of gathering data relating to residential Internet service and telecommunications technology accessibility. The bill also requires the Office to: collaborate with various entities to ensure pupils have access to the Internet and telecommunications technology; recommend minimum standards for devices owned by schools and school districts; conduct a gap analysis regarding the lack of pupil connectivity; develop a fiscal plan to address such gaps; and report annually on these responsibilities to the Governor, the State Board of Education, and the Legislature.

Furthermore, SB 66 requires school districts and the State Public Charter School Authority to report related information to the Office of Science, Innovation and Technology and authorizes the Office and Nevada's Department of Education to adopt any necessary regulations.

This bill is effective on October 1, 2021.

SB 83 (Chapter 5)

[Senate Bill 83](#) authorizes Nevada’s Department of Education to temporarily waive or pause certain requirements relating to making ratings for public schools and administering certain federally required examinations that measure the achievement and proficiency of students, if the United States Department of Education allows for such waivers or pauses. The bill also makes conforming changes to other related statutes.

This bill is effective on March 29, 2021.

SB 215 (Chapter 524)

[Senate Bill 215](#) requires the board of trustees of a school district, a charter school governing board, and a university school for profoundly gifted pupils governing body to develop and present plans for distance education and to share those plans with the school community, families, and school employees. Such entities must also develop and implement a plan to make the necessary technology available for certain pupils and school employees. Charter schools seeking to provide a distance education program are required to submit a request to their sponsors to amend their charter contracts.

Additionally, SB 215 defines distance education and distance education eligibility, and allows students who demonstrate proficiency in a distance education course to complete the course in a shorter time than normally allowed. The bill also removes certain limitations on instruction programs based on an alternative schedule. Finally, a teacher must provide distance education course information to enrolled students and their parents or legal guardians rather than entering into a written agreement with them.

This bill is effective on June 8, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

SB 353 (Chapter 475)

[Senate Bill 353](#) requires Nevada’s Department of Education (NDE) to review certain examinations and assessments administered to pupils for their educational benefit, cost, and redundancy in information, skills, or abilities measured. The bill also requires NDE to adopt regulations prescribing limits on the actual instructional time taken to conduct the assessments and the total number of assessments administered in a school year. If assessments exceed these limits, a school district’s board of trustees or a charter school’s governing body must request a waiver from the State Board of Education. Finally, SB 353 appropriates from the State General Fund to NDE \$65,364 in Fiscal Year (FY) 2021–2022 and \$187,500 in FY 2022–2023 for costs related to contract services and adopting regulations to carry out the provisions of the bill.

Provisions of this bill relating to appropriations are effective on July 1, 2021. All other provisions are effective on January 1, 2022.

SB 354 (Chapter 530)

[Senate Bill 354](#) requires Nevada’s Department of Education to develop a statewide framework for restorative justice. Restorative justice plans developed by school districts must align with the statewide framework and must include input from pupils. The policy developed by the Department

to provide a safe and respectful learning environment must include requirements and methods for restorative disciplinary practices aligned with the statewide framework.

The bill requires a plan of action based on restorative justice to be provided before the suspension or removal of a student may occur. Further, a school must offer certain services to a pupil who is temporarily removed from school, and must recognize students who are homeless, in foster care, or unaccompanied when considering disciplinary action. A pupil may not be expelled or suspended from school unless it has been determined that the behavior of the pupil was not caused by homelessness or being in foster care.

The Department must include data in the statewide system of accountability recognizing public schools that reduce the frequency of suspension, expulsion, or removal of students from school. Finally, SB 354 requires discipline data collected by public schools to be disaggregated by certain subgroups of pupils and types of offense and, to the extent possible under federal law, to be posted on the school's website.

This bill is effective on June 8, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

Charter Schools

Note: This section contains measures that relate to charter schools only. Additional bills in the Education chapter may apply to charter schools as well as other institutions.

AB 68 (Chapter 80)

[Assembly Bill 68](#) makes three primary changes to charter school provisions. First, it exempts a charter school that has been approved to be rated under the alternative performance framework from both mandatory contract termination and the requirement that the State Public Charter School Authority (SPCSA), board of trustees of a school district, or college or university within the Nevada System of Higher Education—as applicable—deny a request to amend a charter contract if the charter school does not meet certain requirements of the performance framework.

Second, AB 68 authorizes the sponsor of a charter school to eliminate certain elementary, middle, or high schools in or campuses of a charter school if the school does not meet certain performance criteria or under certain other circumstances.

Finally, the bill increases from 60 to 120 days the time period in which the SPCSA must consider new charter school applications.

The bill is effective on July 1, 2021.

AB 109 (Chapter 115)

[Assembly Bill 109](#) requires that at least 80 percent of all teachers who provide instruction at a charter school hold a license or endorsement to teach in Nevada. Additionally, any teacher providing instruction in a core academic subject, English as a second language, or special education must be licensed to teach in Nevada. Non-licensed instructors must meet certain requirements to be authorized to provide instruction. The bill also provides that a teacher employed

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at a charter school on or before July 1, 2021, who does not have a license to teach may continue teaching at the charter school without a license until July 1, 2026.

This bill is effective on July 1, 2021.

AB 419 (Chapter 374)

[Assembly Bill 419](#) requires the sponsor of a charter school to establish standards for and provide training on the governance of the charter school. The sponsor may allow an organization to provide the training. The bill also requires the governing body of a charter school to disclose and post on its website certain information regarding contracts made between the school and a charter management organization or educational management organization.

Additionally, AB 419 requires the sponsor of a charter school that received a one- or two-star performance rating in each of the last three consecutive years to submit a report to the Legislative Committee on Education on actions taken to reconstitute the governing body or terminate the charter contract.

The bill also requires a proposed sponsor of a new charter school—in reviewing an application to form a charter school—to consider the academic, financial, and organizational performance of charter schools that currently hold a contract with the proposed operator. The sponsor of an existing charter school must consider the same factors when reviewing a request to amend a charter contract.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preliminary administrative tasks and on July 1, 2021, for all other purposes.

AB 420 (Chapter 44)

[Assembly Bill 420](#) revises the definition of an educational management organization to mean a for-profit entity that contracts with and is accountable to the governing body of a charter school to provide centralized support or operations, including, without limitation, educational, administrative, management, compliance, or instructional services or staff to the charter school.

This bill is effective on July 1, 2021.

SB 363 (Chapter 214)

[Senate Bill 363](#) requires the governing body of each charter school that enters into a contract with an educational management organization to submit to the sponsor of the charter school a report including the amount paid to the management organization. Additionally, each sponsor of a charter school that has a contract with a management organization must report the same information to the Legislature. These reports must be submitted by November 1 of each even-numbered year.

This bill is effective on October 1, 2021.

Curriculum and Instruction

AB 19 (Chapter 192)

[Assembly Bill 19](#) changes the subjects included within the social studies core academic subject by removing government and instead including civics, financial literacy, and multicultural education.

The bill also exempts the adoption, amendment, or repeal of standards of content and performance for courses of study in public schools by the Council to Establish Academic Standards for Public Schools and the State Board of Education from the process generally required for adopting regulations. The bill requires that all regulations establishing standards of content and performance for courses of study in public schools be removed from *Nevada Administrative Code*.

This bill is effective on May 28, 2021.

AB 38 (Chapter 76)

[Assembly Bill 38](#) revises the membership and duties of an advisory technical skills committee appointed by the superintendent of a school district that has established a program of career and technical education and exempts such a committee from Nevada's Open Meeting Law. Additionally, rather than appointing an advisory committee, the bill allows the superintendent or his or her designee to consult with certain stakeholders to perform the advisory committee's duties. The bill also revises certain provisions governing work-based learning programs of school districts and charter schools, including application requirements, program content, reporting requirements, and student evaluations.

This bill is effective on July 1, 2021.

AB 215 (Chapter 198)

[Assembly Bill 215](#) requires Nevada's Department of Education to adopt regulations requiring school districts offering courses for an adult to earn a high school diploma to allow a person who has not received a high school diploma to enroll if he or she:

- Is at least 18 years of age or meets the requirements for participation in the statewide program of education for incarcerated persons; or
- Is at least 17 years of age and has attended at least four years of high school.

This bill is effective on July 1, 2021.

AB 231 (Chapter 242)

[Assembly Bill 231](#) requires the State Board of Education to create a subcommittee to review and make recommendations on providing instruction on the Holocaust and other genocides—including the Armenian, Cambodian, Darfur, Guatemalan, and Rwandan genocides—in social studies and language arts courses.

Furthermore, AB 231 requires the State Board to report its findings and recommendations to the Legislative Committee on Education in each even-numbered year. After considering the State Board's report, the Committee must submit its considerations and any recommendations to the Legislature.

This bill is effective on July 1, 2021.

AB 261 (Chapter 204)

[Assembly Bill 261](#) requires the board of trustees of a school district or the governing body of a charter school to ensure that instruction is provided to pupils enrolled in grades K–12 on the history

and contributions to science, the arts, and humanities of certain groups of persons. Such instruction must be: age-appropriate; included in the standards of content and performance established by the Council to Establish Academic Standards for Public Schools; and included in one or more courses of study for which the Council has established relevant standards of content and performance. Finally, the bill prohibits the State Board of Education from selecting instructional materials—including, without limitation, a textbook—for use in public schools unless the instructional materials accurately portray the history and contributions to science, the arts, and humanities of the specified groups of persons.

This bill is effective on May 29, 2021, for the purpose of performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

AB 319 (Chapter 541)

[Assembly Bill 319](#) requires the College of Southern Nevada (CSN) to establish a pilot program to offer enhanced opportunities for pupils who are part of underserved communities or are at-risk to enroll in dual credit courses where they may earn at least 15 college credits. The bill authorizes CSN to apply for and accept any gift, donation, bequest, grant, or other source of funding to carry out the pilot program. Finally, CSN and the board of trustees of a school district and governing body of a charter school that participates in the pilot program must submit a report containing certain information about the pilot program to the Governor, the State Board of Education, the Board of Regents of the University of Nevada, and the Legislative Committee on Education.

This bill is effective on June 9, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes. The pilot program expires by limitation on June 30, 2023.

AB 330 (Chapter 360)

[Assembly Bill 330](#) provides that a person who, in secondary or postsecondary education, completes a training program in career, occupational, technical, trade, or vocational education and receives a certificate for the completion of the program is eligible to receive equivalent credit toward related professional and occupational licenses and certifications. However, participation in, completion of, or receipt of a certificate for the completion of such a training program is not a substitute for participation in or completion of an apprenticeship program approved by the State Apprenticeship Council, unless the Council determines otherwise. The measure provides for the appeal of a denial of equivalent credit by a regulatory body. Each regulatory body must adopt regulations regarding the eligibility of equivalent credits toward relevant licenses and certifications.

This bill is effective on October 1, 2021.

SB 69 (Chapter 444)

[Senate Bill 69](#) makes various changes related to behavioral health. The bill removes provisions for the licensing and regulation of peer support recovery organizations and instead prescribes requirements for the certification and regulation of persons who provide peer support recovery services for compensation as a regular part of their job duties. It makes the Nevada Certification Board responsible for certifying peer recovery support specialists and peer recovery support specialist supervisors. If the Nevada Certification Board or its successor organization ceases to

certify such persons, the bill makes the Division of Public and Behavioral Health (DPBH) of the Department of Health and Human Services responsible for certifying and regulating these persons.

Additionally, SB 69 requires Nevada's Department of Education (NDE) to develop, maintain, and publish a list of evidence-based curricula and programs concerning substance misuse and substance use disorders. The board of trustees of each school district and the governing body of each charter school must submit a report describing any such curricula or program used or offered during School Year 2020–2021 to the Legislative Committee on Education. The bill also requires public schools to participate in the biennial Youth Risk Behavior Surveillance System (YRBS) developed by the Centers for Disease Control and Prevention, but authorizes pupils and their parents or guardians to abstain from participation.

Finally, SB 69 requires the State Board of Health to adopt regulations providing for the certification of substance use disorder prevention coalitions and prescribes the duties of such coalitions.

Provisions of this bill requiring NDE to develop a list of evidence-based curricula and programs as well as provisions related to the YRBS are effective on July 1, 2021. Provisions related to peer recovery support services and substance use disorder prevention coalitions are effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes. Provisions requiring certification of peer recovery support specialists through the DPBH are effective on the date on which the Nevada Certification Board, or its successor organization, ceases to certify such persons.

SB 160 (Chapter 237)

[Senate Bill 160](#) authorizes a university school for profoundly gifted students to enter into a cooperative agreement to offer dual credit courses. The bill clarifies that such agreements must be made with a regionally accredited higher education institution located in Nevada and that each charter school, school district, or university school for the profoundly gifted may enter into such an agreement with a regionally accredited higher education institution in another state if a Nevada institution does not offer such a course. If such an agreement is made with an out-of-state higher education institution, the institution must submit a copy of the agreement to Nevada's Department of Education.

This bill is effective on July 1, 2021.

SB 172 (Chapter 169)

[Senate Bill 172](#) removes the enrollment application process and prerequisite requirements for a student to participate in a dual credit course. The bill also removes provisions relating to cooperative agreements to offer dual credit courses and instead requires each school district and charter school to establish a dual credit program, or partner with another district or charter school with an established dual credit program, whereby a student may enroll in such a course at a higher education institution.

The bill includes dual credit and international baccalaureate courses in the list of courses for which the State Board of Education must provide a uniform grading scale and requires the Board to assign

the same weight to such courses as is assigned to advanced placement courses, in certain circumstances.

Furthermore, SB 172 requires the board of trustees of a school district and the governing body of a charter school to report certain information relating to dual credit programs to the Legislature in odd-numbered years. The contents of the report must be prescribed in collaboration with various educational stakeholders. Finally, SB 172 requires the Legislative Committee on Education to study dual credit programs during the 2021–2022 Interim.

Provisions of this bill concerning a uniform grading scale for certain courses are effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2022, for all other purposes. Provisions regarding the removal of cooperating agreements, the establishment of dual credit programs, and the reporting of certain information relating to such programs are effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes. All other provisions are effective on May 27, 2021.

SB 173 (Chapter 494)

[Senate Bill 173](#) authorizes the board of trustees of each school district and the State Public Charter School Authority (SPCSA) to submit to the Superintendent of Public Instruction a plan to address learning loss caused by the COVID-19 pandemic. Any such plan must include the option for pupils to attend summer school—either in-person or online—and a description of the way schools and school districts, including charter schools, will target pupils most at risk of learning loss. A school district or charter school offering summer school must include transportation and meal services. Additionally, any personnel hired for summer school programs must receive supplemental pay equal to their contract rate.

The school districts and the SPCSA must submit to the Superintendent by November 30, 2021, a report regarding certain information relating to any plans developed to address learning loss caused by the COVID-19 pandemic. The Superintendent must submit a compilation of the reports to the Governor and the Legislature by December 31, 2021.

This bill is effective on June 7, 2021, and expires by limitation on January 1, 2022.

SB 194 (Chapter 327)

[Senate Bill 194](#) establishes the State Seal of Civics Program and outlines the requirements needed for a high school graduate with a high level of proficiency in civics to earn the State Seal. The Superintendent of Public Instruction must adopt regulations to allow the Superintendent to provide a school, student, or school employee with a civics education excellence designation.

The bill requires the results from the civics exam currently administered to high school students to be reported to Nevada’s Department of Education. Furthermore, SB 194 adds civics to the list of subjects included within social studies and requires the corresponding establishment of standards of content and performance.

Finally, SB 194 adds certain communities to the list of communities whose culture, history, and contributions must be examined within the standards of content and performance for ethnic and diversity studies.

The bill is effective on June 3, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

Finances

Note: See the “[Appropriations and Expenditure Authorizations](#)” chapter for information on the main K–12 funding bill ([Senate Bill 458](#)) and other education-related appropriations and expenditure authorizations.

AB 495 (Chapter 249)

[Assembly Bill 495](#) provides for the imposition, administration, and payment of an excise tax on the gross proceeds of profitable gold or silver mining companies that report Nevada gross revenue greater than \$20 million annually. The revenue from this new mining excise tax is to be deposited in the State General Fund for the 2021–2023 Biennium, and then is to be deposited in the State Education Fund beginning on July 1, 2023. The bill also provides that beginning on July 1, 2023, the portion of the tax on net proceeds of minerals that is currently deposited in the State General Fund will instead be deposited in the State Education Fund.

Among other provisions, the bill:

- Requires the disbursement of \$200 million from the State’s allocation of federal Coronavirus State and Local Fiscal Recovery Funds to Nevada’s Department of Education for grants to qualifying school districts and university schools for profoundly gifted pupils to be used to augment certain programs implemented to address the impacts of learning loss experienced as a result of the COVID-19 pandemic;
- Requires the disbursement of \$15 million from the State’s allocation of federal Coronavirus State and Local Fiscal Recovery Funds to the State Public Charter School Authority for grants to charter schools to be used to augment certain programs implemented to address the impacts of learning loss experienced as a result of the COVID-19 pandemic;
- Authorizes Medicaid recipients to directly receive reimbursements for personal care services and use that money to pay for services provided by a personal care assistant or agency in the home;
- Appropriates \$50,895 in Fiscal Year (FY) 2021–2022 and \$104,354 in FY 2022–2023 from the State General Fund to the Division of Health Care Financing and Policy of the Department of Health and Human Services to pay the State’s share of the costs of personal care services for recipients of Medicaid;
- Allows a scholarship organization that provides grants to low-income students to attend schools of their parent’s or guardian’s choosing, including private schools, to use a donation for which the donor received a payroll tax credit to provide a grant to a student who did not receive a grant from such a donation the preceding school year or will likely not receive a grant from such a donation in the same amount each school year until graduating high school;

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- Provides for an additional \$4.745 million in tax credits for the Nevada Educational Choice Scholarship Program;
- Appropriates \$600,000 in each fiscal year of the 2021–2023 Biennium from the State General Fund to the Nevada System of Higher Education for support of the Silver State Opportunity Grant Program;
- Directs the Commission on School Funding to investigate sources of revenue to fund public education and requires the Commission to submit a report to the Governor and the Director of the Legislative Counsel Bureau for transmission to the 2023 Legislature; and
- Directs the Legislative Committee on Education to conduct a study during the 2021–2022 Interim concerning the composition of school boards of trustees in this State.

Provisions of this bill requiring the transfer of the portion of mineral excise tax proceeds in the State General Fund to the State Education Fund are effective on July 1, 2023. All other provisions are effective on July 1, 2021.

SB 439 (Chapter 238)

Senate Bill 439 revises the sources of revenue for the State Education Fund and revises the method for distributing money to support the operation of public schools in this State. Specifically, the bill:

- Excludes the interest and income earned on the direct legislative appropriation to the State Education Fund from being credited to the Fund;
- Eliminates the requirement to fund the operations of the State Board of Education, the Superintendent of Public Instruction, and Nevada’s Department of Education (NDE) from the State Education Fund;
- Revises the requirement to transfer funding to the Education Stabilization Account based on the total budgeted expenditures for a county school district fund rather than the total actual expenditures;
- Reduces from 16.6 percent to 12 percent the portion of a budgeted ending fund balance of a county school district fund which is not subject to collective bargaining;
- Eliminates the requirement to provide funding for the additional educational needs of pupils with disabilities through additional weighted funding for each such pupil from the State Education Fund, and instead requires the establishment of a statewide multiplier for the support of pupils with disabilities;
- Repeals the per-pupil funding adjustment for profoundly gifted pupils for each necessarily small school in a school district, and instead creates an adjustment for the increased cost per pupil to a school district to operate public schools in which relatively fewer pupils are enrolled;

- Requires interest and income earned on the money in the Education Gift Fund to be credited to the Fund, and requires the balance in the Fund at the end of a fiscal year to be carried forward to the next fiscal year;
- Transfers the apportionment of certain money designated for the National School Lunch Program to the Director of the State Department of Agriculture;
- Eliminates certain reporting requirements for NDE relating to educational expenditures;
- Revises provisions related to the timing and reporting of a recommended minimum expenditure on textbooks, instructional supplies, instructional software, and instructional hardware for public schools;
- Requires the transfer of any remaining balance in the State Education Fund to the Education Stabilization Account at the end of each biennium, rather than at the end of each fiscal year;
- Authorizes NDE to submit a request to the Interim Finance Committee for a transfer from the Education Stabilization Account to the State Education Fund if the Committee determines actual enrollment growth for a fiscal year exceeds the projected enrollment growth and a transfer is necessary to fund the excess enrollment;
- Revises provisions related to biennial budget preparation for the State Education Fund; and
- Eliminates certain accounts relating to education.

Provisions of this bill relating to the statewide multiplier for the support of pupils with disabilities are effective on May 31, 2021. All other provisions are effective on July 1, 2021.

SB 450 (Chapter 493)

[Senate Bill 450](#) revises provisions relating to the financing of school facilities by authorizing the board of trustees of a school district to issue general obligation bonds for an additional period of ten years, without any further approval of the voters.

This bill is effective on June 7, 2021.

Personnel

AB 57 (Chapter 255)

[Assembly Bill 57](#) requires that, in School Year (SY) 2021–2022, pupil growth account for 0 percent of the evaluation of a teacher or administrator who provides direct instructional services to pupils. The bill also suspends until SY 2022–2023 the current requirement to establish pupil learning goals, with the exception that a teacher who is subject to an agreement between a school district and an employee organization which was entered into before the effective date of this bill and which provides an incentive to teachers based on pupil learning goals, may continue to develop learning goals to satisfy the requirements of that agreement. In such a case, the learning goal will account for 0 percent of the teacher’s evaluation.

Finally, AB 57 provides that the suspension of the pupil growth indicator on an evaluation and the pupil learning goals apply to SY 2020–2021 only to the extent that the overall rating of the teacher or administrator does not result in a decrease.

This bill is effective on June 2, 2021. Amendatory provisions regarding learning goals and teacher and administrator evaluations expire by limitation on June 30, 2023.

AB 205 (Chapter 99)

[Assembly Bill 205](#) authorizes a school nurse, or other designated employee of a school who is properly trained, to administer an opioid antagonist to any person on the premises of the school who is reasonably believed to be experiencing an opioid-related drug overdose. Additionally, AB 205 requires:

- A school that obtains an order for an opioid antagonist to establish certain policies and provide certain training relating to the storage, handling, transportation, and administration of opioid antagonists to designated employees of the school;
- Each school district and charter school to report to the Division of Public and Behavioral Health of the Department of Health and Human Services certain information relating to the administration of opioid antagonists at public schools in this State; and
- The board of trustees of each school district and the governing body of each charter or private school that obtains an order for an opioid antagonist to establish certain policies to ensure that emergency assistance is sought each time a person experiences a drug overdose at a school, and to provide for notification of the parent or guardian of a pupil to whom an opioid antagonist is administered.

This bill provides that a health care professional is not subject to disciplinary action for issuing an order for opioid antagonists to a school. Further, the bill exempts a school, school district, employee of a school, registered pharmacist, health care professional, and various other persons from liability for certain damages relating to the provision or administration of an auto-injectable epinephrine or an opioid antagonist under certain circumstances.

This bill is effective on May 26, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 225 (Chapter 405)

[Assembly Bill 225](#) requires the Commission on Professional Standards in Education to consider alternative means of demonstrating competency for persons with a disability or health-related need when adopting regulations governing licensure examinations for teachers and other educational personnel.

This bill is effective on July 1, 2021.

AB 266 (Chapter 355)

[Assembly Bill 266](#) prohibits administrators, other licensed educational personnel who may be present in a classroom but do not teach every pupil in the classroom, teachers not actively teaching during a class period, and teachers who do not teach a subject area for which the ratio of

pupils per licensed teacher is being determined, from being counted in determining a pupil-to-teacher ratio.

The bill also requires the board of trustees of a school district, to the extent money is available, to determine the number of job vacancies in the school district based on the number of licensed teachers that would be needed to achieve the recommended pupil-to-teacher ratio and requires that related information be posted on the board's website. The board must also submit to the Legislative Committee on Education a report containing certain information about teachers participating in an alternative route to licensure.

Finally, the bill requires a person evaluating a teacher responsible for a class that exceeds the recommended pupil-to-teacher ratio to award the teacher additional weight on certain evaluation criteria.

Provisions of this bill concerning additional weight awarded to a teacher responsible for a class exceeding the recommended pupil-to-teacher ratio are effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes. All other provisions are effective on July 1, 2021.

SB 151 (Chapter 167)

[Senate Bill 151](#) requires the boards of trustees in Nevada's two largest school districts to develop plans to improve the ratio between pupils and specialized instructional support personnel, including recruitment and retention strategies for such personnel and annual targets to meet the recommended ratios. The bill requires each of the two districts to submit an annual report to Nevada's Department of Education concerning its plan and the plan's effectiveness. The Department must then submit a compiled report to the Governor, the Legislature, and the State Board of Education.

Additionally, SB 151 requires school counselors and psychologists and school social workers to complete continuing education requirements as established by the Commission on Professional Standards in Education and the Board of Examiners for Social Workers, respectively.

Provisions of this bill concerning the plan to improve the ratio of pupils to specialized instructional support personnel are effective on July 1, 2021. All other provisions are effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

SB 352 (Chapter 529)

[Senate Bill 352](#) requires the Commission on Professional Standards in Education to adopt regulations that:

- Authorize a currently employed paraprofessional who is enrolled in a program to become a teacher to complete an accelerated student teaching program in the same or similar area in which the person is currently employed;
- Require Nevada's Department of Education to accept student teaching experience completed outside of Nevada if the experience substantially fulfills Nevada's requirements; and

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- Authorize a person who is currently employed by a public school to provide support or other services relating to school psychology, without a license or endorsement, to complete a program of internship while remaining employed.

This bill is effective on July 1, 2021.

Postsecondary Education

AB 136 (Chapter 119)

Assembly Bill 136 revises provisions of the Revised Uniform Athlete Agents Act (2015) to prohibit an agent from providing anything of value that might affect an athlete's eligibility to participate in his or her chosen sport, unless:

- The agent notifies the student's educational institution within 72 hours of doing so; and
- The student athlete or a minor student's parent acknowledges on record that this action could result in the athlete's loss of eligibility.

Additionally, this bill prohibits an agent from encouraging other individuals to act on the agent's behalf to engage in such prohibited actions.

This bill is effective on July 1, 2021.

AB 156 (Chapter 353)

Assembly Bill 156 authorizes active members of the Nevada National Guard who attend a school within the Nevada System of Higher Education (NSHE) and who reenlist to assign their registration and lab fee waiver to either a spouse or a child in lieu of using the waiver themselves during the reenlistment period. This assignment is allowed regardless of whether the member used a waiver to attend school prior to reenlistment. The waiver may only be used by one eligible person during the reenlistment period for credits toward coursework for an associate degree, baccalaureate degree, or certificate, but the waiver can be reassigned if the spouse or child to whom the waiver was assigned does not use the waiver to attend a school within NSHE. Finally, AB 156 requires the Adjutant General to maintain records of waivers granted, assigned, and reassigned and certify for the Board of Regents of the University of Nevada that the waivers have been properly assigned or reassigned.

This bill is effective on July 1, 2021.

AB 165 (Chapter 397)

Assembly Bill 165 removes the five-year limitation on assessing tuition charges against honorably discharged veterans, thereby prohibiting the Board of Regents of the University of Nevada from assessing a tuition charge against any veteran who was honorably discharged, including any veteran who was honorably discharged more than five years before matriculation at a university, State college, or community college within the Nevada System of Higher Education.

This bill is effective on July 1, 2021.

AB 169 (Chapter 123)

[Assembly Bill 169](#) requires licensed private postsecondary institutions to limit where recruiting activities take place and provide applicants with certain information prior to signing an enrollment agreement. Such institutions must also provide each student with a copy of the enrollment agreement and certain other information, including a disclosure page, a cancellation policy, and a complaint policy.

This bill is effective on October 1, 2021.

AB 235 (Chapter 241)

[Assembly Bill 235](#) requires the board of trustees of a school district and the governing body of a charter school or private school that operates a high school to provide, among other items:

- Education to pupils on the importance of financial planning and completing the Free Application for Federal Student Aid (FAFSA);
- Information on the Nevada College Kick Start Program;
- Information on events to complete or receive assistance in completing the FAFSA;
- At least two annual events at specified times for pupils and parents to complete the FAFSA, with certain exceptions; and
- Coordination with a community college, State college, or university to ensure pupils and their families receive support to complete the FAFSA.

The bill also requires these governing bodies to report to the State Treasurer on attendance at such events and certain information concerning FAFSA assistance.

This bill is effective on July 1, 2021.

AB 247 (Chapter 407)

[Assembly Bill 247](#) revises various provisions relating to the Western Regional Education Compact. Among other things, the bill:

- Changes the name of the Office of the Western Regional Education Compact within the Office of the Governor to the Nevada Office of the Western Interstate Commission for Higher Education (WICHE);
- Revises provisions to require that any financial support provided to a WICHE participant be provided in the form of a stipend that the participant is not required to repay unless he or she does not meet certain requirements after graduation;
- Deletes certain provisions concerning interest rates, payback provisions, and penalties, and requires that the three Nevada State Commissioners, acting jointly, adopt regulations governing these matters; and
- Makes various other administrative and conforming changes.

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This bill is effective on July 1, 2021.

AB 254 (Chapter 202)

[Assembly Bill 254](#) prohibits public or private postsecondary institutions or the National Collegiate Athletic Association (NCAA) from:

- Preventing a student athlete from being compensated for the use of the student's name, image, or likeness or from obtaining professional services, with certain exceptions;
- Compensating the student athlete for those components when related to the official activities of the institution or the NCAA;
- Altering a student's scholarship award due to such compensation; and
- Disallowing the student's participation in intercollegiate sports—or an institution's participation in the NCAA—for such compensation or use of services.

Additionally, the bill authorizes a student athlete to enter into a contract with an outside entity for compensation, so long as the contract does not conflict with the contract between the student athlete and the institution in which the athlete is enrolled and the student athlete meets certain specified responsibilities.

Finally, the bill requires the Legislative Committee on Education to appoint a committee to conduct an interim study concerning collegiate bylaws and State and federal laws related to compensating student athletes for the use of their name, image, or likeness.

This bill is effective on May 29, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 262 (Chapter 349)

[Assembly Bill 262](#) requires the Board of Regents of the University of Nevada to grant a waiver of registration fees, laboratory fees, and other mandatory fees for a student who:

- Is a member of a federally recognized Indian tribe or nation, all or part of which is located in this State, or is certified as being a descendent of an enrolled member of such a tribe or nation, regardless of membership status;
- Is eligible for enrollment in a school within the Nevada System of Higher Education;
- Has been a resident of Nevada for at least one year;
- Has maintained a 2.0 or equivalent grade point average each semester; and
- Has completed the Free Application for Federal Student Aid.

The Board of Regents must submit an annual report to the Legislature concerning the number of eligible students and the funding available for such a waiver.

This bill is effective on July 1, 2021.

AB 319 (Chapter 541)

[Assembly Bill 319](#) requires the College of Southern Nevada (CSN) to establish a pilot program to offer enhanced opportunities for pupils who are part of underserved communities or are at-risk to enroll in dual credit courses where they may earn at least 15 college credits. The bill authorizes CSN to apply for and accept any gift, donation, bequest, grant, or other source of funding to carry out the pilot program. Finally, CSN and the board of trustees of a school district and governing body of a charter school that participates in the pilot program must submit a report containing certain information about the pilot program to the Governor, the State Board of Education, the Board of Regents of the University of Nevada, and the Legislative Committee on Education.

This bill is effective on June 9, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes. The pilot program expires by limitation on June 30, 2023.

AB 330 (Chapter 360)

[Assembly Bill 330](#) provides that a person who, in secondary or postsecondary education, completes a training program in career, occupational, technical, trade, or vocational education and receives a certificate for the completion of the program is eligible to receive equivalent credit toward related professional and occupational licenses and certifications. However, participation in, completion of, or receipt of a certificate for the completion of such a training program is not a substitute for participation in or completion of an apprenticeship program approved by the State Apprenticeship Council, unless the Council determines otherwise. The measure provides for the appeal of a denial of equivalent credit by a regulatory body. Each regulatory body must adopt regulations regarding the eligibility of equivalent credits toward relevant licenses and certifications.

This bill is effective on October 1, 2021.

AB 362 (Chapter 132)

[Assembly Bill 362](#) requires the Board of Trustees of the College Savings Plans of Nevada to adopt and, as necessary, revise a policy for the use of any money in the Nevada Higher Education Prepaid Tuition Trust Fund that is in excess of the amount of money determined by the Board to be required to establish a guaranteed rate for tuition under a prepaid tuition contract. The bill also authorizes the use of money in the Trust Fund for the payment of qualified higher education expenses for qualified beneficiaries.

This bill is effective on July 1, 2021.

AB 416 (Chapter 467)

[Assembly Bill 416](#) requires the Legislative Auditor, during the 2021–2023 Biennium, to conduct a performance audit of the Nevada System of Higher Education for Fiscal Years (FY) 2018–2019 to 2021–2022 and any additional fiscal years the Legislative Auditor deems necessary.

The bill appropriates \$80,250 in FY 2021–2022 and \$128,750 in FY 2022–2023 from the State General Fund to the Legislative Fund for overtime and travel costs related to conducting the audit.

This bill is effective on July 1, 2021.

AB 450 (Chapter 246)

[Assembly Bill 450](#) directs the Governor to appoint a committee to conduct an interim study concerning opportunities to align the need for workforce training and the programs offered by community colleges in Nevada to meet the needs of the evolving economy of the State. The bill establishes the membership of the committee and the subjects that the committee must study. The committee must report its findings to the Governor, the Chair of the Board of Regents of the University of Nevada, and the Legislature on or before August 1, 2022.

This bill is effective on May 31, 2021.

SB 128 (Chapter 324)

[Senate Bill 128](#) requires the State Treasurer to contract with one or more qualified independent consultants to conduct a study concerning the effectiveness of publicly funded scholarship and grant programs in Nevada. The study must include a comprehensive review of student outcomes for scholarship and grant recipients, as well as a review of the way such programs are administered. Additionally, the study must evaluate the financial viability of these programs and the projected future costs of their administration.

A report of the study findings must be submitted to the Legislative Committee on Education, which shall review the report and consult with persons and entities charged with administering publicly funded scholarship and grant programs. The report recommendations must be considered by the Committee when requesting the drafting of legislative measures.

Finally, SB 128 provides that the costs of carrying out the study must be paid from the Endowment Account created by the State Treasurer.

The bill is effective on July 1, 2021.

SB 193 (Chapter 211)

[Senate Bill 193](#) requires the Board of Regents of the University of Nevada to submit a report concerning student veterans to the Legislature. The bill also requires the Board to give preference in admission to certain veterans in each nursing program and program for the education of teachers.

Furthermore, SB 193 removes the time limitation for matriculating within the Nevada System of Higher Education for certain veterans; prohibits the assessment of tuition charges against veterans, spouses, and dependents using Post-9/11 Educational Assistance; and prohibits the assessment of tuition charges against students using Survivors' and Dependents' Educational Assistance.

Provisions of this bill concerning tuition charges are effective on July 1, 2021. All other provisions are effective on October 1, 2021.

SB 249 (Chapter 495)

[Senate Bill 249](#) adds behavioral health to the list of conditions that excuse a child from attending school and allows a qualified mental or behavioral health professional to certify that a child is not able to attend school or that the child's attendance is inadvisable. The bill also prohibits an excused absence due to a child's physical or mental condition or behavioral health from having a negative effect on a school's accountability rating.

Senate Bill 249 also requires the board of trustees of a school district or the governing body of a charter school to ensure that information relating to mental health resources—including, without limitation, the telephone number for a local or national suicide prevention hotline—appears on the back of any student identification card issued to a pupil. Similarly, student identification cards issued by a community college, State college, or university within the Nevada System of Higher Education must contain information relating to mental health resources, including contact information for the National Suicide Prevention Lifeline.

This bill is effective on July 1, 2021.

SB 287 (Chapter 413)

[Senate Bill 287](#) designates the Desert Research Institute; University of Nevada, Las Vegas; and University of Nevada, Reno, as the State land grant institutions. The bill requires the Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education to conduct the business of and administer all funds of the Agricultural Extension Department. Additionally, the bill requires the Director of the Agricultural Experiment Station to conduct the business of and administer all funds of the Agricultural Experiment Station.

This bill is effective on July 1, 2021.

SB 342 (Chapter 26)

[Senate Bill 342](#) authorizes the Board of Regents of the University of Nevada to enter into an agreement to affiliate with a publicly or privately owned medical facility or related entity to further promote and enhance a medical education or health education program at a university. The bill further provides that such agreements are subject to policies established by the Board.

This bill is effective on July 1, 2021.

SB 347 (Chapter 542)

[Senate Bill 347](#) creates the Task Force on Sexual Misconduct at Institutions of Higher Education and authorizes the Board of Regents of the University of Nevada to require an institution to:

- Conduct a climate survey on sexual misconduct;
- Adopt a sexual misconduct policy;
- Provide training on the grievance process;
- Enter into a memorandum of understanding with organizations assisting persons involved in sexual misconduct;
- Designate and provide training to a person who serves as a victim's advocate;
- Provide programming on sexual misconduct awareness and prevention;
- Determine the responsibility of a respondent for an alleged sexual misconduct incident based on a preponderance of the evidence; and

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- Submit certain reports.

The bill allows the Board to prohibit an institution from sanctioning a complainant, reporting party, or witness under certain circumstances. The Board must compile reports from institutions and forward them to the Director of the Department of Health and Human Services and to the Legislature. Additionally, SB 347 allows a student who has experienced sexual misconduct to request a waiver from certain requirements relating to scholarships or academic activities. Certain information gathered from the climate survey and reports on sexual misconduct is confidential.

The bill also prohibits the Board from assessing tuition charges against a student who graduated from a high school in this State. Finally, SB 347 removes the requirement to certify that an applicant is a citizen or legal immigrant in order to receive a Millennium Scholarship, removes the prohibition on the Board from awarding any money to a student who has not completed the Free Application for Federal Student Aid (FAFSA) before awarding money to all students who have completed the FAFSA, and makes associated changes.

Provisions of this bill concerning the Task Force are effective on June 9, 2021, for the purpose of appointing members and on July 1, 2021, for all other purposes. All other provisions are effective on July 1, 2021.

SB 446 (Chapter 422)

[Senate Bill 446](#) removes the Office of the Western Regional Education Compact from the Office of the Governor and changes the appointing authority for the Director of the Office from the Governor to the three Nevada State Commissioners. The bill also provides for the continuation of the Director.

This bill is effective on July 1, 2021.

SCR 9 (File 34)

[Senate Concurrent Resolution 9](#) encourages and supports the Nevada System of Higher Education (NSHE) to work collaboratively among its institutions on science and research efforts addressing the specific needs of the Lake Tahoe Basin in alignment with Nevada's State Climate Strategy. The resolution also recommends that NSHE enhance coordination efforts with various state and federal agencies to align NSHE's science and research efforts with policy goals, including the State Climate Strategy, which are established by the Tahoe Bi-State Executive Committee, the Tahoe Science Advisory Council, and other relevant agencies and stakeholders in the Basin.

This resolution is effective on May 25, 2021.

SJR 7 (File 26)

[Senate Joint Resolution 7](#) proposes to amend the *Nevada Constitution* to remove the constitutional provisions governing the Board of Regents of the University of Nevada. The Legislature shall provide by law for the governance of the University and the establishment of its various departments. In addition, the resolution stipulates that 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 2023 Legislative Session, the proposal will be submitted to voters for final approval or disapproval.

Students and Parents

AB 67 (Chapter 384)

[Assembly Bill 67](#) revises provisions relating to the discipline of a pupil from a public school, charter school, or university school for profoundly gifted pupils. Specifically, the bill revises the categories of discipline that may be used to discipline a student to include suspension, significant suspension, and expulsion. The bill allows a pupil with a disability to be suspended, expelled, or permanently expelled under certain circumstances in compliance with federal law. Assembly Bill 67 also requires Nevada's Department of Education to adopt regulations necessary to carry out provisions relating to pupil discipline.

Additionally, AB 67 provides that only significant suspensions can be considered when determining whether a pupil should be deemed a habitual disciplinary problem. In extraordinary circumstances, a school may request an exception to the prohibition on permanently expelling a pupil less than 11 years of age.

The bill also authorizes a designee of the board of trustees of a school district, the governing body of a university school for profoundly gifted pupils, or the governing body of a charter school to take certain disciplinary actions. Finally, AB 67 provides that the Open Meeting Law does not apply to certain disciplinary hearings or proceedings.

This bill is effective on July 1, 2021.

AB 105 (Chapter 511)

[Assembly Bill 105](#) requires that any board formed to govern the Nevada Interscholastic Activities Association include three members who are parents or guardians of pupils participating in sanctioned sports. The bill also requires that any advisory board to a governing board include three members who are pupils participating in sanctioned sports. The bill further provides certain conditions, membership terms, and residency restrictions that parent or guardian board members and pupil advisory board members must meet.

This bill is effective on July 1, 2022.

AB 195 (Chapter 263)

[Assembly Bill 195](#) requires the board of trustees of each school district to determine the number of enrolled pupils who are immigrants; refugees; new, short-term, and long-term English learners; and other English learners such as certain students with individualized education programs. Information on the number of teachers licensed or with endorsements to teach English as a second language must also be collected. This information must be reported to Nevada's Department of Education (NDE) and transmitted to the Legislature annually.

The bill also enumerates the rights of pupils who are English learners and the rights of parents or guardians of pupils who are English learners. Assembly Bill 195 requires the board of trustees of each school district to provide a parent or guardian with the enumerated rights in writing in both English and the person's primary language at the time of the pupil's registration. The bill requires the boards of trustees and each school that enrolls pupils who are English learners to post a copy of the rights on their respective Internet websites in as many languages as possible.

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Additionally, AB 195 requires the board of trustees of each school district to post on its Internet website information on how the school district spent funds received pursuant to Title III of the Every Student Succeeds Act of 2015 (20 U.S.C. §§ 6812 *et seq.*).

Finally, the bill authorizes NDE to adopt regulations needed to carry out the provisions of the measure.

This bill is effective on July 1, 2021.

AB 224 (Chapter 503)

[Assembly Bill 224](#) requires the board of trustees of each school district and the governing body of each applicable charter school to ensure that menstrual products are provided at no cost to pupils in the bathrooms of middle schools, junior high schools, and high schools. These boards and governing bodies must develop plans to provide equal access to menstrual products and to address the lack of access to such products due to affordability. They must submit biennial reports on their plans to the Director of the Legislative Counsel Bureau for transmittal to the Legislature. Further, they must include information on access to menstrual products in existing annual reports of accountability.

The bill requires at least 25 percent of certain middle, junior high, and high schools to provide free menstrual products by January 1, 2022.

This bill is effective on July 1, 2021.

AB 235 (Chapter 241)

[Assembly Bill 235](#) requires the board of trustees of a school district and the governing body of a charter school or private school that operates a high school to provide, among other items:

- Education to pupils on the importance of financial planning and completing the Free Application for Federal Student Aid (FAFSA);
- Information on the Nevada College Kick Start Program;
- Information on events to complete or receive assistance in completing the FAFSA;
- At least two annual events at specified times for pupils and parents to complete the FAFSA, with certain exceptions; and
- Coordination with a community college, State college, or university to ensure pupils and their families receive support to complete the FAFSA.

The bill also requires these governing bodies to report to the State Treasurer on attendance at such events and certain information concerning FAFSA assistance.

This bill is effective on July 1, 2021.

SB 102 (Chapter 221)

[Senate Bill 102](#) changes the date by which a child must be a certain age in order to be admitted into certain grades from September 30 to the first day of school.

This bill is effective on May 30, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

SB 210 (Chapter 487)

[Senate Bill 210](#) requires that if a child with an emotional disturbance who is in the custody of a child welfare services agency is admitted to a psychiatric hospital or residential mental health treatment facility, a plan must be developed for continuing the child's education in consultation with the school in which the child was most recently enrolled, the school district, the agency providing child welfare services, and any person responsible for the child's education. The school and school district must participate in the development of the plan and comply with it, including by providing any existing individualized education programs to the facility. The plan must be considered when determining whether it is in the best interest of the child to remain in his or her school of origin.

Additionally, SB 210 requires the school district in which the child was enrolled to monitor the child's progress in a facility and participate in discharge planning for transitioning the child into a school or other educational setting. Prior to a child being admitted to certain facilities, a meeting must be convened to consider the appropriateness of a residential placement.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

SB 249 (Chapter 495)

[Senate Bill 249](#) adds behavioral health to the list of conditions that excuse a child from attending school and allows a qualified mental or behavioral health professional to certify that a child is not able to attend school or that the child's attendance is inadvisable. The bill also prohibits an excused absence due to a child's physical or mental condition or behavioral health from having a negative effect on a school's accountability rating.

Senate Bill 249 also requires the board of trustees of a school district or the governing body of a charter school to ensure that information relating to mental health resources—including, without limitation, the telephone number for a local or national suicide prevention hotline—appears on the back of any student identification card issued to a pupil. Similarly, student identification cards issued by a community college, State college, or university within the Nevada System of Higher Education must contain information relating to mental health resources, including contact information for the National Suicide Prevention Lifeline.

This bill is effective on July 1, 2021.

ELECTIONS

AB 121 (Chapter 315)

[Assembly Bill 121](#) requires the Secretary of State to allow a person with a disability to use the system of approved electronic transmission established for certain uniformed military and overseas voters to register to vote, request an absent ballot, and cast an absent ballot. The measure requires the system of approved electronic transmission to allow such a person to provide his or her digital or electronic signature on any document or other material that is necessary to register to vote or to apply for and cast an absent ballot. Upon receipt of an application to register to vote or a ballot cast using a system of approved electronic transmission, the election official must affix, mark, or acknowledge receipt of the application or ballot with a time stamp.

The measure also revises the deadlines to register and vote for certain military and overseas voters by allowing for same-day voter registration consistent with the deadlines for other voters in Nevada and authorizing receipt of ballots before close of the polls on the day of the election. These deadlines also apply to a person with a disability who uses the approved electronic transmission system. Further, the Secretary of State must establish procedures to be used by local elections officials in accepting, handling, and counting an absent ballot received from a registered voter with a disability using the system of approved electronic transmission.

Finally, AB 121 eliminates the requirement to cancel a person's voter registration when that person requests a change in political party affiliation.

This bill is effective on June 3, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 126 (Chapter 556)

[Assembly Bill 126](#) establishes the requirements and procedures for conducting a presidential preference primary election to be held by each major political party on the first Tuesday in February of each presidential election year. An exception is made for a party in cases where only one major party candidate has filed a declaration of candidacy. The measure establishes the procedure for a candidate to make a declaration of candidacy for the primary. The State must pay the cost of this election from the Reserve for Statutory Contingency Account. The bill clarifies that minor political parties do not participate in the presidential preference primary. Major political party precinct meetings and party conventions must occur after the presidential preference primary. Further, county clerks must publish information about the presidential preference primary and are required to post a notice if a qualified candidate listed on the ballot has died. These officials also must determine the number of registered voters by precinct and district in their county and the political affiliation prior to the presidential primary election.

Each county must provide a vote center for the day of the presidential preference primary, and a registered voter who indicated a major party affiliation may vote at any polling place in the county. The bill provides a time frame for early voting and allows for same day voter registration. An Indian tribe is authorized to request a polling place for the purposes of this primary within an Indian colony or Indian reservation. The Secretary of State and county clerks must follow procedures for compiling the results and making reports consistent with the processes they follow for primary and general elections.

This bill is effective on June 11, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 166 (Chapter 177)

Assembly Bill 166 requires a person, committee for political action, political party, or committee sponsored by a political party that expends more than \$100 for the purpose of financing a communication through text message to disclose in the text message the name of the person or entity that paid for the communication. This disclosure is required if the text message advocates expressly for the election or defeat of a clearly identified candidate or group of candidates or solicits a contribution.

This bill is effective on May 28, 2021, for the purposes of adopting regulations and performing any other preparatory measures and on January 1, 2022, for all other purposes.

AB 321 (Chapter 248)

Assembly Bill 321 makes various changes to Nevada's election statutes. The bill replaces existing law concerning ballots for absentee voters, mailing precincts, and mail ballots with new provisions that require mail ballots for all elections. An opt-out provision is available for any active voter who prefers to not use the mail ballot. Existing processes and procedures are retained—with certain modifications—for voting as well as for the return, verification, and counting of the mail ballots.

The bill requires a minimum number of polling locations based on the size of a county for early voting and for election day voting, and ballot drop boxes must be provided at all early voting and election day polling sites. The bill makes it a category E felony for anyone other than a city or county clerk to establish a ballot drop box. Further, Indian reservations and Indian colonies may request a polling place, a ballot drop box, or both.

The measure provides procedures for, and specifically authorizes the use of, manual or electronic signature verification. In addition, standards are established for periodic testing of the accuracy of signature verification devices. Audit reports concerning these devices are required and must be collected and maintained by local election officials. Local election officials must complete an approved class on forensic signature verification at least annually. The bill establishes procedures for county or city clerks to verify the identity of a voter if necessary. The deadline by which a voter can either provide or confirm a missing or questionable signature is reduced from nine days to six days following an election. Automatic voter registration statutes are clarified by specifying that a voter who has been registered to vote by the Department of Motor Vehicles, and who has produced the required documents at that time, is not required to show proof of identity or residency when voting for the first time in a federal election.

The bill also requires the appointment of a bipartisan counting board and specifies that the board must complete the count of all mail ballots on or before the seventh day following an election. The deadline for a city or county clerk to receive a ballot is shortened from seven days to four days following an election. The Secretary of State and the State Registrar of Vital Statistics are required to make comparisons at least monthly of the statewide voter registration list with records concerning the death of residents. Confidentiality protections concerning personal information are extended to certain election officials, upon their request. In addition, these individuals are authorized to ask that their driver's license or State identification card contain a substitute address

in place of their physical address. The measure also revises provisions for the withdrawal of an initiative petition or a petition for referendum to require that a notice of withdrawal must be submitted to the Secretary of State no later than 90 days prior to the election in which the initiative or petition is to be considered.

Finally, the bill appropriates from the State General Fund to the Office of the Secretary of State \$6,286,844 in Fiscal Year (FY) 2021–2022 and \$5,998,138 in FY 2022–2023 for the cost of ballot stock, postage, and postcard notifications.

Provisions of this bill concerning the withdrawal of petitions for initiatives and referendums are effective on June 2, 2021. Provisions appropriating funds to the Office of the Secretary of State are effective on July 1, 2021. All other provisions are effective on June 2, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 390 (Chapter 134)

[Assembly Bill 390](#) requires that any notice of a contest to an election must also be provided to the candidate whose election is being contested. The person contesting the election must notify the candidate. If the contest is for a candidate in the general election for the office of Governor or Lieutenant Governor, member of the Assembly or the State Senate, Supreme Court Justice, or appeals courts judge, both the person contesting the election and the Secretary of State must notify the candidate whose election is being contested.

This bill is effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 422 (Chapter 554)

[Assembly Bill 422](#) requires the Secretary of State to create a centralized, top-down database that collects and stores voter preregistration and registration information from all counties. County clerks must use the database to collect and maintain records of voter preregistration and registration, and the Secretary of State must use the database to create the official statewide voter registration list. From January 1, 2022, through January 1, 2024, the Secretary of State is required to provide a progress report every six months to the Interim Finance Committee concerning efforts to implement the database.

Finally, AB 422 changes—from January 1, 2022, to January 1, 2024—the effective date of certain provisions in [Senate Bill 123 of the 80th Session](#) that require county clerks to conduct risk-limiting audits of election results, which are protocols that make use of statistical principles and methods designed to limit the risk of certifying an incorrect election outcome. The Secretary of State must develop a pilot program for conducting a risk-limiting audit of the results of the 2022 General Election and may require county clerks to participate.

Provisions of this bill relating to risk-limiting audits and requiring periodic reports are effective on June 11, 2021. The remaining provisions are effective on June 11, 2021, for the purposes of adopting regulations and performing preparatory tasks and on January 1, 2024, for all other purposes.

AB 432 (Chapter 555)

Assembly Bill 432 expands automatic voter registration requirements to certain Executive Branch agencies. The measure specifies that these agencies include the Department of Motor Vehicles (DMV), the Department of Health and Human Services (DHHS), any agencies within DHHS processing applications for Medicaid, the Silver State Health Insurance Exchange, and any other State or tribal agency meeting certain requirements and as approved by the Governor. If an application does not provide sufficient information to determine that the person is qualified to vote, the agency is prohibited from using the system to transmit the application, although the person may still ask to apply. The Secretary of State, county clerks, and agencies designated as automatic voter registration agencies are required to cooperate in the process of establishing an electronic transmittal system for the voter registration information. The bill sets forth the information to be collected by the automatic voter registration system for transmittal using the system.

Further, the measure establishes the actions that must be taken by a county clerk to process the information, including steps to contact the applicant if the information is incomplete. If a county clerk determines the applicant is an eligible voter, the bill requires the person be deemed a registered voter, and the county clerk is required to send certain information to the individual. County clerks are prohibited from rejecting a voter registration application from an agency solely because it does not contain the applicant's signature. The bill sets forth a process for obtaining the person's signature. Automatic voter registration agencies must comply with the National Voter Registration Act (52 United States Code §§ 20501 *et seq.*).

The bill appropriates \$736,391 in Fiscal Year (FY) 2021–2022 and \$346,439 in FY 2022–2023 from the State General Fund to the Secretary of State for personnel costs to develop processes and systems for automatic voter registration with the designated automatic voter registration agencies and to provide monitoring, maintenance, and support for such systems. Additionally, the bill appropriates \$48,233 from the State General Fund to the Division of Field Services of the DMV for computer programming costs to facilitate automatic voter registration. Any remaining balances of the appropriations must be reverted to the State General Fund.

Provisions of this bill appropriating funds are effective on July 1, 2021. All other provisions are effective on June 11, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2024, for all other purposes.

SB 82 (Chapter 158)

Senate Bill 82 amends the Charter of the City of Sparks to clarify the manner in which municipal candidates appear on the primary or general election ballot. If only one candidate has filed for office by the close of candidate filing, that candidate must be declared elected to that office and no election shall be held. If more than twice the number of candidates to be elected have filed, the names of those candidates must appear on the primary election ballot. A candidate at the primary election who receives the majority of the votes cast must be declared elected. If no candidate receives the majority of votes cast, the names of the two candidates who receive the most votes must be placed on the general election ballot.

Senate Bill 82 also provides that if not more than twice the number of candidates to be elected have filed for office, no primary election is held, and those candidates must be placed on the general election ballot. Finally, SB 82 clarifies that an elected officer enters office at the first

regular meeting of the City Council following the meeting at which the canvass of the election returns is made.

This bill is effective on October 1, 2021.

SB 84 (Chapter 159)

Senate Bill 84 increases the maximum size of an election precinct from 3,000 to 5,000 registered voters.

This bill is effective on July 1, 2021.

SB 292 (Chapter 331)

Senate Bill 292 requires that signatures required for minor party ballot access petitions must be apportioned equally among existing petition districts and changes, from not later than the third Friday in June preceding the general election to the first day of June, the date on which such petitions must be filed. The final date to challenge signatures on minor party ballot access petitions is also changed from the fourth Friday in June to the second Monday in June.

Senate Bill 292 makes various changes relating to the filling of vacancies in elective office. For a vacancy in the office of United States Senator, SB 292 requires the Governor to appoint a person who is of the same political party as the former Senator. The measure provides that, when filling a vacancy in the office of Representative in Congress, a candidate for a major political party must be nominated in a special primary election before a special general election. If such a special election is not consolidated with an existing statewide or local election, the cost of the election must be paid from the Reserve for Statutory Contingency Account, as approved by the State Board of Examiners. For vacancies in the office of Legislator, SB 292 requires the majority or minority leader of the House in which the former Legislator was a member, and who is of the same party as the former Legislator, to submit to the board of county commissioners a list of qualified nominees to fill the vacancy. The board may vote to reject all of the qualified nominees submitted by legislative leadership and request a new list of nominees to fill the vacancy.

Finally, SB 292 repeals provisions that set forth various requirements for the internal organization and procedures of major political parties, including requirements for the election of delegates to county and State conventions and the manner in which such conventions are organized.

This bill is effective on June 3, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

ENERGY AND INFRASTRUCTURE

SB 448 (Chapter 552)

[Senate Bill 448](#) makes various changes related to energy regulations, policies, and programs. Specifically, the bill:

- Makes renewable energy storage facilities and hybrid renewable energy generation and storage facilities eligible for partial abatements of certain property and sales taxes;
- Requires an electric utility to amend its integrated resource plan (IRP) before September 1, 2021, to include a plan for two high-voltage transmission infrastructure projects to be in service by December 31, 2028;
- Amends the components of an IRP to include a carbon dioxide emissions scenario that meets certain goals for reductions in carbon dioxide emissions by 2050;
- Requires transmission providers to join a regional transmission organization before January 1, 2030, unless the Public Utilities Commission of Nevada (PUCN) allows a waiver or a delay;
- Requires an electric utility to file a plan by September 1, 2021, for investing up to \$100 million in transportation electrification programs between January 1, 2022, and December 31, 2024;
- Requires an electric utility to amend its IRP by September 1, 2022, to include a plan for accelerating transportation electrification;
- Provides that there is no presumption that costs, expenses, or investments incurred by a utility were prudently incurred, and places the burden of proof on the utility;
- Clarifies that, subject to certain conditions, a net metering system providing electricity to multiple units on the same property is not deemed a public utility;
- Extends the Economic Development Electric Rate Rider Program through the earlier of December 31, 2024, or whenever the set-aside capacity is fully allocated; modifies allowable discounts under the Program; and requires the PUCN to submit a report on the Program to the Legislature by December 31, 2022;
- Increases from 5 percent to 10 percent the expenditures that must be spent on energy efficiency measures for customers in low-income households, residential customers, and public schools in historically underserved communities as part of an electric utility's energy efficiency plan;
- Creates the Regional Transmission Coordination Task Force to advise the Governor and Legislature on energy transmission policies;
- Abolishes the New Energy Industry Task Force; and

- Phases out the Electric Vehicle Infrastructure Demonstration Program by July 1, 2023.

Provisions of this bill eliminating the Electric Vehicle Infrastructure Demonstration Program are effective on July 1, 2023, and provisions requiring utilities to submit an annual plan for carrying out the Program are effective on January 1, 2023, and expire by limitation on June 30, 2023. All other provisions are effective on June 10, 2021. Incentives for solar energy systems expire on December 31, 2025; the Regional Transmission Coordination Task Force expires on December 31, 2031; and the partial tax abatements for renewable energy storage facilities expire on June 30, 2049. The Economic Development Electric Rate Rider Program expires on the date of termination of the last contract entered into under the Program.

Emissions

AB 349 (Chapter 363)

[Assembly Bill 349](#) provides that in order to be considered an Old Timer vehicle, classic car, or classic rod, a vehicle must not be used for general transportation and must be covered by either an endorsement or insurance policy that is designed or designated specifically for classic or antique vehicles.

The measure exempts new motor vehicles from emissions testing until the fourth registration of the vehicle and makes a technical change to reference a federal regulation relating to the exemption to emissions testing afforded to hybrid electric vehicles. The measure requires that certain fees charged for electronic emissions monitoring programs must be equal in amount to the fee charged for forms certifying emission control compliance. Additionally, the Department of Motor Vehicles may impose by regulation a fee of not more than \$2 for the issuance and renewal of a license to inspect motor vehicles and devices for the control of pollution for certain additional locations.

Finally, the measure authorizes the board of county commissioners for a county with a population of 100,000 or more to impose by ordinance an additional fee for each form certifying emission control compliance. If such a fee is imposed, the board must use the money to reduce emissions, allocating at least 50 percent of such money to support programs to reduce emissions in historically underserved communities.

Provisions of this bill relating to Old Timer vehicles, classic rods, and classic vehicles are effective on January 1, 2023. All other provisions are effective on October 1, 2021.

AB 413 (Chapter 43)

[Assembly Bill 413](#) requires Nevada's Department of Transportation to establish an Advisory Working Group to Study Certain Issues Related to Transportation during the 2021–2022 Interim. The Working Group must consist of at least 20 but not more than 30 persons, including the Chairs of the Assembly and Senate Standing Committees on Growth and Infrastructure, with the additional members appointed by the Department to represent a wide variety of interests and organizations.

The topics to be studied include transportation equity, reduction of greenhouse gas emissions, and the sustainability of the State Highway Fund. The Department must submit a written report on the

findings and recommendations of the Working Group no later than December 31, 2022, for transmittal to the 2023 Nevada Legislature.

This bill is effective on May 21, 2021, for the purposes of appointing members to the Working Group and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 452 (Chapter 140)

[Assembly Bill 452](#) requires certain State agencies and entities to submit information to the State Department of Conservation and Natural Resources for the purpose of preparing the required annual report on greenhouse gas emissions in Nevada. If the balance in the Fund for Cleaning Up Discharges of Petroleum is estimated at \$7.5 million or more at the end of any fiscal year, the Department shall transfer from the Fund an amount not to exceed \$500,000 to the Account for the Management of Air Quality to be expended only to pay the costs of preparing the required annual report on greenhouse gas emissions.

This bill is effective on July 1, 2021.

General Utility Regulation

AB 154 (Chapter 97)

[Assembly Bill 154](#) authorizes a public utility to provide to its customers by electronic transmission certain notices, including notices of quarterly rate adjustments. A notice of a quarterly rate adjustment must be printed on a separate piece of paper if included with a customer's mailed monthly bill or identified as a quarterly rate adjustment in the subject line of an electronic transmission.

This bill is effective on October 1, 2021.

SB 18 (Chapter 66)

[Senate Bill 18](#) increases the maximum allowable administrative fines imposed by the Public Utilities Commission of Nevada (PUCN) for violation of statutes relating to public utilities for both daily fines and a fine for a series of violations. The bill also authorizes an administrative fine for the submittal of information that is materially false or misleading and which the person knew or should have known through using reasonable care was materially inaccurate or misleading.

If the PUCN determines certain violations are knowing and willful, or detrimental to public health and safety, the measure allows for higher maximum fines. The measure also increases the allowable administrative fine from \$500 to \$50,000 for certain violations of [Chapter 704 of Nevada Revised Statutes](#) and for a failure to obey orders, decisions, or regulations of the PUCN.

Senate Bill 18 adds to the factors the PUCN must take into consideration when determining the amount of an administrative fine to ensure it is proportional to the violation. The additional factors include, but are not limited to: willfulness; actual or potential impact on public health and safety; actual or potential financial impact; economic benefit to the person charged; any history of noncompliance; and/or the amounts of fines previously assessed for similar violations.

This bill is effective on July 1, 2021.

SB 59 (Chapter 154)

[Senate Bill 59](#) provides that after service and filing of a reply memorandum by the Public Utilities Commission of Nevada and any other respondents in an action seeking judicial review of a final decision of the Commission, no further memoranda may be filed. The bill also deletes a provision stating when the action is at issue.

This bill is effective on July 1, 2021.

SB 387 (Chapter 302)

[Senate Bill 387](#) requires the Public Utilities Commission of Nevada (PUCN) to adopt regulations establishing rate caps and limitations on ancillary service charges for intrastate calls made by inmates incarcerated in a public or private correctional facility in Nevada. The PUCN must also adopt regulations for reviewing and approving rates that exceed the established caps or charges that fail to comply with the prescribed limitations. The rate caps set by the PUCN must not exceed the rates set by the Federal Communications Commission (FCC) for interstate and international calls by inmates, and the other limitations set by the PUCN must be consistent with limitations set by the FCC for interstate and international calls by inmates.

A supplier of inmate calling services must request approval from the PUCN for its intrastate rates and ancillary service charges. The PUCN may approve a schedule or tariff that exceeds a rate cap or charges that fail to comply with its prescribed limitations, in accordance with its regulations governing approvals of exceptions. The rate caps and limitations on charges must be reviewed annually by the PUCN and revised as needed.

A supplier of inmate calling services must submit revised rates or charges within 30 days of a revised regulation if the supplier's rates exceed the new caps or the charges fail to comply with the new limitations. Current suppliers have 30 days after the effective date of the regulations adopted by the PUCN pursuant to this bill to submit rates and charges that comply with the regulations.

A supplier of inmate calling services must publish its rates, terms, and conditions by posting such information on its publicly available website and by having a copy available for public inspection at its principal Nevada office. The supplier must also provide a written copy of the rates, pricing, terms, and conditions to an inmate with the first billing statement or invoice.

This bill is effective on June 2, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

Infrastructure

AB 388 (Chapter 519)

[Assembly Bill 388](#) requires the State Treasurer to enact regulations establishing a program that enables providers of broadband or commercial radio service to participate in a voluntary contribution program for broadband infrastructure. The program must enable customers to opt in and make voluntary contributions as part of their monthly bill to support the expansion of broadband deployment. Money collected under this program must be deposited into the Account for the Grant Program for Broadband Infrastructure, which is created within the State General

Fund. The Account is to be administered by the Director of the Office of Science, Innovation and Technology (OSIT) in the Office of the Governor, and the money must be used to make infrastructure grants for the development or improvement of broadband services for persons with low income and persons in rural areas of this State.

On at least a biennial basis, the Director of OSIT must prepare and submit a report concerning the availability of broadband service in Nevada to the Governor and Legislature. The measure requires OSIT to establish a Broadband Ready Community Certification program to advance the expansion of broadband infrastructure to underserved communities on or before October 31, 2021, in collaboration with local governments and other stakeholders.

This bill is effective on June 8, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AJR 7 (File 15)

[Assembly Joint Resolution 7](#) urges the United States Congress to pass the National Infrastructure Bank Act of 2020, also known as H.R. 6422 of the 116th Congress, to facilitate efficient, long-term financing of infrastructure projects, business and economic growth, and the creation of new jobs.

This resolution is effective on May 4, 2021.

SB 66 (Chapter 193)

[Senate Bill 66](#) requires the Office of Science, Innovation and Technology in the Office of the Governor to develop a statewide system of gathering data relating to residential Internet service and telecommunications technology accessibility. The bill also requires the Office to: collaborate with various entities to ensure pupils have access to the Internet and telecommunications technology; recommend minimum standards for devices owned by schools and school districts; conduct a gap analysis regarding the lack of pupil connectivity; develop a fiscal plan to address such gaps; and report annually on these responsibilities to the Governor, the State Board of Education, and the Legislature.

Furthermore, SB 66 requires school districts and the State Public Charter School Authority to report related information to the Office of Science, Innovation and Technology and authorizes the Office and Nevada's Department of Education to adopt any necessary regulations.

This bill is effective on October 1, 2021.

SB 430 (Chapter 553)

[Senate Bill 430](#) makes various changes concerning the governance and scope of the Nevada State Infrastructure Bank. Among other things, the bill:

- Expands the Board of Directors of the Bank to include the Director of the Office of Energy in the Office of the Governor;
- Expands the list of projects that may be funded through loans or other financial assistance from the Bank to include projects relating to water, wastewater, renewable energy, recycling and sustainability, digital, social, and economic development infrastructure;

- Authorizes the Bank to provide loans and financial assistance to Indian reservations, Indian colonies, and private nonprofit entities created for charitable or educational purposes; and
- Makes the establishment of the Bank effective on July 1, 2021.

This bill is effective on July 1, 2021.

Renewable Energy and Energy Efficiency

AB 383 (Chapter 368)

[Assembly Bill 383](#) sets minimum standards of energy efficiency for certain appliances and requires the Director of the Office of Energy in the Office of the Governor to adopt regulations that meet or exceed those minimum standards. The measure prohibits the sale, lease, rental, or installation of a new appliance that does not meet the efficiency standards after certain dates and excludes certain appliances from the requirements. Implementation of the standards and any subsequent changes shall not take effect for a minimum of 365 days after adoption.

Prior to making an appliance available for lease, rent, or sale, a manufacturer must submit to the Director a certification that the appliance complies with the adopted minimum standard. At the time of sale or installation, the manufacturer must ensure that a new appliance includes a label identifying the appliance as certified. Assembly Bill 383 authorizes the Director to adopt efficiency standards for appliances not listed in the bill, provided certain findings are made, and to allow up to a one-year delay in implementation of a standard if it imposes an unreasonable burden upon consumers. The Director may also adopt regulations to facilitate the deployment of flexible demand technology.

The bill authorizes the Director to investigate complaints of violations, and the Attorney General is authorized to file a civil action seeking civil penalties. For a first offense, a warning must be issued. The measure exempts from the requirements of this bill: appliances that are manufactured or sold at wholesale in this State for final retail sale outside of this State; appliances installed in mobile homes or manufactured homes at the time of construction; and appliances designed expressly for use in recreational vehicles.

This bill is effective on July 1, 2021.

SB 283 (Chapter 499)

[Senate Bill 283](#) authorizes the governing body of a municipality to create a district to finance or refinance qualified improvement projects for energy efficiency, renewable energy, resiliency, or water efficiency if:

- The governing body makes a finding that the creation of the district serves a public purpose; and
- The governing body adopts by resolution certain procedures for the creation and administration of the district.

The bill requires that each owner of a tract on which a qualified improvement project will be located enter into a voluntary assessment agreement in which the owner consents in writing to the

location of the project, the specific amount of the assessment against the tract provided by a financing agreement, and the placement of an assessment lien on the property.

The bill also sets forth certain liability protections for a municipality and its governing body, officers, and employees for the creation of a district and certain construction and financing requirements for a qualified improvement project.

This bill is effective on October 1, 2021.

SB 303 (Chapter 227)

[Senate Bill 303](#) provides for the regulation by the State Contractors' Board of contractors who install residential photovoltaic systems used to produce electricity. The bill makes provisions regarding:

- Responsibilities of a contractor who installs a residential photovoltaic system;
- Required components of a written contract for such an installation;
- Consumers' rights;
- Authorization for the adoption of certain regulations by the State Contractors' Board;
- Involvement of the Public Utilities Commission of Nevada;
- Restrictions on advertising and solicitations and a requirement for the State Contractors' Board to adopt further regulations on advertising;
- Conditions under which a contract is deemed unenforceable or void;
- Applicability of statutes related to deceptive trade practices and enforcement by the Office of the Attorney General; and
- Enforcement authorities of the State Contractors' Board.

This bill is effective on October 1, 2021.

SB 442 (Chapter 343)

[Senate Bill 442](#) prohibits the Office of Energy in the Office of the Governor from changing the Green Building Rating System or accepting applications for partial abatements of property taxes for buildings that meet certain energy efficiency criteria. The bill eliminates the program to grant such partial abatements on July 1, 2035.

This bill is effective on July 1, 2021.

GAMING

AB 7 (Chapter 509)

Assembly Bill 7 revises various provisions related to gaming, including:

- Establishing provisions relating to the approval of games or gambling games by the Nevada Gaming Commission;
- Amending existing law to provide that inter-casino linked systems are subject to the same regulation and control as associated equipment;
- Revising provisions relating to the confidentiality of certain information and data of manufacturers, distributors, and operators;
- Repealing certain requirements relating to disclosures of admission charges for live entertainment;
- Requiring persons who have a significant involvement in the manufacturing or distribution of associated equipment to register with the Nevada Gaming Control Board under certain circumstances; and
- Repealing laws authorizing certain business entities to place race book and sports pool wagers under certain circumstances.

This bill is effective on July 1, 2021.

AB 8 (Chapter 251)

Assembly Bill 8 revises various provisions related to gaming. Specifically, the bill:

- Adds various types of workers to the definition of “gaming employee,” thereby requiring them to register with the Nevada Gaming Control Board. These workers include employees of certain persons registered to operate as cash access and wagering instrument service providers and certain other persons designated by the Nevada Gaming Commission by regulation;
- Authorizes the Nevada Gaming Commission to adopt regulations that allow a licensee to accept an electronic signature from a patron on a credit instrument;
- Revises provisions governing employment, job classifications, and performance standards of certain employees of the Nevada Gaming Control Board;
- Removes the monthly payment option for the fee required from a licensee who concludes a gaming operation;
- Revises the definition of “gross revenue” to include the term “cash equivalents”; and
- Makes technical and conforming changes and deletes obsolete provisions.

This bill is effective on July 1, 2021.

AB 202 (Chapter 264)

Assembly Bill 202 provides that a qualified organization that operates charitable lotteries or charitable games offering prizes valued at less than \$100,000 annually must register and pay a fee to the Nevada Gaming Control Board once per year prior to operating a lottery or game. Qualified organizations are prohibited from operating a charitable lottery via a video lottery terminal or other networked electronic means. A professional sports organization may conduct online ticket sales in conjunction with a charitable lottery only under limited circumstances. The fee, which is to be established by regulations adopted by the Nevada Gaming Commission, must not exceed \$10 per year.

This bill is effective on July 1, 2021.

AB 405 (Chapter 318)

Assembly Bill 405 makes it unlawful for a person to engage in certain offenses related to gaming through an agreement with a player, participant, judge, referee, manager, coach, or other official with the intent for such persons to use less than their best efforts to win, judge, referee, manage, coach, or officiate, to limit a margin of victory, or to adversely affect the outcome of a sporting event. The bill also deletes from statute obsolete language regarding certain reports on foreign gaming.

This bill is effective on October 1, 2021.

SB 165 (Chapter 443)

Senate Bill 165 creates the Esports Technical Advisory Committee and requires the Nevada Gaming Control Board to appoint members to the Committee consisting of various Esports industry professionals. The Committee must make recommendations to the Board on any guidelines and parameters necessary to safeguard the integrity of Esports when wagers are placed at such competitions. In addition, the bill authorizes the Board to adopt regulations as may be necessary to carry out the recommendations of the Committee.

This bill is effective on July 1, 2021.

HEALTH AND HUMAN SERVICES

Note: See also the “[Health Insurance and Medicaid](#)” section in the “[Insurance](#)” chapter.

AB 47 (Chapter 77)

[Assembly Bill 47](#) imposes notification requirements relating to certain transactions involving health carriers or certain business entities consisting of health care practitioners. A person who is required to file notification regarding any transaction involving assets of a group practice or health carrier in Nevada under the federal Hart-Scott-Rodino Antitrust Improvements Act of 1976 must simultaneously submit a copy of the filing to the Attorney General. All information must be kept confidential and is authorized to be disclosed only under certain circumstances. A civil penalty of up to \$1,000 per day may be imposed for a willful violation of the notification requirements.

The measure also revises provisions relating to proceedings under the Nevada Unfair Trade Practice Act, including requiring that public officers and employees provide information to the Attorney General relating to such proceedings under certain circumstances.

The bill prohibits a noncompetition covenant from applying to employees who are paid solely on an hourly wage basis, exclusive of tips and gratuities, and provides that an employer may not bring an action to restrict employees from providing service to a former customer or client under certain circumstances. An employer is liable to an employee for attorney’s fees and costs if a noncompetition covenant is found to be unlawful or if the employer is found to have restricted an employee from providing services to a former customer or client.

This bill is effective on October 1, 2021.

AB 348 (Chapter 131)

[Assembly Bill 348](#) transfers the Patient Protection Commission from the Office of the Governor to the Office of the Director of the Department of Health and Human Services and revises provisions governing the composition and operation of the Commission. In addition, the bill designates the Commission as the sole State agency responsible for administering and coordinating matters relating to Nevada’s participation in the Peterson-Milbank Program for Sustainable Health Care Costs.

Provisions of this bill relating to the Commission’s designation as sole agency responsible for administering and coordinating participation in the Peterson-Milbank Program are effective on May 27, 2021. All other provisions are effective on May 27, 2021, for the purpose of performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

SB 40 (Chapter 480)

[Senate Bill 40](#) requires the Department of Health and Human Services (DHHS), to the extent federal money is available for this purpose, to establish an all-payer claims database of information relating to health insurance claims resulting from medical, dental, or pharmacy benefits provided in this State. The bill establishes various requirements for the database, should it be established.

If the database is established, DHHS must adopt regulations to establish an advisory committee to make recommendations concerning data collection, analysis, reporting, release, and security, and the Department may establish an advisory committee to assist in establishing and maintaining the

database. Public or private health insurers regulated under State law, with certain exceptions, must submit data to the database, and certain insurers regulated by federal law may submit data. Prior to submitting information to the database, insurers must remove information that can be used to identify a patient directly and must assign a unique identifier that can be used to track data pertaining to a specific patient without identifying the individual.

In addition, the bill provides for the confidentiality of data in the database. It authorizes DHHS and the Attorney General to access information in the database; authorizes the release of de-aggregated data to State or federal governmental entities, including colleges or universities within the Nevada System of Higher Education, or to any entity that submits data to the database; and authorizes the release of aggregated data to anyone else.

Senate Bill 40 further requires DHHS to publish certain reports concerning the quality, efficiency, and cost of health care in Nevada using data from the database and report to the Legislature concerning the establishment, operation, and funding of the database.

The bill appropriates from the State General Fund to the Division of Health Care Financing and Policy of DHHS \$24,970 for Fiscal Year (FY) 2021–2022 and \$300,188 for FY 2022–2023 for the development of the all-payer claims database.

Finally, SB 40 authorizes the Patient Protection Commission to request not more than two reports each year concerning certain issues relating to health care from a State or local governmental entity, and it requires DHHS and the Division of Insurance of the Department of Business and Industry to develop and submit a report to the Commission and the Legislature regarding certain types of data reported to these agencies.

Provisions of this bill relating to the database are effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes. All other provisions are effective on July 1, 2021.

SB 229 (Chapter 290)

[Senate Bill 229](#) deletes certain requirements and protocols concerning a pharmacist who engages in a collaborative practice of pharmacy or in collaborative drug therapy management pursuant to a collaborative practice agreement entered into with a licensed practitioner. The bill prohibits a collaborative practice agreement from granting a pharmacist authority to engage in an activity that is outside the scope of practice of the practitioner. The bill also prescribes certain requirements that must be included in written guidelines and protocols for collaborative drug therapy. Further, the bill sets forth certain situations in which a practitioner is prohibited from entering into a collaborative practice agreement with a collaborating pharmacist.

Finally, the bill specifies that a pharmacist is considered a provider of health care for the purpose of required cooperation with an investigation concerning an infectious disease or exposure to a biological, radiological, or chemical agent.

This bill is effective on June 2, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 329 (Chapter 528)

[Senate Bill 329](#) requires hospitals, certain physician group practices, and a person who owns all or substantially all of a physician group practice to notify the Department of Health and Human Services of any merger, acquisition, or similar transaction in which they are involved. The Department must post the information contained in such notices on the Internet and publish an annual report based on the information.

In addition, the bill prohibits health care providers, including health care facilities, from willfully entering into, willfully offering to enter into, or willfully soliciting a contract that:

- Prohibits a third party insurer from steering a covered person to certain health care providers or placing health care providers in tiers; or
- Places certain other restrictions on the insurer.

Health care providers or insurers who violate these provisions are guilty of a misdemeanor and are subject to a civil penalty.

Finally, the bill authorizes the Attorney General to use certain fees to investigate prohibited contracting practices.

This bill is effective on June 8, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 340 (Chapter 539)

[Senate Bill 340](#) authorizes the Director of the Department of Health and Human Services (DHHS) to establish a home care employment standards board to investigate and develop recommendations regarding certain matters related to the wages and working conditions of home care employees. The Director must establish such a board upon the petition of 50 or more home care employees.

If such a board is established, the Director and the Labor Commissioner must conduct a preliminary investigation into certain matters relating to the employment of home care employees and present their findings at the first meeting of the board. The bill provides certain reporting requirements, authorizes a home care employee to bring a civil action against an employer under certain circumstances, and makes various other technical and conforming changes.

Finally, the bill appropriates from the State General Fund to:

- The Office of the Labor Commissioner in the Department of Business and Industry \$71,665 in Fiscal Year (FY) 2021–2022 and \$88,469 in FY 2022–2023; and
- The Division of Public and Behavioral Health of the DHHS \$86,609 in FY 2021–2022 and \$110,120 in FY 2022–2023 for the personnel, operating, and equipment costs to carry out the provisions of this bill.

Provisions of this bill appropriating funds are effective on July 1, 2021. All other provisions are effective on October 1, 2021.

SB 341 (Chapter 416)

Senate Bill 341 makes various changes related to health care. Specifically, it authorizes the Division of Public and Behavioral Health of the Department of Health and Human Services (DHHS) to:

- Apply for available grants to address disparities in health care;
- Use a competitive process to select and award a grant to a community-based nonprofit organization to serve as a lead partner in ensuring services funded through the Division are allocated and funded in an equitable manner;
- Establish an advisory committee to ensure services funded by such a grant are provided in a culturally competent manner;
- Apply for grants to address race-based disparities in kidney disease; and
- Establish an advisory committee of people interested in issues related to kidney disease to develop a plan to increase education and awareness of the disease.

In addition, the bill:

- Requires DHHS to submit various reports to the Legislature, including annual reports regarding disparities in health and behavioral health;
- Creates the Minority Health and Equity Account to hold money for the Office of Minority Health and Equity within DHHS;
- Requires the Division of Health Care Financing and Policy of DHHS to require managed care organizations that provide behavioral health services through Medicaid or the Children's Health Insurance Program to implement a plan to ensure such services are provided in a culturally competent manner;
- Declares the policy of the State that those employed by the State must reflect the age, gender, sexual, ethnic, and geographic diversity of the State, to the extent practicable; and
- Requires public employers to provide, and public officers and employees to complete, training concerning diversity and racial equity to the extent money is available.

This bill is effective on July 1, 2021.

SB 364 (Chapter 229)

Senate Bill 364 requires the State Board of Health to adopt regulations requiring a hospital or independent center for emergency medical care to provide certain training to employees who provide care to victims of sexual assault or attempted sexual assault. These facilities must inform victims of their right to receive emergency contraception and provide such contraception upon request. Failure to comply with the bill's requirements may result in disciplinary action for these facilities, including administrative sanctions or the denial, suspension, or revocation of a license.

This bill is effective on May 30, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 372 (Chapter 231)

[Senate Bill 372](#) limits to those caused by an open flame, explosion, or flash fire the types of burn injuries for which a health care provider is required to report to either local or State fire authorities for investigation. The bill also extends the timeline for submitting such reports from three to seven working days, requires that in counties with populations under 100,000 such reports are to be submitted to the State Fire Marshall on a form approved by the State Fire Marshall, and provides that a fire department may, rather than shall, investigate such a report.

This bill is effective on October 1, 2021.

SCR 2 (File 10)

[Senate Concurrent Resolution 2](#) honors former State Senator Allison Copening for her service in the Nevada Legislature and her long-term advocacy for organ donation.

The resolution also supports the development of a transplant institute in Nevada to expand opportunities for organ donation and transplants in this State, promote innovation in the health care field, satisfy the growing demand for transplant services, and provide economic growth and job opportunities for physicians, medical researchers, and others.

This resolution is effective on March 9, 2021.

Children’s Health and Welfare

Note: For children’s mental and behavioral health issues, see the “[Mental and Behavioral Health](#)” section in this chapter.

AB 197 (Chapter 125)

[Assembly Bill 197](#) authorizes minors who demonstrate that they live apart from their parents or legal guardian to consent to certain health services for themselves or their children. The bill also:

- Removes the requirement that minors must have lived apart from their parents or legal guardian for at least four months;
- Prohibits delaying or denying health services to a minor who refuses to consent to communication with a parent or legal guardian; and
- Provides that a parent, legal guardian, or legal custodian of a minor receiving certain treatment is not responsible for paying the cost of the treatment unless the parent, guardian, or custodian has consented to such treatment.

Finally, AB 197 revises provisions that require the State Registrar to provide birth certificates to a homeless person free of charge, in certain circumstances, by removing a requirement that the person must submit a signed affidavit stating that the person is homeless. Instead, a person needs to sign a statement under penalty of perjury that he or she is homeless. The State Registrar may not require such a statement to be notarized.

This bill is effective on May 27, 2021.

AB 228 (Chapter 127)

Assembly Bill 228 provides for the establishment of children's advocacy centers where multidisciplinary teams work to investigate and help children recover from abuse and neglect, and hold accountable perpetrators of child abuse and neglect. The bill outlines credentialing and operational requirements of such centers. In addition, AB 228:

- Requires the governing body of each county and each child welfare agency to ensure, to the extent that money is available, that children who are victims of abuse or neglect have access to the services provided through a children's advocacy center; and
- Creates the Account to Support Children's Advocacy Centers in the State General Fund, administered by the Division of Child and Family Services of the Department of Health and Human Services.

This bill is effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 426 (Chapter 376)

Assembly Bill 426 authorizes a child welfare agency to request that the court issue a warrant to place a child in protective custody if there is reasonable cause to believe that the child needs protection, but the threat is not imminent in the time it would take to obtain a warrant. The bill also sets forth certain requirements for such a warrant.

In addition, the bill:

- Clarifies that a court may, upon the initiative of the court or a special master, find that a person has a special interest in a child and must be involved in and notified of certain plans and proceedings relating to the placement of the child;
- Clarifies that such a finding may be reviewed or modified at any time by the court or special master;
- Revises provisions relating to the notice that must be provided to a parent or other person responsible for a child's welfare before certain hearings related to the child's placement in protective custody;
- Clarifies that certain determinations by a court relating to the placement of a child must be made based on a preponderance of the evidence;
- Allows the Attorney General to sign a petition alleging that a child is in need of protection; and
- Authorizes the court to dispose of a case if the court finds by a preponderance of evidence that the child needed protection at the time the child welfare agency completed the investigation, if the child was not removed from the home.

This bill is effective on October 1, 2021.

SB 21 (Chapter 521)

[Senate Bill 21](#) revises and standardizes the specified crimes authorizing or requiring the denial of an application for employment—or the termination of employment of a current employee—at public or private institutions and agencies to which a juvenile court commits a child and certain facilities that provide residential mental health treatment to children. These entities shall also determine whether an employee has criminal charges pending against him or her for a specified crime and may terminate the employee if such charges are pending.

An agency that provides child welfare services may only waive the prohibition on hiring an applicant who has been convicted of a specified crime if the agency adopts and applies an objective weighing test whereby certain mitigating factors are considered. The bill provides that the prohibition on hiring an applicant who has been convicted of a sexually related crime with a minor as the victim may not be waived through the use of the test, and an agency decision is not appealable. A review of relevant data must be conducted every two years to determine the efficacy of the test and identify implicit bias, and applicants and employees are allowed to correct information that they believe has been reported incorrectly.

This bill is effective on January 1, 2022.

SB 158 (Chapter 482)

[Senate Bill 158](#) revises the conditions that must be met for a child’s relatives to receive assistance through the Kinship Guardianship Assistance Program to include a determination by a child welfare agency that returning home or adoption are not appropriate permanency options for the child.

This bill is effective on July 1, 2021.

SB 274 (Chapter 412)

[Senate Bill 274](#) revises provisions relating to receiving centers, which are secured facilities that operate 24 hours per day, 7 days per week, to provide specialized inpatient and outpatient services to commercially sexually exploited children. A person or entity must apply for a license to operate a receiving center from the Division of Child and Family Services of the Department of Health and Human Services, and the Division is authorized to require the certification of other facilities or organizations to provide services to commercially sexually exploited children.

Among other things, the bill:

- Requires the plan that must be developed to establish the infrastructure to provide treatment, housing, and services to commercially sexually exploited children to include plans for providing specialized housing including receiving centers or other appropriate placements to meet the needs of these children;
- Removes a requirement that the plan ensure any secured placement for a commercially sexually exploited child is temporary, subject to judicial review, and utilized only when necessary; and

- Requires child welfare agencies, upon a report of the commercial sexual exploitation of a child, to conduct an assessment using the resources of a children's advocacy center, when such resources are available, to determine whether a child is a victim of commercial sexual exploitation, a victim of abuse or neglect, or in immediate danger of serious bodily harm, or suffers from unmet basic needs.

Finally, SB 274 postpones from July 1, 2022, to July 1, 2023, the effective date of existing provisions that prohibit the adjudication of a child who is alleged to have violated certain provisions of law relating to prostitution as delinquent or in need of supervision or the detention of such a child if there is reasonable cause to believe that the child is a commercially sexually exploited child.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and for the purpose of postponing the effective date of provisions that prohibit the adjudication of a child under certain circumstances. Provisions concerning plans for providing receiving centers or other appropriate placements to meet the housing needs of commercially sexually exploited children are effective on July 1, 2023. All other provisions are effective on January 1, 2022.

SB 376 (Chapter 173)

[Senate Bill 376](#) requires child welfare agencies to assign one of the following dispositions to a report concerning the possible abuse or neglect of a child upon determining that an investigation is not warranted or upon the conclusion of an investigation:

- Substantiated;
- Unsubstantiated;
- Unable to locate or contact; or
- Administrative closure.

In addition, SB 376 prohibits the reporting of dispositions other than substantiated to the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child and prohibits the release of information from the Central Registry regarding reports of child abuse or neglect that received a disposition other than substantiated, except to a child welfare agency.

This bill is effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 377 (Chapter 418)

[Senate Bill 377](#) provides that certain money for an adoption assistance program which remains at the end of a fiscal year—and which was appropriated to the Division of Child and Family Services of the Department of Health and Human Services or granted to a county by the Division—does not revert to the State General Fund and may be carried forward to the next fiscal year for use by the Division or county, as applicable, for the costs of general child welfare services. Any money carried over and not expended by the end of the second fiscal year reverts to the State General Fund.

This bill is effective on July 1, 2021.

SB 397 (Chapter 419)

Senate Bill 397 requires the Division of Child and Family Services of the Department of Health and Human Services to establish the Extended Young Adult Support Services Program to provide extended youth support services to certain individuals between 18 and 21 years of age whose plan for permanent placement on their 18th birthday is a permanent living arrangement other than reunification with their parents. Such young adults remain under the jurisdiction of the court until they reach 21 years of age but have the same ability to make decisions as adults who are not subject to the jurisdiction of the court.

Eligible young adults may decide to participate in the Program any time before their 21st birthday, notwithstanding any previous decision not to participate or to terminate participation. In addition, the bill requires child welfare agencies to provide information about the Program to children and determine whether they intend to request to participate at least 120 days before the child reaches 18 years of age. Attorneys who counsel certain children in the custody of a child welfare agency must provide counsel regarding the legal consequences of participating in the Program and of remaining under the jurisdiction of the court.

Senate Bill 397 further outlines eligibility criteria for the Program, requires child welfare agencies to develop a written plan to assist each participant in transitioning to self-sufficiency, describes the role of the court, sets forth conditions under which participation may be terminated, and specifies that Program participants are entitled to continue receiving services and monetary payments from a child welfare agency.

Finally, the bill requires the Division to consult with and solicit input from certain stakeholders to develop a budgetary enhancement for the Division to implement the Program and, to the extent federal or other funding is available, to request inclusion of the enhancement in the 2023–2025 proposed State budget.

Provisions of this bill relating to the development and submittal of a budgetary enhancement to implement the Extended Young Adult Support Services Program are effective on June 4, 2021. All other provisions are effective on January 1, 2024.

Maternal and Women’s Health

AB 119 (Chapter 85)

Assembly Bill 119 revises the duties of the Maternal Mortality Review Committee to include identifying and reviewing disparities in the incidence of maternal mortality by analyzing the race, ethnicity, age, and geographic region of the residence of mothers who experience maternal mortality. The bill also requires the Committee to collaborate with the Advisory Committee on Minority Health and Equity of the Office of Minority Health and Equity of the Department of Health and Human Services in developing its biennial report.

This bill is effective on May 25, 2021.

AB 189 (Chapter 398)

Assembly Bill 189, to the extent authorized by federal law, expands Medicaid coverage for pregnant women whose household income is at or below 200 percent of the federally designated poverty level and requires the Department of Health and Human Services (DHHS) to apply for a federal waiver to authorize coverage for a pregnant woman and her child until 12 months following childbirth. The bill prohibits the imposition of a requirement that a pregnant woman who is otherwise eligible for Medicaid must reside in the United States for a prescribed amount of time before enrolling in Medicaid.

The bill appropriates \$713,856 from the State General Fund to the Division of Health Care Financing and Policy of DHHS and authorizes the expenditure of \$1,208,691 from amounts not appropriated from the State General Fund or the State Highway Fund for a projected increase in medical costs and associated system and actuarial costs to implement provisions of the legislation. The bill also appropriates \$150,900 from the State General Fund to the Division of Welfare and Supportive Services of DHHS and authorizes the expenditure of \$1,358,100 from amounts not appropriated from the State General Fund or the State Highway Fund for the implementation of system changes and training necessary to implement provisions of the legislation. Any remaining balances of the appropriations must be reverted to the State General Fund.

This bill is effective on July 1, 2022.

AB 196 (Chapter 502)

Assembly Bill 196 requires, with certain exceptions, each courthouse to contain a lactation room that may be used by members of the public to express breast milk. The bill defines “lactation room” as a hygienic place, other than a bathroom, that is shielded from view; is free from intrusion; and contains a chair, a working surface, and an electrical outlet. Finally, the bill appropriates from the State General Fund to the Administrative Office of the Courts \$50,000 for allocation as grants to municipal, justice, and district courts for the costs of providing a lactation room.

Provisions of this bill relating to the appropriation of money for grants are effective on July 1, 2021. All other provisions are effective on January 1, 2022.

AB 287 (Chapter 517)

Assembly Bill 287 replaces the term “obstetric center” with the term “freestanding birthing center,” thereby requiring such centers to meet certain requirements currently applicable to obstetric centers. Freestanding birthing centers, which must be licensed as and comply with provisions governing medical facilities, provide maternity care and birthing services in a location similar to a residence. These centers:

- Must be located within 30 miles of a hospital that provides services related to pregnancy and newborn infants;
- May not provide surgery; and
- Must have a director who possesses certain qualifications.

In addition, the bill replaces the term “mother” and similar terms with references to a person who is pregnant, a person giving birth, or a person who has given birth, as appropriate, for purposes relating to vital statistics, maternal and child health, and medical facilities and related entities.

Finally, AB 287 authorizes the Maternal Mortality Review Committee to access information contained in the State’s reporting system for cancer and other neoplasms.

This bill is effective on June 8, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

SB 190 (Chapter 504)

[Senate Bill 190](#) requires the State Board of Pharmacy to adopt regulations that establish a protocol allowing a pharmacist to dispense self-administered hormonal contraceptives to any patient. In order to dispense such contraceptives, a pharmacist must provide a risk assessment questionnaire to a patient who requests a self-administered hormonal contraceptive, create a record, provide the patient with certain information, and comply with relevant regulations and guidelines. The Board may suspend or revoke the certificate of a pharmacist who does not comply with these requirements.

The Board must post on a website a list of pharmacies that dispense self-administered contraceptives under the protocol. Finally, the bill requires certain health insurers to cover self-administered hormonal contraceptives dispensed by a pharmacist.

This bill is effective on June 8, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

SB 196 (Chapter 287)

[Senate Bill 196](#) prohibits a health care provider from performing or supervising a pelvic examination on an anesthetized or unconscious patient without first obtaining the patient’s informed consent, except under certain circumstances. The bill also prohibits a health care provider, or a person supervised by a health care provider, from supervising or performing a pelvic examination that the provider is not appropriately licensed, certified, or registered to perform, or that is not within the provider’s scope of practice. Finally, the bill authorizes the imposition of professional discipline or denial of a license or certificate for a provider who performs or supervises a prohibited pelvic examination.

This bill is effective on July 1, 2021.

SB 251 (Chapter 172)

[Senate Bill 251](#) requires primary care providers to attempt to determine whether adult women to whom they provide services have a personal or family history of certain cancers or meet other criteria for which the United States Preventive Services Task Force recommends screening for a harmful mutation of the BRCA gene. If certain criteria are met, primary care providers must screen for the mutation, provide written notice of the need to discuss genetic counseling and testing, provide genetic counseling, and, if clinically indicated, provide genetic testing.

In addition, the bill requires a notice to be sent with the results of a mammogram advising women who have a familial history of certain types of cancer to speak with their doctor about genetic counseling and testing.

Physicians, physician assistants, and advanced practice registered nurses may receive credit toward applicable continuing education requirements for completing a course related to genetic counseling and genetic testing.

Finally, certain public and private health plans must cover screening, genetic counseling, and testing for harmful BRCA gene mutations where such services are required as set forth in the bill. The Commissioner of Insurance may take various actions, including suspending or revoking a health insurer's certificate, for failure to comply with these requirements.

This bill is effective on January 1, 2022.

Mental and Behavioral Health

AB 96 (Chapter 84)

Assembly Bill 96 authorizes a governmental entity that licenses and regulates emergency response employees to contract with a nonprofit organization to establish a program to provide peer support counseling for these employees who are experiencing mental health issues as a result of the nature of their work.

The bill also requires the Division of Public and Behavioral Health of the Department of Health and Human Services to post on its website information concerning peer support services available to emergency response employees. The Division must also, to the extent funds are available, collect and report certain information relating to suicide among emergency response employees to the Chief Medical Officer.

This bill is effective on May 25, 2021.

AB 181 (Chapter 185)

Assembly Bill 181 requires certain health insurers that provide health coverage for their employees to comply with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, which prohibits group health plans and health insurance issuers that provide benefits for mental health or substance use disorders from imposing less favorable benefit limitations on those benefits than on medical and surgical benefits. The bill also requires each insurer or other organization subject to those requirements to submit to the Commissioner of Insurance certain information that demonstrates compliance with the Act. The Commissioner may adopt regulations to carry out the provisions of this bill, must keep certain information confidential, and must annually submit a report to various entities.

Assembly Bill 181 also requires certain providers of health care designated by the State Board of Health to report information relating to attempted suicide to the Chief Medical Officer pursuant to regulations adopted by the Board. The bill:

- Provides for the confidentiality of personal information contained in these reports;

- Subjects a provider of health care who willfully fails to make such a report to a misdemeanor penalty and administrative fine; and
- Requires the Chief Medical Officer to annually submit to the Patient Protection Commission a report summarizing any information relating to suicide.

This bill is effective on May 28, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 205 (Chapter 99)

Assembly Bill 205 authorizes a school nurse, or other designated employee of a school who is properly trained, to administer an opioid antagonist to any person on the premises of the school who is reasonably believed to be experiencing an opioid-related drug overdose. Additionally, AB 205 requires:

- A school that obtains an order for an opioid antagonist to establish certain policies and provide certain training relating to the storage, handling, transportation, and administration of opioid antagonists to designated employees of the school;
- Each school district and charter school to report to the Division of Public and Behavioral Health of the Department of Health and Human Services certain information relating to the administration of opioid antagonists at public schools in this State; and
- The board of trustees of each school district and the governing body of each charter or private school that obtains an order for an opioid antagonist to establish certain policies to ensure that emergency assistance is sought each time a person experiences a drug overdose at a school, and to provide for notification of the parent or guardian of a pupil to whom an opioid antagonist is administered.

This bill provides that a health care professional is not subject to disciplinary action for issuing an order for opioid antagonists to a school. Further, the bill exempts a school, school district, employee of a school, registered pharmacist, health care professional, and various other persons from liability for certain damages relating to the provision or administration of an auto-injectable epinephrine or an opioid antagonist under certain circumstances.

This bill is effective on May 26, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 374 (Chapter 447)

Assembly Bill 374 creates the Statewide Substance Use Response Working Group within the Office of the Attorney General to review various aspects of substance misuse and substance use disorders as well as programs and activities to address these issues. The bill also requires the Department of Health and Human Services to annually report to the Working Group the use of State and local funds to address substance misuse and substance use disorders, and requires the Working Group to study, evaluate, and make recommendations concerning the use of these funds by submitting annually a report of its recommendations to the Governor, the Attorney General, the Legislature, and certain other entities.

This bill is effective on June 4, 2021.

AB 394 (Chapter 190)

[Assembly Bill 394](#) provides that behavioral health specialists performing mobile crisis intervention services by telephone or audio-video communication are immune from any civil liability in the performance of those services under certain circumstances.

This bill is effective on July 1, 2021.

AB 442 (Chapter 94)

[Assembly Bill 442](#) requires certain health care providers to complete two hours of training in the screening, brief intervention, and referral to treatment approach to substance use disorder. The bill allows training in this approach to satisfy certain continuing education requirements for specified providers.

In addition, the bill provides that certain health care providers who dispense narcotic drugs to individuals for maintenance or detoxification treatment and who obtain a federal registration for that purpose are exempt from requirements to complete continuing education relating specifically to substance use and other addictive disorders and the prescribing of opioids for one period of licensure. Such providers may also use the federal registration to satisfy four hours of any applicable continuing education requirement.

This bill is effective on May 25, 2021.

SB 69 (Chapter 444)

[Senate Bill 69](#) makes various changes related to behavioral health. The bill removes provisions for the licensing and regulation of peer support recovery organizations and instead prescribes requirements for the certification and regulation of persons who provide peer support recovery services for compensation as a regular part of their job duties. It makes the Nevada Certification Board responsible for certifying peer recovery support specialists and peer recovery support specialist supervisors. If the Nevada Certification Board or its successor organization ceases to certify such persons, the bill makes the Division of Public and Behavioral Health (DPBH) of the Department of Health and Human Services responsible for certifying and regulating these persons.

Additionally, SB 69 requires Nevada's Department of Education (NDE) to develop, maintain, and publish a list of evidence-based curricula and programs concerning substance misuse and substance use disorders. The board of trustees of each school district and the governing body of each charter school must submit a report describing any such curricula or program used or offered during School Year 2020-2021 to the Legislative Committee on Education. The bill also requires public schools to participate in the biennial Youth Risk Behavior Surveillance System (YRBS) developed by the Centers for Disease Control and Prevention, but authorizes pupils and their parents or guardians to abstain from participation.

Finally, SB 69 requires the State Board of Health to adopt regulations providing for the certification of substance use disorder prevention coalitions and prescribes the duties of such coalitions.

Provisions of this bill requiring NDE to develop a list of evidence-based curricula and programs as well as provisions related to the YRBS are effective on July 1, 2021. Provisions related to peer recovery support services and substance use disorder prevention coalitions are effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes. Provisions requiring certification of peer recovery support specialists through the DPBH are effective on the date on which the Nevada Certification Board, or its successor organization, ceases to certify such persons.

SB 70 (Chapter 481)

[Senate Bill 70](#) revises various laws related to mental health. It prescribes separate processes for the detention and release of a person on a mental health crisis hold and the emergency admission of such a person. In addition, the bill prescribes various processes and criteria related to assisted outpatient treatment, which is defined as outpatient mental health services provided to a person with a mental illness pursuant to a court order.

The bill makes various changes related to conditional release and requires the Division of Public and Behavioral Health of the Department of Health and Human Services and the Office of the Attorney General to approve all forms of detainment, evaluation, treatment, and conditional release of any consumer in a mental health facility or a program of assisted outpatient treatment. It revises requirements governing a petition for involuntary court-ordered admission and requires certain notification to be provided if a person is released or transferred to a different mental health facility or hospital. Finally, the bill requires courts to seal records governing proceedings involving a consumer in a mental health facility or a program of assisted outpatient treatment.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 146 (Chapter 56)

[Senate Bill 146](#) revises laws related to behavioral health care for children with emotional disturbance who are subject to the jurisdiction of a juvenile court for reasons relating to protection from abuse and neglect. Specifically, when such a child is admitted to a public or private inpatient psychiatric treatment facility, the bill requires the administrative officer or staff of the facility to ask the person or entity with legal custody of the child whether he or she has a health care provider who regularly provides mental or behavioral health care. If the child has such a provider, staff of the facility must make a reasonable effort to consult with the provider concerning the child's admittance and care and to coordinate on a plan to discharge the child from the facility.

This bill is effective on May 25, 2021.

SB 154 (Chapter 445)

[Senate Bill 154](#) requires the Department of Health and Human Services (DHHS) to apply for a waiver from the federal government to receive federal funding to include in the State Plan for Medicaid coverage for substance use disorder treatment for individuals in an institution for mental diseases. The bill also authorizes DHHS to apply for a similar waiver to treat adults with serious mental illness or children with severe emotional disturbance in an institution for mental diseases.

This bill is effective on July 1, 2021.

SB 156 (Chapter 58)

[Senate Bill 156](#) expands the authority of the Division of Public and Behavioral Health of the Department of Health and Human Services (DHHS) to issue an endorsement as a crisis stabilization center not just to a psychiatric hospital, but to any licensed hospital that meets certain requirements. The bill also expands the list of organizations by which a hospital may be accredited to qualify for renewal of an endorsement, and exempts rural hospitals from the accreditation requirement.

Additionally, the bill expands the existing requirement that DHHS take any action necessary to ensure crisis stabilization services provided at a psychiatric hospital with a crisis stabilization center endorsement are reimbursable under Medicaid to include such services provided at any hospital with this endorsement.

Finally, SB 156 makes conforming changes to existing law requiring health maintenance organizations or managed care organizations that provide services through Medicaid or the Children's Health Insurance Program to negotiate in good faith to include a hospital with an endorsement as a crisis stabilization center in their provider network.

This bill is effective on July 1, 2021.

SB 210 (Chapter 487)

[Senate Bill 210](#) requires that if a child with an emotional disturbance who is in the custody of a child welfare services agency is admitted to a psychiatric hospital or residential mental health treatment facility, a plan must be developed for continuing the child's education in consultation with the school in which the child was most recently enrolled, the school district, the agency providing child welfare services, and any person responsible for the child's education. The school and school district must participate in the development of the plan and comply with it, including by providing any existing individualized education programs to the facility. The plan must be considered when determining whether it is in the best interest of the child to remain in his or her school of origin.

Additionally, SB 210 requires the school district in which the child was enrolled to monitor the child's progress in a facility and participate in discharge planning for transitioning the child into a school or other educational setting. Prior to a child being admitted to certain facilities, a meeting must be convened to consider the appropriateness of a residential placement.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

SB 390 (Chapter 446)

[Senate Bill 390](#) makes various changes relating to behavioral health. The bill requires the Division of Public and Behavioral Health of the Department of Health and Human Services to support the implementation of a hotline that may be accessed by dialing 9-8-8 for people considering suicide or otherwise in a behavioral health crisis. The Division must establish at least one support center to answer and coordinate the response to calls and to coordinate and deploy services necessary for those who use the hotline, including providing follow-up services. In addition, the Division must

establish or encourage the establishment of mobile crisis teams to respond to calls. Telecommunications providers are exempt from certain damages relating to the hotline.

The bill also requires the State Board of Health, within the Department, to adopt regulations to impose a surcharge on mobile communication services, IP-enabled voice services, and landline telephone services, which must be deposited into the Crisis Response Account in the State General Fund and administered by the Division for specific purposes.

The bill creates the Fund for a Resilient Nevada to hold the proceeds of certain litigation by the State concerning the manufacture, distribution, sale, and marketing of opioids, and to provide for the use of this money for statewide projects and distribution as grants to regional, local, and tribal governments and private sector organizations for projects that address the impacts of opioid use disorder and other substance use disorders. The bill also creates the Advisory Committee for a Resilient Nevada, which must submit a biennial report of recommendations to the Director of the Department concerning the allocation and distribution of money from the Fund. Finally, SB 390 requires the Department to conduct a statewide needs assessment to determine priorities for allocating money from the Fund and, based on the needs assessment, develop a statewide plan for allocating the money. Regional, local, or tribal governmental entities that wish to apply for a grant from the Fund must conduct a needs assessment and develop a plan for the expenditure of the money as well.

Provisions of this bill concerning the hotline and a surcharge on certain services are effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes. All other provisions are effective on June 4, 2021.

Prescription Drugs

AB 177 (Chapter 184)

[Assembly Bill 177](#) requires a pharmacy, except an institutional pharmacy, to provide the specific directions for use required to be included on the label of a prescription drug in English and—upon the request of a prescribing practitioner, patient, or authorized representative of a patient—any language prescribed by the State Board of Pharmacy.

If a pharmacy enters into a contract with a third party for the translation of the required information, neither the pharmacy nor its employees are liable in any civil action for any injury resulting from the translation unless it is the result of negligence, recklessness, or deliberate misconduct.

Finally, pharmacies must post in a conspicuous place a notice informing patients that they may request this information in a language other than English, along with a list of languages in which the information is available.

This bill is effective on May 28, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

AB 178 (Chapter 179)

[Assembly Bill 178](#) requires specified public and private insurers to:

- Waive any restrictions on the time period within which a prescription may be refilled for an insured who resides in an area to which a state of emergency or declaration of disaster applies, if the insured requests the refill within a certain time; and
- Authorize payment for a supply of a covered prescription drug for up to 30 days for any insured who requests a refill under those conditions.

The Commissioner of Insurance is authorized to extend those time periods as he or she determines necessary.

In addition, the measure allows a pharmacist to fill or refill a prescription in an amount that is greater than the amount authorized by the prescribing practitioner but does not exceed a 30-day supply of the drug if the drug is not a controlled substance listed in schedule II, the patient resides in an area where a state of emergency or declared disaster applies, and certain other requirements are met. A pharmacist who dispenses a drug under those conditions must issue and maintain a written order for dispensing the drug and notify the practitioner.

This bill is effective on July 1, 2021.

SB 380 (Chapter 547)

Senate Bill 380 removes the existing requirement that the Department of Health and Human Services compile a list of essential asthma drugs and instead requires the Department to compile a list of prescription drugs with a wholesale acquisition cost that exceeds \$40 for a course of therapy that have increased in price by more than 10 percent in the last year or 20 percent in the last two years. Additionally, the Department must compile:

- A list of essential diabetes treatment drugs and the wholesale acquisition cost of each drug; and
- A list of such drugs that have increased in cost by a percentage equal to or greater than the percentage increase in the Consumer Price Index, Medical Care Component, in the last year or twice the percentage increase in the Consumer Price Index, Medical Care Component, in the last two years.

Health insurers must publish on their websites or include in enrollment materials a notice of all prescription drugs on these lists.

The bill expands the information pharmacy benefit managers (PBMs) must report, and requires prescription drug wholesalers to report certain information regarding drugs on the lists compiled by the Department. Reports submitted by prescription drug manufacturers, PBMs, or wholesalers must be accompanied by a statement signed under penalty of perjury affirming the accuracy of the information in the report.

In addition, the bill:

- Removes an existing exemption from reporting for certain PBMs;

- Revises the information that must be included in the Department’s report concerning prescription drug pricing and requires findings to be presented in a public hearing;
- Authorizes the imposition of administrative penalties against wholesalers that fail to report required information; and
- Revises the manner in which the Department is authorized to use the money collected through administrative penalties assessed against wholesalers, manufacturers, PBMs, and nonprofit organizations.

This bill is effective on October 1, 2021.

SB 396 (Chapter 303)

[Senate Bill 396](#) authorizes public agencies in Nevada to enter into agreements with private entities within or outside of this State for the purchase of prescription drugs, pharmaceutical services, or medical supplies and related services. In addition, the bill authorizes the Department of Health and Human Services to enter into such an agreement for the purchase of prescription drugs for Medicaid or the Children’s Health Insurance Program.

This bill is effective on June 2, 2021.

Public Health and Diseases

AB 187 (Chapter 124)

[Assembly Bill 187](#) designates the month of September of each year as “Ovarian and Prostate Cancer Prevention and Awareness Month” and requires the Governor to issue annually a proclamation encouraging the observance of Ovarian and Prostate Cancer Prevention and Awareness Month.

This bill is effective on May 27, 2021.

AB 192 (Chapter 400)

[Assembly Bill 192](#) requires a physician or other person who attends to a pregnant woman to examine, test, and treat the woman for certain sexually transmitted infections unless the woman opts out. The bill also expands the requirement to test a pregnant woman for syphilis by requiring certain nonhospital medical facilities, emergency departments, or labor and delivery units in a hospital evaluating or treating a pregnant woman to test her for syphilis under certain circumstances.

Additionally, the bill:

- Authorizes a pregnant woman to refuse testing for syphilis for any reason and revises the times at which a pregnant woman must be tested;
- Replaces the misdemeanor violation for willfully violating syphilis testing requirements with a civil penalty and authorizes the imposition of a civil penalty against a person who willfully violates the requirements concerning testing for certain sexually transmitted infections;

- Requires a report of a pregnant woman who has syphilis to include certain information relating to the treatment provided, if any;
- Requires the person or facility performing the testing to provide treatment or refer the woman for treatment if she consents; and
- Requires the State Board of Health to designate syphilis as a communicable disease.

Assembly Bill 192 also requires certain public and private health insurers to provide coverage without prior authorization for an examination and testing of a pregnant woman for certain sexually transmitted diseases and authorizes the Commissioner of Insurance to take certain action against a health insurer who fails to comply with the requirements set forth by this bill.

This bill is effective on July 1, 2021.

AB 471 (Chapter 378)

[Assembly Bill 471](#) revises provisions relating to the reporting requirements of information on cancer and other neoplasms to the Division of Public and Behavioral Health of the Department of Health and Human Services. The bill applies the existing reporting requirements to facilities other than health care facilities that provide services to patients with cancer and other neoplasms and requires health care providers to report information on cancer and other neoplasms regardless of whether the case was directly referred or previously admitted to a hospital, medical laboratory, or other facility. The bill also requires an applicant for the issuance or renewal of registration of a radiation machine or a certificate of authorization for a radiation machine for mammography, or the renewal of certain licenses issued by the Division, to pay a fee to support the Division in administering the reporting of information on cancer and other neoplasms.

This bill is effective on July 1, 2021.

SB 175 (Chapter 484)

[Senate Bill 175](#) requires the State's Chief Medical Officer to establish and maintain a system for the reporting of information on lupus and its variants. Hospitals, medical laboratories, certain other facilities, and health care providers must report certain information about each case of lupus and its variants diagnosed or treated, as prescribed by the State Board of Health. In addition, the chief administrative officer of each health care facility in Nevada must make the facility's records for each case of lupus available for abstraction by the Division of Public and Behavioral Health of the Department of Health and Human Services (DHHS). The Division must publish certain reports based on information received, and it must apply for gifts, grants, and donations to carry out the program, coordinate with related State programs, pay for research, and provide education and support related to lupus and its variants. The bill also appropriates from the State General Fund to DHHS \$200,078 over the 2021–2023 Biennium to pay for an employee to support the system.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 209 (Chapter 536)

[Senate Bill 209](#) requires certain employers in private employment to provide employees with either two or four hours of paid leave for the purpose of their employees receiving COVID-19

vaccinations, depending on whether the vaccine taken requires one dose or two doses, respectively. The bill imposes certain requirements on employers relating to the provision of such leave and requires the Labor Commissioner to prepare and post a bulletin setting forth these requirements.

In addition, the bill requires the Legislative Committee on Health Care to conduct a study during the 2021–2022 Interim regarding the State’s response to the COVID-19 health crisis. The Committee must report the results of the study and any recommendations to the Governor and the Legislative Counsel Bureau for transmittal to the 2023 Legislature.

The bill also requires employers to allow an employee to use paid leave for any use, including, without limitation, to receive certain medical treatments, participate in caregiving, or address other personal needs related to the health of the employee.

The bill is effective on June 9, 2021. Provisions authorizing paid leave for the purpose of receiving a COVID-19 vaccine expire by limitation on December 31, 2023.

SB 211 (Chapter 485)

[Senate Bill 211](#) requires, with certain exceptions, certain health care providers or hospitals that provide emergency services or primary care to patients who are 15 years of age or older to consult with such patients to determine whether they wish to be tested for sexually transmitted diseases and to determine which tests, if any, are medically indicated. Hospitals and health care providers must test patients who wish to be tested or help them obtain a test, with certain exceptions. The bill also requires the State Board of Health to adopt regulations to ensure that any test is medically indicated and that communications regarding testing are made in a culturally competent manner and, to the extent practicable, in a language easily understood by the patient. Health care providers who fail to comply with the bill’s requirements are subject to professional discipline.

Senate Bill 211 appropriates from the State General Fund \$25,074 in Fiscal Year (FY) 2021–2022 and \$21,431 in FY 2022–2023 to the Division of Health Care Financing and Policy of the Department of Health and Human Services for costs associated with testing for sexually transmitted diseases for Medicaid recipients.

This bill is effective on July 1, 2021.

SB 275 (Chapter 491)

[Senate Bill 275](#) makes various changes to provisions governing public health and communicable diseases and sets forth the legislative finding that the spread of communicable diseases is a public health matter that should not be addressed through criminalization. The bill revises multiple provisions relating to communicable diseases by State and local health authorities including, without limitation:

- Specifying procedures to be followed by a county or city board of health when isolating, quarantining, or treating certain persons;
- Authorizing the investigation of a case or suspected case of a communicable disease; and
- Requiring that any order to isolate, quarantine, or treat an infected person or group of persons must state the reasons for taking such actions.

The bill revises or repeals multiple criminal penalties relating to communicable diseases, modifies provisions concerning court-ordered testing for a communicable disease, and requires the alleged victim of a crime involving sexual penetration to be provided with certain information concerning sexually transmitted diseases.

Senate Bill 275 modifies terminology used to refer to the human immunodeficiency virus (HIV) and revises or repeals various provisions of existing law related to HIV and people with HIV. Finally, the bill reestablishes the Advisory Task Force on HIV Exposure Modernization for the 2021–2022 Legislative Interim and requires the Legislative Counsel, to the extent practicable, to ensure that people with HIV are referred to using language commonly viewed as respectful and to avoid duplicative references to HIV and acquired immunodeficiency syndrome throughout *Nevada Revised Statutes* and *Nevada Administrative Code*.

This bill is effective on June 6, 2021.

SB 318 (Chapter 498)

[Senate Bill 318](#) requires the Division of Public and Behavioral Health of the Department of Health and Human Services and district health departments to take reasonable measures to ensure that people with limited English proficiency have meaningful and timely access to services to restrain the spread of COVID-19. The Division and district health departments must research and apply for available federal and private funding that could be used to support these activities.

In addition, SB 318 requires each agency in the Executive Branch of the State government to develop and biennially revise a language access plan that includes information related to existing services available to individuals with limited English proficiency and recommendations for meeting the need for such services among those served by the agency.

Provisions of this bill removing the requirement that language access plans include a review of the agency's ability to make language services available during the COVID-19 public health emergency are effective two years after the date on which the Governor terminates the emergency described in the Declaration of Emergency for COVID-19 issued on March 12, 2020. All other provisions are effective on June 7, 2021.

SB 325 (Chapter 492)

[Senate Bill 325](#) requires the State Board of Pharmacy to prescribe a protocol to allow a pharmacist to:

- Order laboratory tests necessary for therapy that uses a drug approved by the United States Food and Drug Administration for preventing the acquisition of human immunodeficiency virus (HIV);
- Conduct tests necessary for such therapy; and
- Prescribe, dispense, and administer such drugs without a prescription from a health care practitioner.

In addition, the bill requires public and private health insurance plans to cover HIV prevention drugs and related laboratory and diagnostic procedures and to reimburse pharmacists for these

services at a rate equal to similar services provided by physicians, physician assistants, or advanced practice registered nurses. Health insurers may subject the benefits to reasonable medical management techniques, and the Commissioner of Insurance may take certain actions, including suspending or revoking the certificate of health insurers who fail to comply with the requirements of the bill.

This bill is effective on June 6, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 386 (Chapter 533)

[Senate Bill 386](#) requires certain employers that laid off employees because of the Declaration of Emergency for COVID-19 to offer jobs to those employees under certain conditions. The bill prescribes an order of preference that the employer must follow when extending a job offer to such employees. The bill also requires these employers, in the event of a layoff, to provide an employee who is to be laid off with a written notice containing certain information concerning the layoff.

The bill prohibits an employer from terminating, reducing compensation, refusing to employ, or otherwise taking any adverse action against a person who takes certain actions in relation to the provisions of this bill. An aggrieved employee who establishes specified requirements may file a complaint with the Labor Commissioner or bring a civil action in court. The bill sets forth standards for establishing and rebutting certain presumptions concerning violations of the provisions of this bill in such an action and specifies certain awards that may be granted to an aggrieved employee who prevails in such an action. The bill also establishes minimum labor standards and does not preempt or prevent employment standards that are more protective and beneficial for employees, nor does the bill supersede an employee's right to recall pursuant to a collective bargaining agreement.

In addition, the bill revises provisions requiring the Director of the Department of Health and Human Services and district boards of health to adopt regulations prescribing requirements to reduce and prevent the transmission of the virus that causes COVID-19 in public accommodation facilities such as hotel/casinos, resorts, hotels, motels, hostels, bed and breakfast facilities, and similar facilities. The bill provides that the regulations adopted by the Director and district boards of health to reduce and prevent COVID-19 transmission must be amended to reflect the new requirements. Provisions in these regulations that conflict with this bill are unenforceable.

Provisions of this bill concerning the return of laid off employees to work and complaint procedures available to aggrieved employees are effective on July 1, 2021, and expire by limitation on the later of August 31, 2022, or the date on which the Governor terminates the emergency described in the Declaration of Emergency for COVID-19. All other provisions are effective on June 8, 2021.

SB 424 (Chapter 538)

[Senate Bill 424](#) creates the Public Health Resource Office within the Office of the Governor and requires the Governor to appoint the Public Health Resource Officer to oversee the Office. The Office must perform certain duties to improve public health in Nevada, including:

- Analyzing existing infrastructure for meeting public health needs; and

- Identifying and making recommendations regarding unmet needs for public health services, federal and private funding opportunities, and ways to improve coordination between public health providers.

In addition, the bill requires the Office of Minority Health and Equity within the Department of Health and Human Services to advise the Public Health Resource Officer concerning strategies to address disparate health outcomes in communities of Black, Indigenous, or other persons of color resulting from systemic racism and structures of racial discrimination, as well as in rural and other underserved communities.

Finally, the bill appropriates from the State General Fund to:

- The Public Health Resource Office \$176,079 for Fiscal Year (FY) 2021–2022 and \$226,799 for FY 2022–2023 for personnel, travel, operating, and equipment costs of the Office; and
- The Department of Health and Human Services \$76,062 for FY 2021–2022 and \$98,511 for FY 2022–2023 for personnel, travel, operating, and equipment costs for the activities required of the Office of Minority Health and Equity.

Provisions of this bill appropriating funds are effective on July 1, 2021. All other provisions are effective on June 9, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

SCR 1 (File 14)

Senate Concurrent Resolution 1 urges employers in Nevada to provide personal protective equipment to employees to help prevent the spread of COVID-19.

This resolution is effective on March 30, 2021.

SCR 5 (File 22)

Senate Concurrent Resolution 5 declares that systemic racism and structures of racial discrimination constitute a public health crisis magnified by the disproportionately high impact of COVID-19 on communities of color. The resolution also:

- Affirms a commitment to incorporate issues related to systemic racism and structures of racial discrimination into the regular business of the Legislature;
- Requests that federal funding be distributed equitably based on the percentage of members of Black, Indigenous, and other persons of color communities to address issues that disproportionately affect such persons in direct proportion to their disadvantages by individual racial category; and
- Urges support for local, State, regional, and federal initiatives to understand, address, and dismantle systemic racism and its impact on economic development, public safety, and the delivery of human and social services.

This resolution is effective on May 18, 2021.

Seniors, Persons With Disabilities, and Other Vulnerable Populations

AB 35 (Chapter 18)

[Assembly Bill 35](#) consolidates two financial assistance programs for senior citizens and persons with disabilities, financed by the Fund for a Healthy Nevada, into a single program. This bill also revises eligibility requirements for the consolidated program and makes various conforming changes. Under the consolidated program, a person is eligible to receive assistance with prescription drug costs, pharmaceutical services, and certain other services if he or she is a State resident; meets certain requirements prescribed by regulation of the Department of Health and Human Services; and is 60 years of age or older or has a physical or intellectual disability or a related condition.

This bill is effective on May 14, 2021, for the purpose of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 138 (Chapter 19)

[Assembly Bill 138](#) removes provisions that make a person who has been convicted of a felony drug offense ineligible for assistance through the Temporary Assistance for Needy Families (TANF) program or the Supplemental Nutrition Assistance Program (SNAP) in this State, thereby authorizing such a person to receive TANF and SNAP benefits.

This bill is effective on July 1, 2021.

AB 197 (Chapter 125)

[Assembly Bill 197](#) authorizes minors who demonstrate that they live apart from their parents or legal guardian to consent to certain health services for themselves or their children. The bill also:

- Removes the requirement that minors must have lived apart from their parents or legal guardian for at least four months;
- Prohibits delaying or denying health services to a minor who refuses to consent to communication with a parent or legal guardian; and
- Provides that a parent, legal guardian, or legal custodian of a minor receiving certain treatment is not responsible for paying the cost of the treatment unless the parent, guardian, or custodian has consented to such treatment.

Finally, AB 197 revises provisions that require the State Registrar to provide birth certificates to a homeless person free of charge, in certain circumstances, by removing a requirement that the person must submit a signed affidavit stating that the person is homeless. Instead, a person needs to sign a statement under penalty of perjury that he or she is homeless. The State Registrar may not require such a statement to be notarized.

This bill is effective on May 27, 2021.

AB 344 (Chapter 130)

[Assembly Bill 344](#) authorizes the Aging and Disability Services Division of the Department of Health and Human Services to establish a program to facilitate the transition of older persons and

persons with a disability from a hospital to their places of residence. Additionally, the bill requires such a program to:

- Provide for collaboration between hospital staff responsible for a discharge, the older person or person with a disability being discharged, and his or her caregivers; and
- Facilitate the coordination of health care and social services for an older person or a person with a disability.

This bill is effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

AB 421 (Chapter 137)

[Assembly Bill 421](#) establishes the preferred manner of referring to persons with mental illness and persons who are deaf or hard of hearing. The measure makes specific reference to what is considered the preferred language in *Nevada Revised Statutes* (NRS) for these individuals and lists words and terms that are not preferred when referring to these individuals. In addition, the bill specifies that the *Nevada Administrative Code* (NAC) must also use the preferred language and sentence structure when referring to persons with mental illness or persons who are deaf or hard of hearing. To conform with the provisions of the bill, the Legislative Counsel is required to update these wording changes in reprints and supplements of the NRS and supplements to the NAC.

The bill is effective on July 1, 2021.

AB 430 (Chapter 138)

[Assembly Bill 430](#) revises or removes certain obsolete terms used to describe the provision of certain services to people with intellectual and/or developmental disabilities.

This bill is effective on July 1, 2021.

AJR 1 (File 36)

[Assembly Joint Resolution 1](#) proposes to amend [Section 1 of Article 13 of the Nevada Constitution](#) by replacing the description of persons who benefit from institutions fostered and supported by the State from: “insane” to “persons with significant mental illness”; “blind” to “persons who are blind or visually impaired”; and “deaf and dumb” to “persons who are deaf or hard of hearing.” The resolution further proposes to add entities for the benefit of persons with intellectual disabilities or developmental disabilities to the types of entities that shall be fostered and supported by the State. Finally, the resolution proposes to replace the term “institutions” with the term “entities” in Section 1 of Article 13.

If approved in identical form during the 2023 Legislative Session, the proposal will be submitted to voters for final approval or disapproval.

SB 19 (Chapter 50)

[Senate Bill 19](#) establishes provisions in accordance with federal law that allow certain qualified entities to obtain information on the records of criminal history of employees, volunteers, applicants, and other covered individuals of the entity who have access to children, elderly persons, or disabled persons. Such a qualified entity must create an account with the Central Repository for

Nevada Records of Criminal History, provide any person subject to these requirements written notification of his or her rights, and obtain a signed waiver prior to conducting a records screening. The person's fingerprints must be submitted to the Central Repository and forwarded to the Federal Bureau of Investigation as part of this process. Qualified entities must determine, after receiving information under these provisions, whether the person is fit to have access to vulnerable persons.

The bill contains certain liability protections for the qualified entity and the State, its political subdivisions, agencies, and employees regarding this process and authorizes the Central Repository to audit any qualified entity that submits a request for screening for compliance with all applicable State and federal laws.

This bill is effective on May 25, 2021.

SB 61 (Chapter 182)

[Senate Bill 61](#) makes various changes to the program for the operation of vending facilities by licensees who are blind. Among other things, the bill:

- Requires the Bureau of Services to Persons Who Are Blind or Visually Impaired in the Rehabilitation Division of the Department of Employment, Training and Rehabilitation to provide certain training and assistance to licensees in the program and to those who wish to become licensees;
- Grants the Bureau the right of first refusal on behalf of licensees with regard to operating a vending facility in or on public buildings or property;
- Authorizes vending facilities to be operated in or on buildings or properties of the Nevada System of Higher Education, the Nevada State Park System, the Department of Corrections, and, under certain conditions, an airport authority or department of aviation, with the approval of the Bureau and the State agency;
- Revises timelines within which State or public entities must notify the Bureau regarding reactivation, leasing, releasing, licensing, or issuing permits to operate vending facilities in or on a public building or property, as well as notification related to new construction, remodeling, leasing, et cetera, of public buildings or property;
- Provides for the election of the Nevada Committee of Vendors Who Are Blind; and
- Authorizes the Bureau to enter a contract to establish a vending facility on private property through which the licensee may pay an incentive to the property owner for certain locations.

This bill is effective on July 1, 2021.

SB 96 (Chapter 394)

[Senate Bill 96](#) makes various changes related to services for individuals with autism spectrum disorders. Specifically, it requires the Department of Health and Human Services (DHHS) to biennially establish Medicaid fee-for-service reimbursement rates comparable to rates paid in other states for behavior analysts, assistant behavior analysts, and registered behavior technicians. The

Department must seek an increase in certain reimbursement rates for a registered behavior technician under the Medicaid program, and if approved, the Autism Treatment Assistance Program (ATAP) within the Aging and Disability Services Division of DHHS and the Children's Health Insurance Program must provide a reimbursement rate for registered behavior technicians equal to or higher than the Medicaid rate. The Department must also establish reasonable limits on the number of hours such providers can bill for services provided to Medicaid recipients in a 24-hour period.

In addition, the Division of Health Care Financing and Policy of DHHS must provide training to such providers concerning these limits and annually report to the Legislature certain information regarding the provision of services to Medicaid recipients diagnosed with an autism spectrum disorder.

Further, the bill requires ATAP to post certain information online to help people obtain a diagnosis and services related to autism spectrum disorders and, when there is a wait list for ATAP services, use a risk assessment tool to assess and identify those on the wait list who have higher needs.

Finally, the bill makes several appropriations to pay costs associated with increased reimbursement rates for Medicaid, the Children's Health Insurance Program, and ATAP. Specifically, the bill:

- Appropriates \$1,954,062 from the State General Fund to the Division of Health Care Financing and Policy of DHHS and authorizes the expenditure of \$3,532,653 not appropriated from the State General Fund or the State Highway Fund for increased reimbursement rates under Medicaid and the Children's Health Insurance Program;
- Appropriates \$94,838 from the State General Fund to the Division of Health Care Financing and Policy of DHHS and authorizes the expenditure of \$98,839 not appropriated from the State General Fund or the State Highway Fund for personnel, operating, computer programming, and equipment costs associated with carrying out the provisions of the bill; and
- Appropriates \$919,503 from the State General Fund to the Aging and Disability Services Division of DHHS for costs associated with increased reimbursement rates provided under ATAP.

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

Provisions of this bill relating to increasing reimbursement rates and making appropriations are effective on July 1, 2021. All other provisions are effective on July 1, 2023.

SB 188 (Chapter 286)

Senate Bill 188 provides for the establishment of the Individual Development Account Program by the Office of the State Treasurer, if sufficient money is obtained, and creates the Nevada Statewide Council on Financial Independence to oversee the Program, among other responsibilities.

The Program will allow certain persons from low-income households, a provider of foster care, or a relative or fictive kin in whose care a child is placed by a child welfare agency to establish an

individual development account (IDA) into which money is deposited to save and use later for certain purposes. An IDA may not be considered income when determining eligibility for Medicaid or for a housing project. The State Treasurer may select one or more fiduciary organizations to administer the money in the Program, and the State Treasurer may adopt specific regulations relating to the administration of IDAs by fiduciary organizations.

To establish an account, an eligible person and the fiduciary organization must enter into an agreement in which the account holder deposits funds into a financial institution and the fiduciary organization matches the funds with not more than \$5 for each \$1 deposited by the account holder—up to \$3,000 of matching funds in any 12-month period. Money in an IDA may be withdrawn for specific purposes only.

If the Department of Health and Human Services, a foster care licensing agency, or a housing authority receives funding from the State Treasurer, the entity must ensure instruction in financial literacy is provided to an IDA holder or a child on whose behalf an IDA is established by a provider of foster care or a relative or fictive kin.

Finally, the bill requires the State Treasurer to ensure that instruction and training in business opportunities are provided to tenants of housing authorities and certain nonprofits and to appoint and employ a Deputy of Financial Literacy and Security.

This bill is effective on June 2, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

SB 305 (Chapter 244)

[Senate Bill 305](#) makes various changes related to access to organ transplants for individuals with disabilities. Specifically, it:

- Prohibits health care providers, medical facilities, facilities for the dependent, the Department of Corrections, city or county jails, and those who provide medical services to incarcerated individuals from taking certain actions related to organ transplants solely on the basis of a person's disability;
- Limits the extent to which a person's disability may be considered when making recommendations or decisions regarding an organ transplant;
- Authorizes a person aggrieved by failure to comply with these requirements to institute a civil action for injunctive or other appropriate relief and requires a court to give priority to such an action; and
- Prohibits all health insurers from—among other things—denying, limiting, or seeking reimbursement from an insured for care related to an organ transplant because the insured is a person with a disability.

This bill is effective on October 1, 2021.

HOUSING, REAL PROPERTY, AND TRUSTS AND ESTATES

Affordable Housing

SB 12 (Chapter 62)

[Senate Bill 12](#) requires the owner of any housing that has been financed by the federal low-income housing tax credit or other money subject to affordability restrictions to provide written notice prior to the termination, expiration, or ending of an affordability restriction. Such notice must be provided to each tenant, the Housing Division of the Department of Business and Industry, and certain other persons at least 12 months before the owner submits a request to the Division for a qualified contract or, if such a request is not applicable, at least 12 months before the date upon which the affordability restriction will expire.

The bill also authorizes the Division to impose an administrative penalty upon an owner who fails to provide the required notice and to prohibit an owner who terminates an affordability restriction from applying for an allocation of federal low-income tax credits for a period not to exceed five years. Additionally, the bill provides that an owner of housing who will voluntarily maintain affordability restrictions after expiration of the restrictions must provide written notice to the Division not less than 12 months before the expiration and, thereafter, submit an annual report to the Division for as long as the affordability restrictions are voluntarily maintained.

This bill is effective on October 1, 2021.

SB 150 (Chapter 283)

[Senate Bill 150](#) requires the governing body of a county whose population is 100,000 or more or a city whose population is 150,000 or more to designate zoning districts where a tiny house may be located, as follows:

- At least one zoning district in which a tiny house may be located and classified as an accessory dwelling unit;
- At least one zoning district in which a tiny house may be located and classified as a single-family residence; and
- At least one zoning district in which a tiny house may be located in a tiny house park.

The bill also provides that all smaller counties and cities must designate at least one of these zoning districts where a tiny house may be located.

Further, the bill requires the governing body of a county or city to consider certain health and environmental effects of the locations of tiny houses in the zoning districts designated in the ordinance on certain populations. The bill authorizes the governing body of a county or city to set forth additional requirements for tiny houses and tiny house parks.

This bill is effective on January 1, 2024.

SB 284 (Chapter 225)

[Senate Bill 284](#) revises various provisions governing the affordable housing tax credit program administered by the Housing Division of the Department of Business and Industry. Specifically, the bill:

- Revises the procedure for the issuance of transferable tax credits so that transferable tax credits are issued before, rather than after, the project is completed;
- Authorizes an entity to which a project sponsor transfers transferable tax credits to transfer those tax credits to one or more of its subsidiaries or affiliates, and requires the entity to notify the Housing Division of such a transfer;
- Removes the four-year sunset provisions originally established in [Senate Bill 448 of the 80th Session](#), making the program permanent; and
- Clarifies that the maximum amount of tax credits that may be issued under the program remains at \$40 million as established in SB 448 of the 80th Session.

This bill is effective on July 1, 2021.

SB 311 (Chapter 235)

[Senate Bill 311](#) authorizes the Nevada Rural Housing Authority to create a for-profit business entity to:

- Prepare, carry out, operate, and otherwise manage housing projects;
- Provide for the construction, reconstruction, improvement, extension, alteration, or repair of housing projects;
- Enter into a public-private partnership to finance a housing project;
- Construct or operate a housing project for profit; and
- Make certain payments in lieu of taxes relating to the development, operation, and management of housing projects.

The bill also authorizes the business entity created by the Authority to rent or lease accommodations to persons with a higher income, provided the housing project primarily serves persons of low or moderate income.

This bill is effective on May 31, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

Common-Interest Communities

AB 237 (Chapter 268)

[Assembly Bill 237](#) revises various provisions concerning common-interest communities. Provisions governing the creation, alteration, and termination of common-interest communities are

expanded to include all common-interest communities, including those created before January 1, 1992, and nonresidential condominiums or nonresidential planned communities. The bill also:

- Revises certain fees that a unit-owners' association may charge;
- Authorizes an increase in certain fees, on an annual basis, in accordance with the Consumer Price Index, but no more than 3 percent each year;
- Prohibits an association from imposing or charging certain fees other than, or in excess of, those that the association is expressly authorized or required by statute to impose or charge;
- Establishes a procedure for the Real Estate Division of the Department of Business and Industry to investigate complaints alleging violations of the fee provisions;
- Provides that a public offering statement and the entire resale package do not need to be prepared or delivered in certain dispositions of a unit;
- Revises the notification requirements in the case of a foreclosure sale;
- Requires a court, to the extent necessary to grant appropriate relief, to ascertain the state of the title to the property to be partitioned pursuant to the report of a title company;
- Removes obsolete provisions regarding certain mortgages of personal property or crops from the provisions of law relating to the recording of assignments of mortgages and the subordination or waiver of priority of mortgages and other interests in real property; and
- Makes other technical changes.

Provisions of this bill concerning actions relating to certain fees are effective on June 2, 2021. Provisions concerning the procedure to investigate certain complaints are effective on June 2, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes. Other provisions of the bill are effective on January 1, 2022.

AB 249 (Chapter 201)

Assembly Bill 249 prohibits the executive board and the governing documents of a common-interest community from restricting the hours in which construction may begin during the period beginning on May 1 and ending on September 30 to any hours other than those authorized by the governing body of a county or city.

This bill is effective on October 1, 2021.

AB 301 (Chapter 272)

Assembly Bill 301 requires a tow car operator to immediately release a vehicle to its owner at no charge if the vehicle is towed from a residential complex for a lack of registration and the owner provides evidence of registration that predates the tow. The Nevada Transportation Authority (NTA) must implement a hardship tariff program that will allow owners of vehicles towed for lack

of registration to pay reduced tariff rates to recover their vehicles if they are unable to provide proof of registration that predates the tow and if, for reasons outside of their control, they cannot pay the normal charges. The NTA must adopt regulations establishing a range of tariffs and what qualifies as a reason outside the control of the owner. The measure also provides that a tow operator shall not charge any fees for a vehicle towed at the request of someone other than the vehicle owner or law enforcement, until at least 48 hours after the vehicle's arrival at the storage facility.

Assembly Bill 301 prohibits the owner of a residential complex, or the unit-owners' association of a common-interest community, from requesting the towing of a vehicle based solely on an expired registration. The measure also exempts owners of residential complexes and unit-owners' associations from being guilty of a misdemeanor if they have more than two unregistered vehicles on their property. Finally, the measure adds persons employed by a local government to enforce codes or ordinances to the list of persons not subject to the restrictions on the towing of a vehicle by a person other than the owner.

This bill is effective on October 1, 2021.

SB 72 (Chapter 157)

[Senate Bill 72](#) revises several provisions concerning common-interest communities. The bill:

- Provides that a limited-purpose association must comply with requirements of the Uniform Common-Interest Ownership Act pertaining to the establishment and foreclosure of a lien for assessments;
- Eliminates the requirement that an executive board may only meet in executive session with an attorney for the association on matters relating to proposed or pending litigation if the contents of the discussion are protected by attorney-client privilege. The bill provides instead that the board may meet in executive session with an attorney on matters that are protected by attorney-client privilege;
- Provides that a person who may be sanctioned for an alleged violation is entitled to receive written notice of the executive board's decision regarding the alleged violation within a reasonable time after the decision is made and that the period to cure a violation before it becomes a continuing violation does not commence until the date on which the notice of the board's decision is provided to the person; and
- Requires the Commission for Common-Interest Communities and Condominium Hotels to adopt regulations establishing criteria to be used in determining whether a violation poses an imminent threat to health, safety, or welfare; the severity of such a violation; and limitations on the amount of fines an association may impose.

This bill is effective on May 27, 2021.

SB 186 (Chapter 549)

[Senate Bill 186](#) requires a unit-owners' association of a common-interest community that contains 150 or more units to establish and maintain a secure Internet website or secure portal through which a unit's owner may access certain information and pay assessments electronically. In

addition, certain persons are prohibited from purchasing a unit in a common-interest community at a foreclosure sale.

The measure prohibits a collection agency from collecting a debt from a person who owes fees to an apartment manager, unit-owners' association, or tow car operator under certain circumstances. In addition, the bill requires a collection agency to file an annual report with the Commissioner of Financial Institutions that includes certain information pertaining to a debt collected for a unit-owners' association during the immediately preceding year. The manager of the collection agency must provide a signed statement affirming the collection agency did not collect a debt against a prohibited person.

Provisions of this bill requiring a unit-owners' association to establish an Internet website or secure electronic portal are effective on January 1, 2022. Provisions requiring such a website or portal to provide unit owners with the ability to pay assessments electronically are effective on January 1, 2023. All other provisions are effective on October 1, 2021.

Landlords and Tenants

AB 141 (Chapter 121)

[Assembly Bill 141](#) requires a court to automatically seal any records relating to any action for summary eviction that is granted during the COVID-19 emergency. These provisions apply to any action for summary eviction filed before, on, or after the effective date of this bill.

This bill is effective on May 27, 2021.

AB 308 (Chapter 95)

[Assembly Bill 308](#) makes a technical change to revise the term "security" to "security deposit" as that term is used in residential rental agreements. The measure prohibits a landlord from charging a late fee as long as the rent is paid within three calendar days of the due date. The bill extends from 45 to 60 the number of days' notice a landlord must provide of a rent increase. For periodic tenancies of less than one month, the bill extends from 15 to 30 the number of days' notice required.

This bill is effective on July 1, 2021.

AB 486 (Chapter 354)

[Assembly Bill 486](#) establishes temporary procedures relating to claims for wrongful eviction of certain tenants. Specifically, the bill provides that a tenant who has defaulted in the payment of rent can claim, as an affirmative defense in a summary eviction proceeding, that the tenant has a pending application for rental assistance, the landlord has refused to participate in the rental assistance application process, or the landlord has refused to accept rental assistance provided on behalf of the tenant.

The bill also requires the court to stay the proceedings for eviction if the claim relates to a pending application for rental assistance until the application is either granted or denied. The bill provides that if a landlord accepted rental assistance on behalf of a tenant who has defaulted in the payment of rent, and then proceeded to evict the tenant for any reason that existed during the period of

default for which the landlord has been paid rental assistance, the court may impose a civil penalty and order the landlord to pay costs and attorney's fees.

Additionally, the bill expands existing law that authorizes a court to stay proceedings for eviction against a tenant for not more than 30 days to facilitate a program of alternate dispute resolution to apply to all eviction proceedings. The bill also requires a notice of eviction proceeding to contain information relating to the availability of rental assistance.

Further, the bill requires an electronic form to be completed by a landlord who wishes to obtain rental assistance on behalf of a tenant who has defaulted in the payment of rent and provides that an eligible landlord may receive rental assistance, without the application of the tenant, if the eligible landlord agrees to certain conditions. The bill requires the disbursement of \$5 million in federal funds to eligible landlords on behalf of tenants for rental assistance if the State receives federal funding that is authorized for the use of direct payment of rental assistance to landlords on behalf of tenants who have defaulted in the payment of rent. Finally, the bill provides for landlord compensation of 100 percent of delinquent rent.

This bill is effective on June 4, 2021. Provisions relating to stays on eviction proceedings to facilitate a program of alternate dispute resolution expire by limitation on the earlier of June 5, 2023, or the date that the Nevada Supreme Court determines that the programs of alternative dispute resolution established by rule by the Supreme Court or district or justice courts do not have sufficient funds to administer the programs. All other provisions, except the provision relating to the requirement to disburse federal money and the provision that repeals an existing provision in law authorizing a court to stay proceedings for eviction against a tenant, expire by limitation on June 5, 2023.

Real Property, Trusts, and Estates

AB 3 (Chapter 250)

[Assembly Bill 3](#) authorizes, subject to certain requirements, the electronic filing, submission, and presentation of maps and related documents for purposes of the division of land, except in circumstances where the county recorder does not accept electronic documents for recording.

This bill is effective on July 1, 2021.

AB 318 (Chapter 209)

[Assembly Bill 318](#) revises various provisions relating to trusts and estates, including:

- Authorizing a principal or a person granted authority to act for a principal under a power of attorney to obtain declaratory relief under the power of attorney;
- Exempting from the requirement to provide a seller's disclosure form certain fiduciaries who take temporary possession or title to residential property solely to facilitate the sale of the property;
- Revising provisions governing electronic wills;
- Revising the acts of personal representatives and their powers and duties;

- Authorizing a trustee to reimburse a settlor for the payment of tax on trust income or principal;
- Providing that a trust is irrevocable unless a right to revoke the trust is expressly reserved by the settlor under the terms of the trust instrument;
- Revising provisions relating to the nomination of a guardian; and
- Requiring that public administrators or similar persons be given certain information relating to a decedent and access to the safe deposit box of a decedent in certain circumstances.

This bill is effective on October 1, 2021.

AB 398 (Chapter 232)

Assembly Bill 398 prohibits a seller's agent from completing a disclosure form on behalf of the seller of a residential property. A seller's agent is not liable to the purchaser if:

- The seller is aware of a defect and fails to disclose the defect to the purchaser on the disclosure form as required or after service of the completed disclosure form, but before conveyance of the property to the purchaser; or
- The seller discovers a new defect in the residential property that was not identified on the completed disclosure form or discovers that a defect identified on the completed disclosure form has become worse than was indicated on the form and fails to inform the purchaser or the purchaser's agent of that fact as required.

This bill is effective on July 1, 2021.

AB 414 (Chapter 210)

Assembly Bill 414 revises the exemption from real property transfer taxes for the conveyance of real property under a deed that becomes effective upon the death of the grantor. The bill provides that upon the recording of the Death of Grantor Affidavit in the office of the county recorder, the conveyance of real property is exempt from taxes imposed on the transfer of real property. This bill further establishes a procedure for claims to be made against property transferred pursuant to a deed upon death if the grantor of the deed dies on or after July 1, 2021. Any property transferred pursuant to such a deed remains subject to any claim by the Department of Health and Human Services to recover public assistance provided to the grantor. Lastly, the bill provides certain rights and protections to a person dealing with a beneficiary of a deed upon death.

Provisions of this bill relating to the exemption from the real property transfer tax are effective on May 29, 2021. All other provisions are effective on July 1, 2021.

INSURANCE

AB 4 (Chapter 27)

[Assembly Bill 4](#) makes various changes concerning the Nevada Insurance Guaranty Association. Among other things, the bill:

- Limits the claims that may be asserted against a person insured by a policy issued by an insolvent insurer;
- Adds various types of insurance products designed to protect the interests of a creditor arising out of a creditor-debtor transaction to the types of insurance that are not covered by the Guaranty Association, and describes certain coverages under warranties and service contracts that are not covered by the Guaranty Association;
- Amends the types of claims that are covered by the Guaranty Association, extends the claim filing deadline from 18 months to 25 months, and lowers to \$10 million the net worth threshold for first party claims that are made by insureds;
- Changes the amount of the Guaranty Association's obligation to pay a covered claim by reducing the limit to \$10,000 for each policy if the claim is for the return of unearned premiums; and
- Clarifies that the Guaranty Association is not bound by unfunded settlements or releases that were executed or entered within 12 months before an order of liquidation.

This bill is effective on October 1, 2021.

AB 18 (Chapter 29)

[Assembly Bill 18](#) provides that certain notice requirements do not apply to an insurance policy upon renewal if the changes to the policy's provisions are favorable to the policyholder. The bill also eliminates the limitation on the maximum amount of uninsured vehicle coverage that may be provided by a motor vehicle liability insurance policy.

This bill is effective on October 1, 2021.

AB 45 (Chapter 478)

[Assembly Bill 45](#) makes various changes relating to insurance. Among other things, the measure:

- Revises provisions relating to bonds filed by various persons regulated by the Commissioner of Insurance;
- Revises provisions governing the service of process on certain insurers;
- Revises provisions governing the issuance, renewal, and expiration of various licenses, permits, certificates, and other authorizations to engage in an activity relating to insurance;
- Provides specific requirements for certain stop-loss insurance policies and the insurers that issue them;

INSURANCE

- Revises certain requirements governing holding companies, reinsurers, and reinsurance;
- Expands the list of statutory provisions to which certain health care related entities and risk retention groups are expressly made subject;
- Revises provisions governing annual disclosures by certain persons regulated by the Commissioner of Insurance; and
- Revises certain fiscal requirements that apply to an association of self-insured private employers.

Provisions of this bill relating to the renewal, expiration, and reinstatement of a producer of insurance license are effective on July 1, 2021. Provisions regarding an association of self-insured private employers are effective on June 4, 2021, and expire by limitation on June 30, 2023. All other provisions are effective on October 1, 2021.

AB 100 (Chapter 113)

[Assembly Bill 100](#) authorizes the State Forester Firewarden to enter into a cooperative agreement with federal, State, and local agencies for the purpose of creating a fire board of directors to ensure that agencies in this State work collaboratively on fire suppression activities.

The bill also creates the Wildland Fire Protection Program in the Division of Forestry of the State Department of Conservation and Natural Resources and authorizes the State Forester Firewarden to enter into cooperative agreements with fire protection districts and boards of county commissioners to participate in the Wildland Fire Protection Program.

Finally, the bill authorizes the Commissioner of Insurance to create a program for insurers to provide incentives to promote and encourage property owners to take measures to mitigate the risk of property loss or damage caused by wildfire.

This bill is effective on July 1, 2021.

AB 130 (Chapter 118)

[Assembly Bill 130](#) requires an insurance company to offer, in a policy that covers motorcycles:

- The same optional coverage for the payment of reasonable and necessary medical expenses resulting from a crash that is currently only available in a policy that covers other motor vehicles; and
- Uninsured and underinsured vehicle coverage in an amount equal to the limits of coverage for bodily injury sold to an insured.

Finally, the measure clarifies that certain provisions of policies that allow for a premium reduction if a motor vehicle is equipped with or contains certain safety devices do not apply to motorcycles.

This bill is effective on October 1, 2021.

AB 277 (Chapter 269)

Assembly Bill 277 revises provisions relating to the exchange of medical and insurance information by certain persons involved in a personal injury claim under a motor vehicle insurance policy. The bill authorizes a claimant or the claimant's attorney to provide a written authorization to allow the party against whom such a claim is asserted, or the party's attorney and the party's insurer, to receive all reports, records, films, and bills from the claimant's health care provider. The bill also requires an insurer in receipt of such an authorization to disclose, within five business days, a copy of the declarations page of the policy, with certain redactions, to the claimant or the claimant's attorney.

This bill is effective on October 1, 2021.

SB 103 (Chapter 282)

Senate Bill 103 prohibits an insurer from canceling, refusing to issue or renew, or increasing the premium for certain insurance policies on the sole basis of the breed of a dog that is kept on an applicable property. The bill provides an exception to this prohibition if the particular dog is known or declared to be dangerous or vicious.

This bill is effective on January 1, 2022.

Health Insurance and Medicaid**AB 47 (Chapter 77)**

Assembly Bill 47 imposes notification requirements relating to certain transactions involving health carriers or certain business entities consisting of health care practitioners. A person who is required to file notification regarding any transaction involving assets of a group practice or health carrier in Nevada under the federal Hart-Scott-Rodino Antitrust Improvements Act of 1976 must simultaneously submit a copy of the filing to the Attorney General. All information must be kept confidential and is authorized to be disclosed only under certain circumstances. A civil penalty of up to \$1,000 per day may be imposed for a willful violation of the notification requirements.

The measure also revises provisions relating to proceedings under the Nevada Unfair Trade Practice Act, including requiring that public officers and employees provide information to the Attorney General relating to such proceedings under certain circumstances.

The bill prohibits a noncompetition covenant from applying to employees who are paid solely on an hourly wage basis, exclusive of tips and gratuities, and provides that an employer may not bring an action to restrict employees from providing service to a former customer or client under certain circumstances. An employer is liable to an employee for attorney's fees and costs if a noncompetition covenant is found to be unlawful or if the employer is found to have restricted an employee from providing services to a former customer or client.

This bill is effective on October 1, 2021.

AB 48 (Chapter 78)

Assembly Bill 48 authorizes a retired public employee or officer or surviving spouse of a retiree to reinstate insurance under the Public Employees' Benefits Program if the retiree:

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- Did not have more than one period during which he or she was not covered by insurance under the Program on or after October 1, 2011;
- Is enrolled in Medicare Parts A and B at the time of the request for reinstatement;
- Retired from a local governmental agency that does not participate in the Program; and
- Was enrolled in the Program as a retiree on November 30, 2008.

This bill is effective on July 1, 2021.

AB 178 (Chapter 179)

[Assembly Bill 178](#) requires specified public and private insurers to:

- Waive any restrictions on the time period within which a prescription may be refilled for an insured who resides in an area to which a state of emergency or declaration of disaster applies, if the insured requests the refill within a certain time; and
- Authorize payment for a supply of a covered prescription drug for up to 30 days for any insured who requests a refill under those conditions.

The Commissioner of Insurance is authorized to extend those time periods as he or she determines necessary.

In addition, the measure allows a pharmacist to fill or refill a prescription in an amount that is greater than the amount authorized by the prescribing practitioner but does not exceed a 30-day supply of the drug if the drug is not a controlled substance listed in schedule II, the patient resides in an area where a state of emergency or declared disaster applies, and certain other requirements are met. A pharmacist who dispenses a drug under those conditions must issue and maintain a written order for dispensing the drug and notify the practitioner.

This bill is effective on July 1, 2021.

AB 181 (Chapter 185)

[Assembly Bill 181](#) requires certain health insurers that provide health coverage for their employees to comply with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, which prohibits group health plans and health insurance issuers that provide benefits for mental health or substance use disorders from imposing less favorable benefit limitations on those benefits than on medical and surgical benefits. The bill also requires each insurer or other organization subject to those requirements to submit to the Commissioner of Insurance certain information that demonstrates compliance with the Act. The Commissioner may adopt regulations to carry out the provisions of this bill, must keep certain information confidential, and must annually submit a report to various entities.

Assembly Bill 181 also requires certain providers of health care designated by the State Board of Health to report information relating to attempted suicide to the Chief Medical Officer pursuant to regulations adopted by the Board. The bill:

- Provides for the confidentiality of personal information contained in these reports;
- Subjects a provider of health care who willfully fails to make such a report to a misdemeanor penalty and administrative fine; and
- Requires the Chief Medical Officer to annually submit to the Patient Protection Commission a report summarizing any information relating to suicide.

This bill is effective on May 28, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 189 (Chapter 398)

[Assembly Bill 189](#), to the extent authorized by federal law, expands Medicaid coverage for pregnant women whose household income is at or below 200 percent of the federally designated poverty level and requires the Department of Health and Human Services (DHHS) to apply for a federal waiver to authorize coverage for a pregnant woman and her child until 12 months following childbirth. The bill prohibits the imposition of a requirement that a pregnant woman who is otherwise eligible for Medicaid must reside in the United States for a prescribed amount of time before enrolling in Medicaid.

The bill appropriates \$713,856 from the State General Fund to the Division of Health Care Financing and Policy of DHHS and authorizes the expenditure of \$1,208,691 from amounts not appropriated from the State General Fund or the State Highway Fund for a projected increase in medical costs and associated system and actuarial costs to implement provisions of the legislation. The bill also appropriates \$150,900 from the State General Fund to the Division of Welfare and Supportive Services of DHHS and authorizes the expenditure of \$1,358,100 from amounts not appropriated from the State General Fund or the State Highway Fund for the implementation of system changes and training necessary to implement provisions of the legislation. Any remaining balances of the appropriations must be reverted to the State General Fund.

This bill is effective on July 1, 2022.

AB 191 (Chapter 399)

[Assembly Bill 191](#) requires the Director of the Department of Health and Human Services to include in the State Plan for Medicaid coverage for the services of a community health worker who provides services under the supervision of a physician, physician assistant, or advanced practice registered nurse.

This bill is effective on July 1, 2021.

AB 192 (Chapter 400)

[Assembly Bill 192](#) requires a physician or other person who attends to a pregnant woman to examine, test, and treat the woman for certain sexually transmitted infections unless the woman opts out. The bill also expands the requirement to test a pregnant woman for syphilis by requiring certain nonhospital medical facilities, emergency departments, or labor and delivery units in a hospital evaluating or treating a pregnant woman to test her for syphilis under certain circumstances.

Additionally, the bill:

- Authorizes a pregnant woman to refuse testing for syphilis for any reason and revises the times at which a pregnant woman must be tested;
- Replaces the misdemeanor violation for willfully violating syphilis testing requirements with a civil penalty and authorizes the imposition of a civil penalty against a person who willfully violates the requirements concerning testing for certain sexually transmitted infections;
- Requires a report of a pregnant woman who has syphilis to include certain information relating to the treatment provided, if any;
- Requires the person or facility performing the testing to provide treatment or refer the woman for treatment if she consents; and
- Requires the State Board of Health to designate syphilis as a communicable disease.

Assembly Bill 192 also requires certain public and private health insurers to provide coverage without prior authorization for an examination and testing of a pregnant woman for certain sexually transmitted diseases and authorizes the Commissioner of Insurance to take certain action against a health insurer who fails to comply with the requirements set forth by this bill.

This bill is effective on July 1, 2021.

AB 216 (Chapter 402)

[Assembly Bill 216](#) requires the Director of the Department of Health and Human Services to include in the State Plan for Medicaid coverage for cognitive assessment and care planning services for individuals who experience signs or symptoms of cognitive impairment.

This bill is effective on July 1, 2021.

AB 250 (Chapter 187)

[Assembly Bill 250](#) requires an insurer, a nonprofit hospital, a medical or dental service corporation, and a local government that issues an insurance policy for a Medicare supplemental policy, including the Public Employees' Benefits Program, to offer an annual enrollment period during which a person may enroll in a Medicare supplemental policy that includes the same or lesser benefits without being subject to medical underwriting.

The open enrollment period must begin the first day of the birthday month of an enrollee and remain open for 60 days. At least 30 days but not more than 60 days before the beginning of the open enrollment period, an insurer must notify an enrollee of the dates the open enrollment period begins and ends, any rights of the insured to change to a different plan, and any modifications of the current benefits.

This bill is effective on January 1, 2022.

AB 256 (Chapter 408)

[Assembly Bill 256](#) requires a doula who desires to receive reimbursement through the Medicaid program for the provision of doula services to a Medicaid recipient to enroll with the Division of Health Care Financing and Policy of the Department of Health and Human Services. A doula must show proof that he or she possesses the required training and qualifications prescribed by the Division. The bill also requires an enrolled doula to report the suspected abuse, neglect, exploitation, isolation, or abandonment of older or vulnerable persons or the suspected abuse or neglect of a child.

The Department must apply for a waiver of federal Medicaid requirements or request to amend the State Plan to receive federal funding to provide coverage of doula services. The Director of the Department must include in the State Plan for Medicaid a requirement that the State pays certain costs for doula services provided to Medicaid recipients to the extent authorized by federal law.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 358 (Chapter 366)

[Assembly Bill 358](#) requires the suspension, rather than the termination, of Medicaid eligibility for people who are incarcerated. It also requires those who are incarcerated and who were not eligible for Medicaid before being incarcerated, or whose Medicaid eligibility was terminated, to be allowed to apply for Medicaid up to six months before their scheduled release date. The Director of the Department of Corrections must complete a Medicaid application for such offenders as soon as practicable after they are authorized to enroll if they may be eligible for Medicaid upon release. In addition, the bill requires Medicaid eligibility and coverage for eligible offenders to be reinstated or instituted as soon as possible upon release.

Finally, the bill appropriates from the State General Fund to the Department of Corrections \$380,177 for Fiscal Year (FY) 2021–2022 and \$477,169 for FY 2022–2023 for personnel and other costs related to assisting offenders with eligibility assessments and applications for Medicaid.

Provisions of this bill relating to appropriations are effective on July 1, 2021. All other provisions are effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 436 (Chapter 191)

[Assembly Bill 436](#) prohibits an insurer from entering into a contract with a provider of vision care that places certain limitations on coverage. An insurer must provide the provider of vision care with a list of reimbursement rates that the insurer provides for covered vision care in the network of the insurer. Additionally, an insurer must disclose, in any vision insurance policy or related materials, any ownership or other pecuniary interest of the insurer in a manufacturer of goods covered by the policy or in a provider of vision care. The bill also imposes certain restrictions concerning the advertising and marketing of vision coverage. The Commissioner of Insurance is authorized to enforce these requirements.

This bill is effective on October 1, 2021.

AB 495 (Chapter 249)

Assembly Bill 495 provides for the imposition, administration, and payment of an excise tax on the gross proceeds of profitable gold or silver mining companies that report Nevada gross revenue greater than \$20 million annually. The revenue from this new mining excise tax is to be deposited in the State General Fund for the 2021–2023 Biennium, and then is to be deposited in the State Education Fund beginning on July 1, 2023. The bill also provides that beginning on July 1, 2023, the portion of the tax on net proceeds of minerals that is currently deposited in the State General Fund will instead be deposited in the State Education Fund.

Among other provisions, the bill:

- Requires the disbursement of \$200 million from the State’s allocation of federal Coronavirus State and Local Fiscal Recovery Funds to Nevada’s Department of Education for grants to qualifying school districts and university schools for profoundly gifted pupils to be used to augment certain programs implemented to address the impacts of learning loss experienced as a result of the COVID-19 pandemic;
- Requires the disbursement of \$15 million from the State’s allocation of federal Coronavirus State and Local Fiscal Recovery Funds to the State Public Charter School Authority for grants to charter schools to be used to augment certain programs implemented to address the impacts of learning loss experienced as a result of the COVID-19 pandemic;
- Authorizes Medicaid recipients to directly receive reimbursements for personal care services and use that money to pay for services provided by a personal care assistant or agency in the home;
- Appropriates \$50,895 in Fiscal Year (FY) 2021–2022 and \$104,354 in FY 2022–2023 from the State General Fund to the Division of Health Care Financing and Policy of the Department of Health and Human Services to pay the State’s share of the costs of personal care services for recipients of Medicaid;
- Allows a scholarship organization that provides grants to low-income students to attend schools of their parent’s or guardian’s choosing, including private schools, to use a donation for which the donor received a payroll tax credit to provide a grant to a student who did not receive a grant from such a donation the preceding school year or will likely not receive a grant from such a donation in the same amount each school year until graduating high school;
- Provides for an additional \$4.745 million in tax credits for the Nevada Educational Choice Scholarship Program;
- Appropriates \$600,000 in each fiscal year of the 2021-2023 Biennium from the State General Fund to the Nevada System of Higher Education for support of the Silver State Opportunity Grant Program;
- Directs the Commission on School Funding to investigate sources of revenue to fund public education and requires the Commission to submit a report to the Governor and the Director of the Legislative Counsel Bureau for transmission to the 2023 Legislature; and

- Directs the Legislative Committee on Education to conduct a study during the 2021–2022 Interim concerning the composition of school boards of trustees in this State.

Provisions of this bill requiring the transfer of the portion of mineral excise tax proceeds in the State General Fund to the State Education Fund are effective on July 1, 2023. All other provisions are effective on July 1, 2021.

SB 5 (Chapter 479)

[Senate Bill 5](#) makes various changes to telehealth. The bill adds audio-only interaction to the definition of “telehealth” and clarifies that “telehealth” includes both synchronous and asynchronous interactions, except as the term relates to certain policies of industrial insurance, in which case only the use of synchronous audio-visual communication technology is allowed for telehealth services.

The bill prohibits various third-party payers from:

- Refusing to pay for services provided through telehealth because of the technology used; and
- Categorizing telehealth services differently than services provided in person for purposes related to coverage or reimbursement.

In addition, SB 5 requires third-party payers to cover telehealth services in the same amount as services provided in person or by other means—except for services provided through audio-only interaction.

The bill expressly authorizes health care providers to establish a relationship with patients through telehealth and authorizes the State Board of Health to adopt regulations governing the establishment of a relationship in this manner.

Finally, the bill requires the Department of Health and Human Services, to the extent money is available, to establish a data dashboard that allows for the analysis of data related to telehealth access.

This bill is effective on June 4, 2021, for the purposes of performing preparatory administrative tasks and on October 1, 2021, for all other purposes. Reimbursement parity requirements for telehealth services expire one year after the date on which the Declaration of Emergency for COVID-19 is terminated but no later than June 30, 2023, except for reimbursement parity requirements for mental health services, which expire on June 30, 2023.

SB 40 (Chapter 480)

[Senate Bill 40](#) requires the Department of Health and Human Services (DHHS), to the extent federal money is available for this purpose, to establish an all-payer claims database of information relating to health insurance claims resulting from medical, dental, or pharmacy benefits provided in this State. The bill establishes various requirements for the database, should it be established.

If the database is established, DHHS must adopt regulations to establish an advisory committee to make recommendations concerning data collection, analysis, reporting, release, and security, and

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the Department may establish an advisory committee to assist in establishing and maintaining the database. Public or private health insurers regulated under State law, with certain exceptions, must submit data to the database, and certain insurers regulated by federal law may submit data. Prior to submitting information to the database, insurers must remove information that can be used to identify a patient directly and must assign a unique identifier that can be used to track data pertaining to a specific patient without identifying the individual.

In addition, the bill provides for the confidentiality of data in the database. It authorizes DHHS and the Attorney General to access information in the database; authorizes the release of de-aggregated data to State or federal governmental entities, including colleges or universities within the Nevada System of Higher Education, or to any entity that submits data to the database; and authorizes the release of aggregated data to anyone else.

Senate Bill 40 further requires DHHS to publish certain reports concerning the quality, efficiency, and cost of health care in Nevada using data from the database and report to the Legislature concerning the establishment, operation, and funding of the database.

The bill appropriates from the State General Fund to the Division of Health Care Financing and Policy of DHHS \$24,970 for Fiscal Year (FY) 2021–2022 and \$300,188 for FY 2022–2023 for the development of the all-payer claims database.

Finally, SB 40 authorizes the Patient Protection Commission to request not more than two reports each year concerning certain issues relating to health care from a State or local governmental entity, and it requires DHHS and the Division of Insurance of the Department of Business and Industry to develop and submit a report to the Commission and the Legislature regarding certain types of data reported to these agencies.

Provisions of this bill relating to the database are effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes. All other provisions are effective on July 1, 2021.

SB 96 (Chapter 394)

[Senate Bill 96](#) makes various changes related to services for individuals with autism spectrum disorders. Specifically, it requires the Department of Health and Human Services (DHHS) to biennially establish Medicaid fee-for-service reimbursement rates comparable to rates paid in other states for behavior analysts, assistant behavior analysts, and registered behavior technicians. The Department must seek an increase in certain reimbursement rates for a registered behavior technician under the Medicaid program, and if approved, the Autism Treatment Assistance Program (ATAP) within the Aging and Disability Services Division of DHHS and the Children's Health Insurance Program must provide a reimbursement rate for registered behavior technicians equal to or higher than the Medicaid rate. The Department must also establish reasonable limits on the number of hours such providers can bill for services provided to Medicaid recipients in a 24-hour period.

In addition, the Division of Health Care Financing and Policy of DHHS must provide training to such providers concerning these limits and annually report to the Legislature certain information

regarding the provision of services to Medicaid recipients diagnosed with an autism spectrum disorder.

Further, the bill requires ATAP to post certain information online to help people obtain a diagnosis and services related to autism spectrum disorders and, when there is a wait list for ATAP services, use a risk assessment tool to assess and identify those on the wait list who have higher needs.

Finally, the bill makes several appropriations to pay costs associated with increased reimbursement rates for Medicaid, the Children's Health Insurance Program, and ATAP. Specifically, the bill:

- Appropriates \$1,954,062 from the State General Fund to the Division of Health Care Financing and Policy of DHHS and authorizes the expenditure of \$3,532,653 not appropriated from the State General Fund or the State Highway Fund for increased reimbursement rates under Medicaid and the Children's Health Insurance Program;
- Appropriates \$94,838 from the State General Fund to the Division of Health Care Financing and Policy of DHHS and authorizes the expenditure of \$98,839 not appropriated from the State General Fund or the State Highway Fund for personnel, operating, computer programming, and equipment costs associated with carrying out the provisions of the bill; and
- Appropriates \$919,503 from the State General Fund to the Aging and Disability Services Division of DHHS for costs associated with increased reimbursement rates provided under ATAP.

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

Provisions of this bill relating to increasing reimbursement rates and making appropriations are effective on July 1, 2021. All other provisions are effective on July 1, 2023.

SB 154 (Chapter 445)

[Senate Bill 154](#) requires the Department of Health and Human Services (DHHS) to apply for a waiver from the federal government to receive federal funding to include in the State Plan for Medicaid coverage for substance use disorder treatment for individuals in an institution for mental diseases. The bill also authorizes DHHS to apply for a similar waiver to treat adults with serious mental illness or children with severe emotional disturbance in an institution for mental diseases.

This bill is effective on July 1, 2021.

SB 190 (Chapter 504)

[Senate Bill 190](#) requires the State Board of Pharmacy to adopt regulations that establish a protocol allowing a pharmacist to dispense self-administered hormonal contraceptives to any patient. In order to dispense such contraceptives, a pharmacist must provide a risk assessment questionnaire to a patient who requests a self-administered hormonal contraceptive, create a record, provide the patient with certain information, and comply with relevant regulations and guidelines. The Board may suspend or revoke the certificate of a pharmacist who does not comply with these requirements.

The Board must post on a website a list of pharmacies that dispense self-administered contraceptives under the protocol. Finally, the bill requires certain health insurers to cover self-administered hormonal contraceptives dispensed by a pharmacist.

This bill is effective on June 8, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

SB 251 (Chapter 172)

[Senate Bill 251](#) requires primary care providers to attempt to determine whether adult women to whom they provide services have a personal or family history of certain cancers or meet other criteria for which the United States Preventive Services Task Force recommends screening for a harmful mutation of the BRCA gene. If certain criteria are met, primary care providers must screen for the mutation, provide written notice of the need to discuss genetic counseling and testing, provide genetic counseling, and, if clinically indicated, provide genetic testing.

In addition, the bill requires a notice to be sent with the results of a mammogram advising women who have a familial history of certain types of cancer to speak with their doctor about genetic counseling and testing.

Physicians, physician assistants, and advanced practice registered nurses may receive credit toward applicable continuing education requirements for completing a course related to genetic counseling and genetic testing.

Finally, certain public and private health plans must cover screening, genetic counseling, and testing for harmful BRCA gene mutations where such services are required as set forth in the bill. The Commissioner of Insurance may take various actions, including suspending or revoking a health insurer's certificate, for failure to comply with these requirements.

This bill is effective on January 1, 2022.

SB 269 (Chapter 526)

[Senate Bill 269](#) requires certain health insurers who provide dental coverage—including State and local governmental employer-based plans—to provide a written notice to a dentist of any attempt to recover an overpayment, other than a duplicate payment. The bill also requires dental insurers to establish written procedures allowing a dentist to challenge an attempt to recover an overpayment. Dental insurers are prohibited from attempting to recover an overpayment more than 12 months after the date of the overpayment except in certain circumstances. The bill also prohibits certain dental insurers—including State and local governmental employer-based plans—from refusing to pay a claim for which preauthorization was granted, except in certain circumstances.

This bill is effective on July 1, 2021.

SB 290 (Chapter 414)

[Senate Bill 290](#) requires certain health insurers to grant an exemption from their step therapy protocol upon receipt of an application from an insured, or his or her attending practitioner, who has been diagnosed with stage 3 or 4 cancer. Health insurers must decide on an exemption from the step protocol within 72 hours of receipt of an application or, if the insurer requests additional information, within 72 hours of receipt of such information. However, if the attending practitioner

determines that a step therapy process may seriously jeopardize the life or health of the insured, the insurer must make a determination on the exemption as expeditiously as necessary to avoid serious jeopardy to the life or health of the insured. The bill sets forth the circumstances under which the insurer is required to grant an exemption. If the insurer grants an exemption, the bill requires health insurers to provide coverage for the requested prescription drug in accordance with the terms of the applicable health insurance policy. A health insurance policy issued or renewed on or after January 1, 2022, must include the required coverage, and any provision of the policy that conflicts is void.

The bill appropriates \$765,814 in Fiscal Year (FY) 2021–2022 and \$753,976 in FY 2022–2023 from the State General Fund to the Division of Health Care Financing and Policy of the Department of Health and Human Services for increased prescription drug costs. Additionally, the bill appropriates \$713,000 in FY 2022–2023 from the State General Fund to the Interim Finance Committee for allocation to the Public Employees’ Benefits Program for increased prescription drug costs. Any remaining balances of the appropriations must be reverted to the State General Fund.

Provisions of this bill making an appropriation to the Division of Health Care Financing and Policy are effective on July 1, 2021. Provisions making an appropriation to the Interim Finance Committee are effective on July 1, 2022. All other provisions are effective on January 1, 2022.

SB 305 (Chapter 244)

[Senate Bill 305](#) makes various changes related to access to organ transplants for individuals with disabilities. Specifically, it:

- Prohibits health care providers, medical facilities, facilities for the dependent, the Department of Corrections, city or county jails, and those who provide medical services to incarcerated individuals from taking certain actions related to organ transplants solely on the basis of a person’s disability;
- Limits the extent to which a person’s disability may be considered when making recommendations or decisions regarding an organ transplant;
- Authorizes a person aggrieved by failure to comply with these requirements to institute a civil action for injunctive or other appropriate relief and requires a court to give priority to such an action; and
- Prohibits all health insurers from—among other things—denying, limiting, or seeking reimbursement from an insured for care related to an organ transplant because the insured is a person with a disability.

This bill is effective on October 1, 2021.

SB 309 (Chapter 228)

[Senate Bill 309](#) establishes a reinvestment advisory committee in each county of the State with a population of 700,000 or more (currently Clark County). The bill prescribes the membership and duties of such a committee, which include:

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- Reviewing reports from the Division of Health Care Financing and Policy of the Department of Health and Human Services and Medicaid managed care organizations (MCOs) regarding reinvestment of funds in the communities they serve;
- Reporting to the Division and MCOs about local initiatives to address homelessness, housing issues, and social determinants of health;
- Making recommendations regarding the use of funds by MCOs to support certain local government initiatives and to develop innovative partnerships with community development organizations and providers of housing services; and
- Compiling an annual report on these issues and the committee's activities.

This bill is effective on January 1, 2022.

SB 325 (Chapter 492)

[Senate Bill 325](#) requires the State Board of Pharmacy to prescribe a protocol to allow a pharmacist to:

- Order laboratory tests necessary for therapy that uses a drug approved by the United States Food and Drug Administration for preventing the acquisition of human immunodeficiency virus (HIV);
- Conduct tests necessary for such therapy; and
- Prescribe, dispense, and administer such drugs without a prescription from a health care practitioner.

In addition, the bill requires public and private health insurance plans to cover HIV prevention drugs and related laboratory and diagnostic procedures and to reimburse pharmacists for these services at a rate equal to similar services provided by physicians, physician assistants, or advanced practice registered nurses. Health insurers may subject the benefits to reasonable medical management techniques, and the Commissioner of Insurance may take certain actions, including suspending or revoking the certificate of health insurers who fail to comply with the requirements of the bill.

This bill is effective on June 6, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 341 (Chapter 416)

[Senate Bill 341](#) makes various changes related to health care. Specifically, it authorizes the Division of Public and Behavioral Health of the Department of Health and Human Services (DHHS) to:

- Apply for available grants to address disparities in health care;

- Use a competitive process to select and award a grant to a community-based nonprofit organization to serve as a lead partner in ensuring services funded through the Division are allocated and funded in an equitable manner;
- Establish an advisory committee to ensure services funded by such a grant are provided in a culturally competent manner;
- Apply for grants to address race-based disparities in kidney disease; and
- Establish an advisory committee of people interested in issues related to kidney disease to develop a plan to increase education and awareness of the disease.

In addition, the bill:

- Requires DHHS to submit various reports to the Legislature, including annual reports regarding disparities in health and behavioral health;
- Creates the Minority Health and Equity Account to hold money for the Office of Minority Health and Equity within DHHS;
- Requires the Division of Health Care Financing and Policy of DHHS to require managed care organizations that provide behavioral health services through Medicaid or the Children's Health Insurance Program to implement a plan to ensure such services are provided in a culturally competent manner;
- Declares the policy of the State that those employed by the State must reflect the age, gender, sexual, ethnic, and geographic diversity of the State, to the extent practicable; and
- Requires public employers to provide, and public officers and employees to complete, training concerning diversity and racial equity to the extent money is available.

This bill is effective on July 1, 2021.

SB 360 (Chapter 308)

[Senate Bill 360](#) adds one member to the Board of the Public Employees' Benefits Program. The member must be appointed by the Governor from a list of ten classified State employees submitted by the labor organization representing the largest number of classified State employees participating in the Program.

This bill is effective on July 1, 2021.

SB 420 (Chapter 537)

[Senate Bill 420](#) requires the Director of the Department of Health and Human Services (DHHS), in consultation with the Executive Director of the Silver State Health Insurance Exchange and the Commissioner of Insurance, to design, establish, and operate a public health benefit plan known as the Public Option.

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The Public Option must be available to all natural persons who reside in Nevada both through the Exchange and for direct purchase. It may also be made available to small employers or their employees. The Public Option must meet requirements established by federal and State law for individual health insurance or health insurance for small employers and must meet certain coverage and premium limitation requirements.

The Director of DHHS, the Executive Director of the Exchange, and the Commissioner of Insurance must apply for certain waivers to obtain federal financial support of the Public Option after contracting and completing an actuarial study on the likely effect of certain provisions of SB 420 on health insurance premiums in this State.

The Director of DHHS must use a statewide competitive bidding process to solicit and enter into contracts with health carriers and other qualified entities to administer the Public Option, though the Director may administer it if necessary. Health carriers that provide health care services to Medicaid recipients through managed care must participate in the competitive bidding process.

Health care providers and facilities who participate in Medicaid, the Public Employees' Benefits Program, or the State workers' compensation program must enroll as participating providers in at least one network of providers established for the Public Option. Further, the bill establishes the Public Option Trust Fund to hold certain funds for the purpose of implementing the Public Option.

The Executive Director of the Exchange must apply for a federal waiver to authorize certain labor, agricultural, and horticultural organizations to offer a health insurance policy on the Exchange to meet the unique needs of tradespeople that can serve as an alternative to the continuation of certain group health benefits.

In addition, SB 420 makes various changes to expand Medicaid coverage. Specifically, it requires presumptive eligibility for pregnant women and coverage of certain community health workers and doulas. To the extent money is available, the bill also requires:

- The Director of DHHS to expand coverage under the State Plan for Medicaid for pregnant women with incomes up to 200 percent of the federal poverty level;
- Medicaid to cover breastfeeding supplies, certain prenatal screening and tests, and lactation consultation and support;
- Fee-for-service Medicaid to reimburse services provided by an advanced practice registered nurse to the same extent as if provided by a physician; and
- DHHS to establish Medicaid managed care programs in all geographic areas of the State.

The bill appropriates \$1,639,366 to the Public Option Trust Fund and \$600,000 to the Silver State Health Insurance Exchange from the State General Fund for the design, establishment, and operation of the Public Option and the cost of contracting and completing an actuarial study. The bill also appropriates \$167,850 from the State General Fund to the Division of Welfare and Supportive Services of DHHS for necessary enhancements to the Division's information technology system to carry out the provisions of the bill relating to Medicaid coverage expansion. Any remaining balances of the appropriations must be reverted to the State General Fund.

Provisions of this bill governing the design, establishment, and operation of the Public Option are effective on June 9, 2021, for the purposes of procurement and performing preparatory administrative tasks and on January 1, 2026, for all other purposes. Provisions creating the Public Option Trust Fund and appropriating money to the Fund and the Division of Welfare and Supportive Services are effective on July 1, 2021. Provisions concerning Medicaid coverage expansions and appropriating money to the Silver State Health Insurance Exchange are effective on January 1, 2022. Provisions governing premium limitation requirements expire on January 1, 2030. All other provisions are effective on June 9, 2021.

Workers' Compensation

SB 289 (Chapter 245)

[Senate Bill 289](#) revises various provisions concerning workers' compensation. The bill prohibits an apportionment of percentages of disabilities where no rating evaluation was performed for the previous disability, unless the insurer proves by a preponderance of the evidence that medical documentation supports a specific percentage of previous disability or there is physical evidence of a prior surgery. The bill also requires an insurer to commence making installment payments to an injured employee, within a specified period of time and without requiring the employee to elect a method of payment, for that portion of an award of compensation for permanent partial disability which is not in dispute. The bill further requires an insurer to send its determination by facsimile or electronic transmission to a claimant, if requested, and allows the claimant to toll a hearing if the insurer fails to send a determination regarding a claim for compensation.

In addition, the bill authorizes a physician assistant or an advanced practice registered nurse to examine a patient for the purpose of ascertaining the character and extent of an injury and to file a claim for compensation for an industrial injury or occupational disease. A claim for compensation may be signed with the original or electronic signature of the injured employee and the treating health care provider. Finally, the bill provides that a person's compensation payable or paid for an industrial injury or occupational disease is subject to an attorney's lien.

This bill is effective on May 31, 2021.

SB 295 (Chapter 332)

[Senate Bill 295](#) provides that an insurer may not terminate, suspend, withhold, offset, reduce, or otherwise halt, restrict, or limit the payment of compensation for permanent total disability to certain injured firefighters, arson investigators, police officers, or emergency medical attendants or their dependents on the basis that the injured employee earns income.

This bill is effective on October 1, 2021.

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Employment and Training

AB 47 (Chapter 77)

[Assembly Bill 47](#) imposes notification requirements relating to certain transactions involving health carriers or certain business entities consisting of health care practitioners. A person who is required to file notification regarding any transaction involving assets of a group practice or health carrier in Nevada under the federal Hart-Scott-Rodino Antitrust Improvements Act of 1976 must simultaneously submit a copy of the filing to the Attorney General. All information must be kept confidential and is authorized to be disclosed only under certain circumstances. A civil penalty of up to \$1,000 per day may be imposed for a willful violation of the notification requirements.

The measure also revises provisions relating to proceedings under the Nevada Unfair Trade Practice Act, including requiring that public officers and employees provide information to the Attorney General relating to such proceedings under certain circumstances.

The bill prohibits a noncompetition covenant from applying to employees who are paid solely on an hourly wage basis, exclusive of tips and gratuities, and provides that an employer may not bring an action to restrict employees from providing service to a former customer or client under certain circumstances. An employer is liable to an employee for attorney's fees and costs if a noncompetition covenant is found to be unlawful or if the employer is found to have restricted an employee from providing services to a former customer or client.

This bill is effective on October 1, 2021.

AB 190 (Chapter 219)

[Assembly Bill 190](#) requires a private employer that provides employees with sick leave to allow those employees to use accrued sick leave to assist a member of the employee's immediate family with certain medical needs. The employer may limit the amount of family sick leave employees may use to an amount that is equal to, not less than, the amount of sick leave that the employee accrues during a six-month period. If an employee is covered under a valid collective bargaining agreement, the employer is excluded from these provisions.

Additionally, the Labor Commissioner is charged with enforcing these provisions and must prepare and post a bulletin explaining these requirements. A private employer that provides employees with sick leave must post the bulletin in the workplace.

This bill is effective on October 1, 2021.

AB 222 (Chapter 267)

[Assembly Bill 222](#) extends the coverage of certain provisions concerning civil actions involving claims of unfair employment practices to:

- Actions in the district court for the occurrence of unlawful employment practices prohibited under Title VII of the Civil Rights Act of 1964;

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- Issuance of right-to-sue letters by the federal Equal Employment Opportunity Commission; and
- The tolling of the 90-day and 180-day periods of limitation during the pendency of a complaint before the Commission.

This bill is effective on June 2, 2021.

AB 307 (Chapter 207)

[Assembly Bill 307](#) requires the Department of Employment, Training and Rehabilitation to prepare one or more notices concerning job training or employment programs conducted by the Department and to provide the notices to the Labor Commissioner. The Labor Commissioner must make each such notice available to each employer in private employment in this State and require each employer to post and maintain each notice in a conspicuous location at the workplace.

This bill is effective on October 1, 2021.

AB 330 (Chapter 360)

[Assembly Bill 330](#) provides that a person who, in secondary or postsecondary education, completes a training program in career, occupational, technical, trade, or vocational education and receives a certificate for the completion of the program is eligible to receive equivalent credit toward related professional and occupational licenses and certifications. However, participation in, completion of, or receipt of a certificate for the completion of such a training program is not a substitute for participation in or completion of an apprenticeship program approved by the State Apprenticeship Council, unless the Council determines otherwise. The measure provides for the appeal of a denial of equivalent credit by a regulatory body. Each regulatory body must adopt regulations regarding the eligibility of equivalent credits toward relevant licenses and certifications.

This bill is effective on October 1, 2021.

SB 55 (Chapter 322)

[Senate Bill 55](#) transfers the duties of regulating employee leasing companies from the Administrator of the Division of Industrial Relations of the Department of Business and Industry to the Labor Commissioner. The bill also replaces the defined term “employee leasing company” with the term “professional employer organization” and authorizes the Labor Commissioner to adopt regulations governing professional employer organizations, as well as impose an administrative fine on a licensee for a violation of any statutory provisions. Finally, the bill revises the definitions of “client company” and “professional employer organization” to allow professional employer organizations to manage the labor compliance services of the client company without hiring and leasing back the client company’s employees.

This bill is effective on July 1, 2021.

SB 75 (Chapter 279)

[Senate Bill 75](#) makes various changes to the administration of the Nevada unemployment compensation program, including:

- Revising provisions concerning the weekly benefit amount for unemployment compensation;
- Establishing requirements for determining the eligibility for unemployment benefits of persons who provide services in multiple capacities for educational institutions;
- Providing that—for the period beginning on March 13, 2020, and ending on September 6, 2021—all contributory employing units will not have benefits charged against their experience rating records and reimbursements in lieu of contributions that are attributable to benefits paid to a person during a week of unemployment in which federal funds are available;
- Authorizing extended benefits to be paid without waiting 14 weeks between extended benefit periods, if allowed by federal law;
- Authorizing the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation to disclose certain confidential information related to unemployment compensation in accordance with federal law; and
- Authorizing the Administrator to send by electronic transmission certain communications related to unemployment compensation.

Provisions of this bill that revise the weekly benefit amount for unemployment compensation are effective on June 2, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes. Provisions that allow extended benefits to be paid without waiting are effective on June 2, 2021, and apply retroactively on and after December 27, 2020. All other provisions are effective on July 1, 2021.

SB 107 (Chapter 161)

[Senate Bill 107](#) provides for a two-year statute of limitations to commence an action in tort for common law wrongful termination of employment. The statute of limitations is tolled during consideration of any pending related State or federal administrative charge on the matter until 93 days after the conclusion of the administrative proceedings.

The bill also requires the default statute of limitations of four years to apply to certain causes of action whose statute of limitations is not otherwise prescribed by law, regardless of whether the underlying cause of action is analogous to any other cause of action with a statute of limitations expressly prescribed by law.

This bill is effective on May 27, 2021.

SB 122 (Chapter 55)

[Senate Bill 122](#) requires certain employees and supervisory employees at a cannabis establishment to obtain and present to their employer a card stating that they have completed an approved general industry safety and health hazard recognition and prevention course. If an employee or supervisory employee fails to do so, the cannabis establishment must suspend or terminate the employment of the individual. The bill requires the Division of Industrial Relations of the Department of Business

and Industry to assess administrative fines against a cannabis establishment that fails to suspend or terminate an employee as required.

The measure also provides that an employee or supervisor hired before the effective date of this bill must obtain a completion card no later than July 1, 2022. Finally, SB 122 requires the Division to establish a registry of providers of approved general industry safety and health hazard recognition and prevention courses.

This bill is effective on July 1, 2021.

SB 209 (Chapter 536)

[Senate Bill 209](#) requires certain employers in private employment to provide employees with either two or four hours of paid leave for the purpose of their employees receiving COVID-19 vaccinations, depending on whether the vaccine taken requires one dose or two doses, respectively. The bill imposes certain requirements on employers relating to the provision of such leave and requires the Labor Commissioner to prepare and post a bulletin setting forth these requirements.

In addition, the bill requires the Legislative Committee on Health Care to conduct a study during the 2021–2022 Interim regarding the State’s response to the COVID-19 health crisis. The Committee must report the results of the study and any recommendations to the Governor and the Legislative Counsel Bureau for transmittal to the 2023 Legislature.

The bill also requires employers to allow an employee to use paid leave for any use, including, without limitation, to receive certain medical treatments, participate in caregiving, or address other personal needs related to the health of the employee.

The bill is effective on June 9, 2021. Provisions authorizing paid leave for the purpose of receiving a COVID-19 vaccine expire by limitation on December 31, 2023.

SB 247 (Chapter 175)

[Senate Bill 247](#) revises existing requirements regarding registered apprenticeship programs to conform to federal laws and regulations. The bill prohibits the State Apprenticeship Council from approving a program proposed for a skilled trade when there is already a program approved for that skilled trade, unless the new program requires the same hours and quality of skills as all existing programs. Finally, the bill prescribes elements the Council must consider when determining whether to approve or reject such a program.

This bill is effective on October 1, 2021.

SB 267 (Chapter 525)

[Senate Bill 267](#) authorizes the University of Nevada, Las Vegas (UNLV), to conduct a study on diversity and equality in the workplace and to conduct a survey to collect data and information for the study from businesses and State and local governmental agencies in Nevada. The survey is to focus especially on women and members of underrepresented communities.

If UNLV elects to conduct the study, the Department of Taxation must assist UNLV in facilitating outreach to businesses and encourage participation in the survey. Further, UNLV must submit

annual reports of the survey's findings to the Governor and the Legislative Counsel Bureau and must make the reports available on its website.

Finally, the bill revises the prospective expiration of existing laws related to an annual survey of businesses conducted by the Secretary of State, making those provisions expire by limitation on December 31, 2021, instead of December 31, 2022.

Provisions of this bill revising the prospective expiration of the survey conducted by the Secretary of State are effective on June 8, 2021. All other provisions are effective on June 8, 2021, for the purpose of performing preparatory administrative tasks; are effective on January 1, 2022, for all other purposes; and expire by limitation on January 1, 2026.

SB 327 (Chapter 296)

Senate Bill 327 provides that—for the purposes of certain prohibited discrimination related to education and public and private employment—the term “race” includes traits associated with race, including hair texture and protective hairstyles. Further, the bill requires the Nevada Equal Rights Commission to provide complainants with certain information in instances when the Commission does not conclude that an unfair employment practice has occurred.

In addition, the bill sets forth requirements for testing used by a city, county, or school district for a decision regarding the promotion of an employee and makes it a category E felony to tamper with the test score of an employee.

Provisions of this bill regarding testing requirements are effective on October 1, 2021. All other provisions are effective on June 2, 2021.

SB 386 (Chapter 533)

Senate Bill 386 requires certain employers that laid off employees because of the Declaration of Emergency for COVID-19 to offer jobs to those employees under certain conditions. The bill prescribes an order of preference that the employer must follow when extending a job offer to such employees. The bill also requires these employers, in the event of a layoff, to provide an employee who is to be laid off with a written notice containing certain information concerning the layoff.

The bill prohibits an employer from terminating, reducing compensation, refusing to employ, or otherwise taking any adverse action against a person who takes certain actions in relation to the provisions of this bill. An aggrieved employee who establishes specified requirements may file a complaint with the Labor Commissioner or bring a civil action in court. The bill sets forth standards for establishing and rebutting certain presumptions concerning violations of the provisions of this bill in such an action and specifies certain awards that may be granted to an aggrieved employee who prevails in such an action. The bill also establishes minimum labor standards and does not preempt or prevent employment standards that are more protective and beneficial for employees, nor does the bill supersede an employee's right to recall pursuant to a collective bargaining agreement.

In addition, the bill revises provisions requiring the Director of the Department of Health and Human Services and district boards of health to adopt regulations prescribing requirements to reduce and prevent the transmission of the virus that causes COVID-19 in public accommodation facilities such as hotel/casinos, resorts, hotels, motels, hostels, bed and breakfast facilities, and

similar facilities. The bill provides that the regulations adopted by the Director and district boards of health to reduce and prevent COVID-19 transmission must be amended to reflect the new requirements. Provisions in these regulations that conflict with this bill are unenforceable.

Provisions of this bill concerning the return of laid off employees to work and complaint procedures available to aggrieved employees are effective on July 1, 2021, and expire by limitation on the later of August 31, 2022, or the date on which the Governor terminates the emergency described in the Declaration of Emergency for COVID-19. All other provisions are effective on June 8, 2021.

SCR 1 (File 14)

Senate Concurrent Resolution 1 urges employers in Nevada to provide personal protective equipment to employees to help prevent the spread of COVID-19.

This resolution is effective on March 30, 2021.

Wages

AJR 10 of the 80th Session (File 41)

Assembly Joint Resolution 10 of the 80th Session proposes to amend the *Nevada Constitution* to set the minimum wage at \$12 per hour worked beginning July 1, 2024, regardless of whether the employer provides health benefits to employees. The resolution proposes to remove the annual adjustment to the minimum wage and instead provides that if at any time the federal minimum wage is greater than \$12 per hour worked, the State minimum wage is increased to the amount established for the federal minimum wage. Finally, this resolution proposes to allow the Legislature to establish a minimum wage that is greater than the hourly rate set forth in the *Constitution*.

This resolution was approved by the 80th Session of the Legislature in 2019 and approved in identical form during the 81st Session. The proposal will be submitted to the voters for final approval or disapproval.

SB 245 (Chapter 305)

Senate Bill 245 requires that the Labor Commissioner decline jurisdiction of a claim or complaint concerning the payment of wages, commissions, and other benefits if a claimant is covered by a collective bargaining agreement that provides the claimant with exclusive remedy or relief for a violation of its terms until those remedies, reliefs, or appeals are exhausted. The Labor Commissioner may, however, assert jurisdiction under certain circumstances.

If an employer fails to pay wages, compensation, or salary to an employee upon termination as required under existing law, the employee may bring a civil action against the employer for up to two years after the employer's failure. The Labor Commissioner shall not take jurisdiction of a claim for wages during the pendency of such a civil action.

The bill also provides that wages include amounts owed to a discharged employee or an employee who resigns or quits and whose former employer fails to pay the employee by statutory deadlines.

This bill is effective on July 1, 2021.

SB 293 (Chapter 293)

[Senate Bill 293](#) prohibits certain private and public employers from inquiring about an applicant's wage or salary history or discriminating against an applicant who refuses to provide such information. The bill requires employers to disclose the salary range or wage rate to an applicant, under certain circumstances. An employer who violates the prohibitions of this bill may be subject to an administrative penalty of not more than \$5,000 for each violation. The bill also authorizes a person who believes he or she has been discriminated against by an employer's inquiry of his or her wage or salary history to file a complaint and request a right-to-sue notice from the Nevada Labor Commissioner.

This bill is effective on October 1, 2021.

SB 340 (Chapter 539)

[Senate Bill 340](#) authorizes the Director of the Department of Health and Human Services (DHHS) to establish a home care employment standards board to investigate and develop recommendations regarding certain matters related to the wages and working conditions of home care employees. The Director must establish such a board upon the petition of 50 or more home care employees.

If such a board is established, the Director and the Labor Commissioner must conduct a preliminary investigation into certain matters relating to the employment of home care employees and present their findings at the first meeting of the board. The bill provides certain reporting requirements, authorizes a home care employee to bring a civil action against an employer under certain circumstances, and makes various other technical and conforming changes.

Finally, the bill appropriates from the State General Fund to:

- The Office of the Labor Commissioner in the Department of Business and Industry \$71,665 in Fiscal Year (FY) 2021–2022 and \$88,469 in FY 2022–2023; and
- The Division of Public and Behavioral Health of the DHHS \$86,609 in FY 2021–2022 and \$110,120 in FY 2022–2023 for the personnel, operating, and equipment costs to carry out the provisions of this bill.

Provisions of this bill appropriating funds are effective on July 1, 2021. All other provisions are effective on October 1, 2021.

Workforce Development**AB 376 (Chapter 557)**

[Assembly Bill 376](#) creates the Keep Nevada Working Task Force within the Office of the Lieutenant Governor. The Task Force is required to:

- Develop strategies to support current and future industries across this State;
- Conduct research on methods to strengthen career pathways for immigrants;
- Support the efforts of business and other groups to provide stability to the workforce; and

- Recommend approaches to attract and retain immigrant business owners.

The Attorney General must publish model policies that provide recommendations to limit immigration enforcement at public schools, institutions of higher education, certain health care facilities, courthouses, and other State and local governmental agencies. The bill also requires the Attorney General to publish model policies that provide guidance and training recommendations to State or local law enforcement agencies and requires each State or local law enforcement agency to adopt policies that are consistent with these model policies or notify the Attorney General that the State or local law enforcement agency is not adopting policies consistent with the model policies.

Finally, the bill appropriates \$500,000 from the State General Fund to the Immigration Clinic at the William S. Boyd School of Law of the University of Nevada, Las Vegas, for the purpose of providing pro bono legal services relating to immigration law.

Provisions of this bill regarding the appropriation are effective on June 11, 2021. Provisions regarding the Task Force are effective on June 11, 2021, for the purposes of appointing members and performing preparatory administrative tasks and on July 1, 2021, for all other purposes. Provisions regarding model policies to be published by the Attorney General are effective on July 1, 2021, for the purpose of performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

AB 450 (Chapter 246)

Assembly Bill 450 directs the Governor to appoint a committee to conduct an interim study concerning opportunities to align the need for workforce training and the programs offered by community colleges in Nevada to meet the needs of the evolving economy of the State. The bill establishes the membership of the committee and the subjects that the committee must study. The committee must report its findings to the Governor, the Chair of the Board of Regents of the University of Nevada, and the Legislature on or before August 1, 2022.

This bill is effective on May 31, 2021.

AB 459 (Chapter 436)

Assembly Bill 459 moves the Office of Workforce Innovation from the Office of the Governor to the Department of Employment, Training and Rehabilitation; changes the name to the Governor's Office of Workforce Innovation; and establishes the Executive Director of the Office of Workforce Innovation in the unclassified service of the State.

The bill also moves responsibility for apprenticeships, including the position of State Apprenticeship Director, from the Office of Workforce Innovation to the Office of the Labor Commissioner. The bill establishes that the Labor Commissioner, rather than the Governor, appoints the State Apprenticeship Director, and that the Governor appoints voting members of the State Apprenticeship Council based on recommendations of the Labor Commissioner rather than the Executive Director of the Office of Workforce Innovation. The bill also provides that the State Apprenticeship Director is in the unclassified service of the State.

Finally, the measure amends Senate Bill 247 of the 81st Session to reflect the Labor Commissioner's responsibility for apprenticeship programs.

Provisions of this bill amending SB 247 of the 81st Session are effective on October 1, 2021. All other provisions are effective on July 1, 2021.

SB 24 (Chapter 393)

Senate Bill 24 revises provisions related to workforce development programs administered by the Office of Economic Development in the Office of the Governor. Among other items, the bill:

- Revises the information that must be included in an application for approval to provide a program of workforce development;
- Requires any program of workforce development that may be approved by the Office to result in a postsecondary or industry-recognized credential or an identifiable occupational skill that meets the applicable industry standard;
- Requires the Office to coordinate with relevant State agencies and review federal Worker Adjustment and Retraining Notification Act (29 United States Code §§ 2101 *et. seq.*) notices to ensure that businesses participating in a program of workforce development meet certain criteria;
- Establishes additional criteria the Office must consider in giving priority to certain programs of workforce development; and
- Clarifies the type of expenses that may be incurred by an authorized provider of a workforce development program.

The bill also revises certain provisions contained in Assembly Bill 494 of the 81st Session.

Provisions of this bill revising AB 494 of the 81st Session are effective on June 4, 2021. All other provisions are effective on July 1, 2021.

LEGISLATURE

AB 416 (Chapter 467)

[Assembly Bill 416](#) requires the Legislative Auditor, during the 2021–2023 Biennium, to conduct a performance audit of the Nevada System of Higher Education for Fiscal Years (FY) 2018–2019 to 2021–2022 and any additional fiscal years the Legislative Auditor deems necessary.

The bill appropriates \$80,250 in FY 2021–2022 and \$128,750 in FY 2022–2023 from the State General Fund to the Legislative Fund for overtime and travel costs related to conducting the audit.

This bill is effective on July 1, 2021.

SB 268 (Chapter 224)

[Senate Bill 268](#) requires, to the extent of available resources, the Fiscal Analysis Division of the Legislative Counsel Bureau to perform a budget stress test in each even-numbered year. The stress test must compare the estimated future revenue to, and the estimated future expenditure from, the major funds in the State Treasury under various potential economic conditions. A report regarding the results of the test must be posted on the Legislature’s website and submitted to the Governor and the Legislature.

This bill is effective on July 1, 2021.

SB 275 (Chapter 491)

[Senate Bill 275](#) makes various changes to provisions governing public health and communicable diseases and sets forth the legislative finding that the spread of communicable diseases is a public health matter that should not be addressed through criminalization. The bill revises multiple provisions relating to communicable diseases by State and local health authorities including, without limitation:

- Specifying procedures to be followed by a county or city board of health when isolating, quarantining, or treating certain persons;
- Authorizing the investigation of a case or suspected case of a communicable disease; and
- Requiring that any order to isolate, quarantine, or treat an infected person or group of persons must state the reasons for taking such actions.

The bill revises or repeals multiple criminal penalties relating to communicable diseases, modifies provisions concerning court-ordered testing for a communicable disease, and requires the alleged victim of a crime involving sexual penetration to be provided with certain information concerning sexually transmitted diseases.

Senate Bill 275 modifies terminology used to refer to the human immunodeficiency virus (HIV) and revises or repeals various provisions of existing law related to HIV and people with HIV. Finally, the bill reestablishes the Advisory Task Force on HIV Exposure Modernization for the 2021–2022 Legislative Interim and requires the Legislative Counsel, to the extent practicable, to ensure that people with HIV are referred to using language commonly viewed as respectful and

to avoid duplicative references to HIV and acquired immunodeficiency syndrome throughout *Nevada Revised Statutes* and *Nevada Administrative Code*.

This bill is effective on June 6, 2021.

Legislative Functions

AB 1 (Chapter 13)

[Assembly Bill 1](#) revises the training required for newly elected Legislators to also include a discussion of local governments in Nevada. The discussion must include overviews of the structure and authority of local governments, the financial administration of local governments, and the services provided by local governments.

This bill is effective on January 1, 2022.

AB 110 (Chapter 3)

[Assembly Bill 110](#) revises the Nevada Lobbying Disclosure and Regulation Act by removing the requirement that to be designated as a lobbyist a person must appear in person in the Legislative Building or other building where the Legislature or its committees hold meetings. This bill clarifies that a person is not considered to be a lobbyist if he or she communicates with members of the Legislative Branch on an infrequent or irregular basis and does not otherwise engage in lobbying activities. Finally, the measure specifies the registration requirements that are applicable during the 81st Session to a person who, on or after the effective date of this bill, qualifies as a lobbyist.

This bill is effective on March 18, 2021.

AB 302 (Chapter 205)

[Assembly Bill 302](#) authorizes the Nevada Commission on Minority Affairs of the Department of Business and Industry to request the drafting of up to two legislative measures for each regular session of the Legislature that relate to matters within its scope of authority.

This bill is effective on October 1, 2021.

AB 343 (Chapter 518)

[Assembly Bill 343](#) requires the regional transportation commission in a county whose population is 100,000 or more, in collaboration with various other State and local agencies, to develop a written plan for conducting walking audits of urbanized areas within the county to assess whether:

- An area is safe and has adequate lighting at night;
- Healthy food is available in the area;
- Sidewalks are in good condition and free of barriers;
- There are benches and other places available for pedestrians to rest; and
- There are curb cuts and audible crosswalks that provide pedestrians with sufficient time to cross the street.

The plans must be submitted to the respective district health department and the Legislative Committee on Health Care no later than June 1, 2022.

In addition, the bill authorizes each regional transportation commission in a county whose population is 100,000 or more to request, for each regular session of the Legislature, the drafting of not more than one legislative measure that relates to matters within the scope of the commission.

This bill is effective on June 8, 2021.

AB 441 (Chapter 391)

[Assembly Bill 441](#) provides that when a legislative vacancy occurs after the general election, but before the regular session is convened, the caucus leader of the House and party of which that Legislator was a member may allocate all, some, or none of the former Legislator's allocated requests for drafting legislative measures, otherwise known as bill draft requests (BDRs). The bill establishes deadlines for submitting the BDRs and for providing the details needed to draft the legislation. Requests allocated to other Legislators are not counted against that Legislator's existing BDR limits. Any such requests sent to committees must be approved by a majority of the members of the committee prior to submittal for drafting. Further, a Legislator appointed to fill a vacancy is authorized to solicit or accept contributions from other Legislators or from an organization whose primary purpose is to support Legislators of a particular party or House. The contribution amount that may be accepted must not exceed \$10,000 for a regular session or \$1,200 for a special session. Limits are placed on how that money may be spent, and conditions are specified for the disposal of unspent contributions.

This bill is effective on June 4, 2021.

ACR 1 (File 4)

[Assembly Concurrent Resolution 1](#) adopts the Joint Standing Rules of the Senate and Assembly for the 81st Session of the Nevada Legislature.

This resolution is effective on February 1, 2021.

SB 292 (Chapter 331)

[Senate Bill 292](#) requires that signatures required for minor party ballot access petitions must be apportioned equally among existing petition districts and changes, from not later than the third Friday in June preceding the general election to the first day of June, the date on which such petitions must be filed. The final date to challenge signatures on minor party ballot access petitions is also changed from the fourth Friday in June to the second Monday in June.

Senate Bill 292 makes various changes relating to the filling of vacancies in elective office. For a vacancy in the office of United States Senator, SB 292 requires the Governor to appoint a person who is of the same political party as the former Senator. The measure provides that, when filling a vacancy in the office of Representative in Congress, a candidate for a major political party must be nominated in a special primary election before a special general election. If such a special election is not consolidated with an existing statewide or local election, the cost of the election must be paid from the Reserve for Statutory Contingency Account, as approved by the State Board of Examiners. For vacancies in the office of Legislator, SB 292 requires the majority or minority leader of the House in which the former Legislator was a member, and who is of the same party

as the former Legislator, to submit to the board of county commissioners a list of qualified nominees to fill the vacancy. The board may vote to reject all of the qualified nominees submitted by legislative leadership and request a new list of nominees to fill the vacancy.

Finally, SB 292 repeals provisions that set forth various requirements for the internal organization and procedures of major political parties, including requirements for the election of delegates to county and State conventions and the manner in which such conventions are organized.

This bill is effective on June 3, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

Interim Structure and Legislative Studies

Note: For additional interim studies not specifically involving members of the Legislature, see “Legislative and Agency Studies” in the [“Subject Index.”](#)

AB 95 (Chapter 111)

[Assembly Bill 95](#) adds one member to the Legislative Committee on Public Lands to represent tribal governments. This member is to be appointed by the Legislative Commission upon the recommendation of the Inter-Tribal Council of Nevada, Inc.

This bill is effective on July 1, 2021.

AB 188 (Chapter 88)

[Assembly Bill 188](#) abolishes the Commission on Special License Plates and transfers its duties to the Department of Motor Vehicles (DMV). The DMV must hold public hearings to approve or disapprove applications for the design, preparation, and issuance of special license plates, and must compile and submit a list of all approved special license plate designs with an accompanying report to the Legislature annually.

Charitable organizations receiving additional fees from special license plates must prepare a balance sheet for the immediately preceding fiscal year and file it with the Legislative Auditor by September 1 annually. The Legislative Auditor shall require certain information from these charitable organizations and may request additional fiscal information. By September 30 of every fiscal year, the Legislative Auditor must submit a final report on these charitable organizations to the Director of the DMV and the Director of the Legislative Counsel Bureau for transmittal to the Legislature or Legislative Commission.

A provision of this bill specifically referencing special license plates in support of Tule Springs State Park is effective two years after the date on which the Park is established. All other provisions are effective on October 1, 2021.

AB 254 (Chapter 202)

[Assembly Bill 254](#) prohibits public or private postsecondary institutions or the National Collegiate Athletic Association (NCAA) from:

- Preventing a student athlete from being compensated for the use of the student’s name, image, or likeness or from obtaining professional services, with certain exceptions;

- Compensating the student athlete for those components when related to the official activities of the institution or the NCAA;
- Altering a student's scholarship award due to such compensation; and
- Disallowing the student's participation in intercollegiate sports—or an institution's participation in the NCAA—for such compensation or use of services.

Additionally, the bill authorizes a student athlete to enter into a contract with an outside entity for compensation, so long as the contract does not conflict with the contract between the student athlete and the institution in which the athlete is enrolled and the student athlete meets certain specified responsibilities.

Finally, the bill requires the Legislative Committee on Education to appoint a committee to conduct an interim study concerning collegiate bylaws and State and federal laws related to compensating student athletes for the use of their name, image, or likeness.

This bill is effective on May 29, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 356 (Chapter 364)

[Assembly Bill 356](#) prohibits, with certain exceptions, the use of water from the Colorado River to irrigate nonfunctional turf on certain property on and after January 1, 2027. The Board of Directors of the Southern Nevada Water Authority must develop a plan to identify and facilitate the removal of relevant turf that exists within the Authority's service area, and the Board may approve an extension or waiver for such removal. The bill also creates the Nonfunctional Turf Removal Advisory Committee to discuss pertinent issues and provide recommendations to the Board.

Lastly, the bill requires the Legislative Committee on Public Lands to conduct a study during the 2021–2022 Interim concerning water conservation in this State.

Provisions of this bill requiring an interim study are effective on July 1, 2021. All other provisions are effective on June 4, 2021. Provisions concerning the Nonfunctional Turf Removal Advisory Committee expire by limitation on December 31, 2026.

AB 443 (Chapter 392)

[Assembly Bill 443](#) repeals several statutory committees on which Legislators serve throughout the biennium and establishes joint interim standing committees that parallel certain standing committees established by the Legislature during its regular sessions. The powers and duties of certain repealed statutory committees are reassigned to corresponding joint committees. The membership of other statutory committees is altered to reference Legislators who are members of joint committees of jurisdiction. Each joint committee consists of eight regular members, not more than five of whom are of the same political party, and five alternate members. To the extent practicable, at least five of the members appointed to a joint committee must have served on the corresponding standing committee during the preceding regular legislative session. The bill authorizes committees to review matters within the jurisdiction of their corresponding standing committees and to conduct studies as directed by the Legislature and the Legislative Commission. Issues concerning juvenile justice and child welfare are assigned to the appropriate joint interim

standing committee. The joint committees must report on their activities, findings, and any recommended legislation to each regular session of the Legislature. The measure provides an appropriation of \$35,000 from the State General Fund to the Legislative Fund to support the work of interim studies during the 2021–2022 Interim.

Provisions of this bill updating relevant committee names in certain statutory references related to education are effective on July 1, 2021. All other provisions are effective on June 4, 2021.

AB 495 (Chapter 249)

Assembly Bill 495 provides for the imposition, administration, and payment of an excise tax on the gross proceeds of profitable gold or silver mining companies that report Nevada gross revenue greater than \$20 million annually. The revenue from this new mining excise tax is to be deposited in the State General Fund for the 2021–2023 Biennium, and then is to be deposited in the State Education Fund beginning on July 1, 2023. The bill also provides that beginning on July 1, 2023, the portion of the tax on net proceeds of minerals that is currently deposited in the State General Fund will instead be deposited in the State Education Fund.

Among other provisions, the bill:

- Requires the disbursement of \$200 million from the State’s allocation of federal Coronavirus State and Local Fiscal Recovery Funds to Nevada’s Department of Education for grants to qualifying school districts and university schools for profoundly gifted pupils to be used to augment certain programs implemented to address the impacts of learning loss experienced as a result of the COVID-19 pandemic;
- Requires the disbursement of \$15 million from the State’s allocation of federal Coronavirus State and Local Fiscal Recovery Funds to the State Public Charter School Authority for grants to charter schools to be used to augment certain programs implemented to address the impacts of learning loss experienced as a result of the COVID-19 pandemic;
- Authorizes Medicaid recipients to directly receive reimbursements for personal care services and use that money to pay for services provided by a personal care assistant or agency in the home;
- Appropriates \$50,895 in Fiscal Year (FY) 2021–2022 and \$104,354 in FY 2022–2023 from the State General Fund to the Division of Health Care Financing and Policy of the Department of Health and Human Services to pay the State’s share of the costs of personal care services for recipients of Medicaid;
- Allows a scholarship organization that provides grants to low-income students to attend schools of their parent’s or guardian’s choosing, including private schools, to use a donation for which the donor received a payroll tax credit to provide a grant to a student who did not receive a grant from such a donation the preceding school year or will likely not receive a grant from such a donation in the same amount each school year until graduating high school;
- Provides for an additional \$4.745 million in tax credits for the Nevada Educational Choice Scholarship Program;

- Appropriates \$600,000 in each fiscal year of the 2021–2023 Biennium from the State General Fund to the Nevada System of Higher Education for support of the Silver State Opportunity Grant Program;
- Directs the Commission on School Funding to investigate sources of revenue to fund public education and requires the Commission to submit a report to the Governor and the Director of the Legislative Counsel Bureau for transmission to the 2023 Legislature; and
- Directs the Legislative Committee on Education to conduct a study during the 2021–2022 Interim concerning the composition of school boards of trustees in this State.

Provisions of this bill requiring the transfer of the portion of mineral excise tax proceeds in the State General Fund to the State Education Fund are effective on July 1, 2023. All other provisions are effective on July 1, 2021.

SB 128 (Chapter 324)

[Senate Bill 128](#) requires the State Treasurer to contract with one or more qualified independent consultants to conduct a study concerning the effectiveness of publicly funded scholarship and grant programs in Nevada. The study must include a comprehensive review of student outcomes for scholarship and grant recipients, as well as a review of the way such programs are administered. Additionally, the study must evaluate the financial viability of these programs and the projected future costs of their administration.

A report of the study findings must be submitted to the Legislative Committee on Education, which shall review the report and consult with persons and entities charged with administering publicly funded scholarship and grant programs. The report recommendations must be considered by the Committee when requesting the drafting of legislative measures.

Finally, SB 128 provides that the costs of carrying out the study must be paid from the Endowment Account created by the State Treasurer.

This bill is effective on July 1, 2021.

SB 172 (Chapter 169)

[Senate Bill 172](#) removes the enrollment application process and prerequisite requirements for a student to participate in a dual credit course. The bill also removes provisions relating to cooperative agreements to offer dual credit courses and instead requires each school district and charter school to establish a dual credit program, or partner with another district or charter school with an established dual credit program, whereby a student may enroll in such a course at a higher education institution.

The bill includes dual credit and international baccalaureate courses in the list of courses for which the State Board of Education must provide a uniform grading scale and requires the Board to assign the same weight to such courses as is assigned to advanced placement courses, in certain circumstances.

Furthermore, SB 172 requires the board of trustees of a school district and the governing body of a charter school to report certain information relating to dual credit programs to the Legislature in

odd-numbered years. The contents of the report must be prescribed in collaboration with various educational stakeholders. Finally, SB 172 requires the Legislative Committee on Education to study dual credit programs during the 2021–2022 Interim.

Provisions of this bill concerning a uniform grading scale for certain courses are effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2022, for all other purposes. Provisions regarding the removal of cooperating agreements, the establishment of dual credit programs, and the reporting of certain information relating to such programs are effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes. All other provisions are effective on May 27, 2021.

SB 209 (Chapter 536)

[Senate Bill 209](#) requires certain employers in private employment to provide employees with either two or four hours of paid leave for the purpose of their employees receiving COVID-19 vaccinations, depending on whether the vaccine taken requires one dose or two doses, respectively. The bill imposes certain requirements on employers relating to the provision of such leave and requires the Labor Commissioner to prepare and post a bulletin setting forth these requirements.

In addition, the bill requires the Legislative Committee on Health Care to conduct a study during the 2021–2022 Interim regarding the State’s response to the COVID-19 health crisis. The Committee must report the results of the study and any recommendations to the Governor and the Legislative Counsel Bureau for transmittal to the 2023 Legislature.

The bill also requires employers to allow an employee to use paid leave for any use, including, without limitation, to receive certain medical treatments, participate in caregiving, or address other personal needs related to the health of the employee.

The bill is effective on June 9, 2021. Provisions authorizing paid leave for the purpose of receiving a COVID-19 vaccine expire by limitation on December 31, 2023.

SB 236 (Chapter 329)

[Senate Bill 236](#) requires every law enforcement agency to establish an early warning system to identify officers who display bias indicators or other problematic behavior. If a peace officer’s behavior is identified by the system, the agency is required to increase supervision and provide training and counseling as appropriate. If an officer is repeatedly identified by the system, the agency is to consider imposing consequences such as duty transfer or discipline.

Senate Bill 236 also establishes provisions relating to traffic stops conducted by officers, including the recording, collection, and review of information concerning those stops and the establishment of standardized methods to be used by officers when making stops, including the gathering of certain demographic information and the annual reporting of such information to the Department of Public Safety. As funds are available, the Department is authorized to use the data collected under these provisions for statistical analysis and reporting to identify and address patterns or practices of profiling. Any identifying information of an officer or of a person who was stopped is confidential, and only data that is not deemed confidential may be made publicly available.

Finally, this bill requires the Legislative Commission to appoint a committee to conduct an interim study related to the establishment of crisis call centers.

Provisions of this bill requiring the Legislative Commission to appoint an interim study committee and requiring the Department to develop a standardized method of recording traffic stops and adopt regulations to carry out the provisions related to the early warning system are effective on June 3, 2021. Provisions requiring each law enforcement agency to establish an early warning system are effective on October 1, 2021. Provisions relating to recording data on traffic stops and making it publicly available are effective on October 1, 2021, if existing resources are adequate or on the date on which federal funding is obtained to carry out the provisions if not. All other provisions of the bill are effective on June 3, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SCR 11 (File 39)

[Senate Concurrent Resolution 11](#) creates a joint special committee to conduct a study of the potential community and economic benefits of innovation zones—a unique form of local government on private land—and their impact on revenues and taxes, as well as various entities, industries, and natural resources. The special joint committee must include at least three members of the Assembly and three members of the Senate appointed by legislative leadership. Input from certain interested stakeholders is also required. A report of the joint special committee’s findings and recommendations must, to the extent practicable, be submitted to the Governor on or before December 31, 2021. The committee must also submit a report of its findings to the Legislature and may request the drafting of one legislative measure for consideration by the 2023 Legislature.

This resolution is effective on May 28, 2021.

SCR 13 (File 40)

[Senate Concurrent Resolution 13](#) creates an interim committee to investigate matters relating to reapportionment and redistricting in conjunction with the data from the decennial census of 2020. The study committee, composed of at least three members of the Assembly and at least three members of the Senate, must examine data from the United State Census Bureau and monitor any redistricting systems established or recommended for use by the Nevada Legislature, including the requirements for computer equipment, computer software, and the training of personnel. Relevant case law and the programs of other states relating to redistricting must be reviewed. Possible procedures for use by the Nevada Legislature to ensure that members of the public are involved in the redistricting process must also be considered. Finally, the committee may examine any other matter relating to reapportionment and redistricting that it determines may be beneficial to the process of redistricting.

This resolution is effective on May 28, 2021.

NATURAL AND CULTURAL RESOURCES

AB 52 (Chapter 510)

[Assembly Bill 52](#) adds two members to the Land Use Planning Advisory Council: one voting member appointed by the Governor from a list of nominees submitted by the Nevada Indian Commission, and one nonvoting member appointed by the Nevada League of Cities and Municipalities. The bill also requires the Advisory Council to:

- Advise any federal or State agency or local government on land use planning and policy;
- Assist and advise in the resolution of inconsistencies in land use plans, if requested; and
- Make recommendations related to areas of critical environmental concern.

Finally, in addition to other provisions, the bill changes the minimum period for notice of certain public hearings of the Advisory Council by publication in newspapers from 20 days to 10 days before the hearing.

This bill is effective on July 1, 2021.

AB 72 (Chapter 39)

[Assembly Bill 72](#) adds a representative of the Nevada Indian Commission as a voting member of the Nevada State Board on Geographic Names. The bill also removes the State Resident Cartographer as the Board's Executive Secretary and requires the voting members of the Board to select the person to serve in this position. Lastly, the bill clarifies that the Chair and Vice Chair are designated from among the voting members of the Board and that the Vice Chair presides in the absence of the Chair.

This bill is effective on October 1, 2021.

AB 88 (Chapter 348)

[Assembly Bill 88](#) requires the board of trustees of each school district, the governing body of each charter school, and the governing body of each university school for profoundly gifted pupils to change and adopt policies prohibiting the use of any name, logo, mascot, song, or other identifier that is racially discriminatory or that contains racially discriminatory language or imagery. However, an identifier associated with a federally recognized Indian tribe may be used if the school obtains permission for such use from the tribe.

Assembly Bill 88 also requires the Nevada State Board on Geographic Names to recommend changing the name of any geographic feature or place in the State that is racially discriminatory, or that contains racially discriminatory language or imagery. The Board must submit a report to the Legislature on any such recommended changes.

Finally, AB 88 prohibits a county, city, or incorporated place in this State from sounding a siren, bell, or alarm at a time during which the siren, bell, or alarm was previously sounded in association with an ordinance that required persons of a particular race, ethnicity, ancestry, national origin, or color to leave by a certain time.

This bill is effective on October 1, 2021.

Agriculture

AB 399 (Chapter 370)

Assembly Bill 399 prohibits certain farm owners or operators from knowingly confining an egg-laying hen in an enclosure that does not comply with the bill's provisions, with certain exceptions. The bill also requires such owners or operators to obtain a renewable endorsement from the State Department of Agriculture indicating compliance before selling or transporting for sale eggs or egg products in the State. The Department may use a government inspector or a private inspection or process verification provider to ensure such compliance.

These requirements do not apply to the production, sale, or transport for sale in Nevada of shell eggs by a farm owner or operator who has an annual shell egg production from 3,000 or fewer egg-laying hens if all shell eggs sold or transported for sale in this State are derived from those hens.

The bill makes a legislative declaration that the regulation of egg production on farms and the sale of eggs and egg products in this State is necessary to protect the health and welfare of its citizens, promote food safety, and advance animal welfare.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

SB 34 (Chapter 320)

Senate Bill 34 renames existing personnel of the State Department of Agriculture charged with enforcing certain laws as "agricultural police officers" and authorizes the Director of the Department to appoint such officers. The bill increases the minimum requirement of certification to qualify for these positions from a category II to a category I peace officer. This change makes applicable to agricultural police officers:

- The industrial insurance coverage for police officers;
- Exemption from service as grand or trial jurors;
- The compensation for police officers with temporary disabilities; and
- Eligibility for certain programs of group insurance or other medical or hospital service for the surviving spouse or any child of police officers and firefighters.

This bill is effective on June 3, 2021.

SB 54 (Chapter 153)

Senate Bill 54 revises and expands—from 11 to 13 members—the membership of the State Board of Agriculture. Additions to the membership include:

- A member who is a licensed veterinarian with experience in a mixed-animal or large-animal practice;

- A member working in the field of supplemental nutrition distribution;
- A member engaged in food manufacturing or animal processing; and
- Two members engaged in growing crops, at least one of which is a specialty crop.

The bill changes, from three to two, the number of members engaged in range or semirange cattle production. Further, the bill eliminates one member engaged in general farming and one in growing crops in rows spaced to permit mechanical cultivation.

The bill makes conforming changes relating to the number of members that constitute a quorum, continuing membership of certain members, and appointment of other members to staggered terms.

Provisions of this bill that allow certain existing members to complete their terms and allow for a staggering of the terms of other members are effective on May 27, 2021. All other provisions are effective on July 1, 2022.

SB 63 (Chapter 156)

[Senate Bill 63](#) requires that an application for registration as a grower or handler of hemp or a producer of agricultural hemp seed be submitted to the State Department of Agriculture on or before July 1 of any year. The applicant must submit a complete set of fingerprints or certain information required by the Department to perform a background check to verify eligibility in accordance with federal regulations. The bill also revises the circumstances under which the Department may refuse to issue, renew, suspend, or revoke a registration as a grower, handler, or producer.

The bill sets forth certain requirements for the sampling and testing of hemp before it is harvested, and it authorizes a grower to perform remediation activities on a growing crop of hemp that has a tetrahydrocannabinol (THC) concentration that exceeds federal limits to render the crop compliant. If a grower fails to submit a plan to perform such remediation, the Department is authorized to detain, seize, or embargo the crop.

This bill is effective on May 27, 2021.

SB 65 (Chapter 24)

[Senate Bill 65](#) revises provisions relating to the composition and administration of the State Department of Agriculture. The measure creates four divisions within the Department, including Divisions of Administrative Services, Animal Industry, Food and Nutrition, and Plant Health and Compliance.

The name of the existing fifth division is changed from the Division of Consumer Equitability to the Division of Measurement Standards. The Department's Director must appoint Administrators of each of the five divisions who are in the unclassified service of the State and serve at the pleasure of the Director. The Director retains the authority to alter the organization of the Department and reassign responsibilities and duties as the Director deems appropriate.

Finally, the bill assigns the title of State Veterinarian to the existing position within the Department that is responsible for activities relating to the protection and promotion of the livestock industry and revises the minimum qualifications for the position.

This bill is effective on January 1, 2022.

SB 112 (Chapter 162)

[Senate Bill 112](#) provides for certain veterinary biologic products that are regulated under existing federal law to be excluded from regulation under Nevada law. These products are to be administered only to certain livestock, specifically cattle, goats, pigs, sheep, and poultry.

This bill is effective on May 27, 2021.

SB 297 (Chapter 333)

[Senate Bill 297](#) provides that the urban agricultural element of a master plan prepared by a planning commission may include an inventory of other real property owned by the city or county. The bill also requires the Council on Food Security to research and develop recommendations on community gardens and urban farms. Further, the bill authorizes a board of county commissioners to approve a partial abatement of ad valorem taxes, equal to 10 percent of the taxes that would otherwise be imposed on a parcel, if the property owner's application to allow the property to be used as a community garden or urban farm for a period of not less than five years is approved.

Finally, the bill authorizes a city or county to use vacant or blighted land or other real property owned by the city or county for urban farming and authorizes the Department of Transportation to lease certain property for \$1 per year for use as community gardens and urban farms. A local government that leases such land from the Department must prioritize community gardens and urban farms that meet certain criteria.

This bill is effective on October 1, 2021.

SB 370 (Chapter 236)

[Senate Bill 370](#) requires the Director of the State Department of Agriculture to establish the Home Feeds Nevada Agriculture Food Purchase Program to supplement the supply of nutritious food that is available to persons through food banks and certain other providers in Nevada. The Director is further required to develop a procedure through which the Director may purchase nutritious foods that are grown, produced, or processed in Nevada for distribution to food banks. The Nutritious Food Purchase Account is established in the State General Fund for deposit of any money obtained by the Director for the Program.

Each food bank must submit a quarterly report to the Director concerning the amount of nutritious food that was distributed by the food bank, as well as the manner of such distribution. The Director must submit an annual written report containing certain information to the Council on Food Security.

This bill is effective on October 1, 2021.

SB 438 (Chapter 340)

[Senate Bill 438](#) provides that the State Department of Agriculture adopts by reference certain federal regulations related to standards for growing, harvesting, packing, and holding produce intended for human consumption. The bill further requires the Department to inspect farms that are required to comply with these regulations. The State Quarantine Officer must issue cease and desist orders and orders to recall produce, if appropriate, to a person who provides produce that creates an immediate food safety risk in violation of federal regulations or who fails to resolve repeated violations of federal regulations. Finally, the Department may adopt regulations to carry out these duties.

This bill is effective on July 1, 2021.

SB 443 (Chapter 344)

[Senate Bill 443](#) makes various changes to standards governing seeds. Any container of seeds of agricultural crops, flowers, vegetables, herbs, trees, and shrubs that is sold, offered for sale, or transported within Nevada for sowing purposes must bear or have attached a plainly written sell-by date. Additional labeling information is required for coated seeds. The bill also defines and clarifies certain terms that apply to the standards that govern seeds and expands the scope of required regulations to account for new provisions concerning noxious weeds.

This bill is effective on June 3, 2021.

SB 454 (Chapter 311)

[Senate Bill 454](#) makes various changes related to the processing of applications for new brands and marks of animals and the rerecording of such brands and marks. The bill authorizes the State Department of Agriculture to establish and collect reasonable fees for the processing of applications for new brands or new brands and marks, regardless of whether the new brand or new brand or mark is awarded. However, the bill removes the authority for the Department to establish reasonable fees for the recording or the rerecording of brands or brands and marks, instead establishing a fee of \$200 for both actions in statute and prohibiting the prorating of the fees for any unused portion of the period. Beginning on January 1, 2023, the time period after which any owner of a brand or brand and mark or marks of record must be rerecorded is increased from four to five years, and the application must be submitted electronically through the Department's website or in writing on a form provided by the Department.

At the discretion of the Department, unless otherwise requested by an owner, the Department may provide the required notice to an owner to rerecord by a certain time any brand or brand and mark or marks by electronic mail. Such notice must be sent by electronic mail or in writing by mail to the owner's last electronic mail address or address of record, as applicable.

Finally, the bill requires the Department to provide an electronic copy of the certificate setting forth the fact of rerecording.

This bill is effective on June 3, 2021.

Environmental Quality and Protection

AB 40 (Chapter 314)

[Assembly Bill 40](#) revises provisions relating to petroleum storage tanks and the Board to Review Claims in the Division of Environmental Protection of the State Department of Conservation and Natural Resources. Specifically, the bill:

- Requires that before a storage tank is eligible for the coverage of certain costs from the Fund for Cleaning Up Discharges of Petroleum, the operator must meet certain requirements;
- Increases the total amount that may be paid from the Fund in any one fiscal year to certain operators from \$1.9 million to \$1.95 million each for cleanup and for liability for certain damages;
- Provides that any further cost for cleaning up certain discharges that is in excess of the amount paid to an operator from the Fund must be paid by the operator unless certain conditions are met, in which case the Board may approve additional allotments of not more than \$1 million each;
- Revises the method by which certain members of the Board are nominated; and
- Removes the definition of “small business” in existing law and instead requires the Board to define the term by regulation.

This bill is effective on June 3, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 71 (Chapter 257)

[Assembly Bill 71](#) makes confidential the specific location of a rare plant or animal species or ecological community that is included in data systems maintained by the Division of Natural Heritage of the State Department of Conservation and Natural Resources. This bill also authorizes, under certain circumstances, the Administrator of the Division to release this confidential information. Specifically, the bill provides that the Administrator shall release this confidential information to a person engaged in conservation, environmental review, or scientific research upon entering into a written agreement with the Administrator requiring the person to maintain the confidentiality of the information to the extent necessary to protect the rare plant or animal species or ecological community. Finally, the bill requires the Administrator or his or her designee to make a reasonable effort to notify an owner of private property if the Administrator or designee releases any confidential information related to the specific location of a rare plant or animal species or ecological community which is located on the owner’s property.

This bill is effective on June 2, 2021.

AB 97 (Chapter 112)

[Assembly Bill 97](#) requires the Division of Environmental Protection of the State Department of Conservation and Natural Resources to form a working group to study environmental contamination resulting from certain toxic substances. The bill prohibits, with certain exceptions,

the discharge, use, or release of Class B firefighting foam that intentionally contains those substances, requires the notification of the Division if such actions are taken, and provides that a violation of this prohibition is a misdemeanor.

The bill also prohibits, with certain exceptions, the manufacture and sale of children's products, furniture, mattresses, and other textile products that contain certain amounts of specified flame-retardant chemicals. Additionally, the bill prohibits, with certain exceptions, a manufacturer from replacing such a flame-retardant chemical with any other chemical that is known or suspected with a high degree of probability to have harmful effects on humans.

Provisions of this bill relating to the discharge of certain toxic chemicals are effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes. Other provisions of the bill are effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

AB 148 (Chapter 385)

[Assembly Bill 148](#) requires an applicant for an exploration or mining permit who is a corporation or business entity to submit with the application an affidavit that states whether or not the applicant is in good standing with all agencies in relation to the reclamation of exploration projects or mining operations, along with the name and address of each person who has a controlling interest in the corporation or business entity.

The bill prohibits the issuance of such a permit if the applicant is not in good standing with such an agency in relation to the reclamation of an exploration project or mining operation. However, the bill authorizes the issuance of such a permit if the applicant pays the full amount of the defaulted obligation and demonstrates that the conditions which led to the default have been remedied and no longer exist.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on April 1, 2022, for all other purposes.

AB 452 (Chapter 140)

[Assembly Bill 452](#) requires certain State agencies and entities to submit information to the State Department of Conservation and Natural Resources for the purpose of preparing the required annual report on greenhouse gas emissions in Nevada. If the balance in the Fund for Cleaning Up Discharges of Petroleum is estimated at \$7.5 million or more at the end of any fiscal year, the Department shall transfer from the Fund an amount not to exceed \$500,000 to the Account for the Management of Air Quality to be expended only to pay the costs of preparing the required annual report on greenhouse gas emissions.

This bill is effective on July 1, 2021.

AJR 2 (File 18)

[Assembly Joint Resolution 2](#) expresses the Legislature's support for various governmental entities to work collaboratively with land managers, land users, private landowners, water purveyors, and other stakeholders to:

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- Identify watersheds that can be improved by better forest, rangeland, and soil health measures; and
- Identify or establish voluntary programs to address the health of forests, rangelands, and soil.

This resolution is effective on May 14, 2021.

AJR 3 (File 30)

[Assembly Joint Resolution 3](#) urges the President of the United States and the U.S. Congress to support a long-term goal of protecting 50 percent of the planet, inland waters, and oceans, and urges State and local agencies in Nevada to work cooperatively with federal agencies and tribal governments to protect 30 percent of the lands and waters in the State by 2030.

This resolution is effective on May 21, 2021.

SB 23 (Chapter 22)

[Senate Bill 23](#) revises the boundaries of the areas from which certain members of the State Conservation Commission are appointed. The bill moves Mineral County from “Area 3” (which includes Clark, Esmeralda, Lincoln, Nye, and White Pine Counties) to “Area 2” (which includes Carson City and Churchill, Douglas, Lyon, Storey, and Washoe Counties).

This bill is effective on May 20, 2021.

SB 33 (Chapter 145)

[Senate Bill 33](#) makes various changes relating to natural resource management. Among other things, the bill:

- Expands the types of vegetation and areas where vegetation is located that the State Forester Firewarden is responsible for conserving, protecting, and enhancing;
- Expands the identified uses for which the State Forester Firewarden may distribute conservation plant materials on public and private property;
- Adds rangelands to the State-owned and privately owned lands for which the State Forester Firewarden must supervise or coordinate all forestry and watershed work;
- Requires the State Fire Marshal to cooperate with the State Forester Firewarden concerning certain mitigation activities; and
- Repeals the State Forester Firewarden’s authority to enforce regulations relating to the reduction of brush, dense undergrowth, and other vegetation around and adjacent to a structure that is in a fire-hazardous forested area.

This bill is effective on May 27, 2021.

SB 77 (Chapter 488)

[Senate Bill 77](#) exempts from the requirements of the Open Meeting Law certain meetings conducted by a public body for the purpose of engaging in predecisional and deliberative discussions relating to an action under the National Environmental Policy Act (NEPA) of 1969.

The bill requires that any such closed meeting discussions must:

- Not include any item in the discussions for the closed meeting other than the subject of the memorandum of understanding or other agreement entered into with the federal agency;
- Occur before the federal agency publicly releases the document addressing the action under NEPA and begins the corresponding public comment period; and
- Be required by the federal agency to be kept confidential under the memorandum of understanding or agreement.

This bill is effective on June 2, 2021.

Historical and Cultural Resources

AB 103 (Chapter 234)

[Assembly Bill 103](#) revises provisions relating to permits to excavate on private lands that are known to contain prehistoric Indian burial sites. Specifically, this bill provides that such a permit is not required to engage in certain lawful activities on such private lands if those activities are:

- Exclusively for purposes other than the excavation of a prehistoric Indian burial site; and
- Occur only on a portion of the private land that does not contain the known prehistoric Indian burial site.

This bill is effective on October 1, 2021.

AB 171 (Chapter 87)

[Assembly Bill 171](#) declares that it is the policy of the State of Nevada to protect the Spring Valley population of Rocky Mountain junipers, known as “swamp cedars,” that occur within the Bahsahwahbee Traditional Cultural Property in White Pine County. The bill makes it unlawful for any swamp cedar within that property to willfully or negligently be cut, destroyed, mutilated, or removed without first obtaining a special permit from the State Forester Firewarden.

The bill also revises the existing exemption for Indians native to Nevada who gather flora for certain reasons to remove the requirement that such Indians be native to Nevada.

This bill is effective on July 1, 2021.

AB 270 (Chapter 350)

[Assembly Bill 270](#) requires the Museum Director of the Stewart Indian School Cultural Center and Museum to enter into an agreement with the State Land Registrar or any other State agency that receives an assignment of the buildings and grounds of the former Stewart Indian School to

designate which buildings and grounds of the former Stewart Indian School under the management of the Museum Director are appropriate for special events and authorize the Museum Director to grant special use permits to hold special events at or on the designated buildings and grounds.

The bill also revises the allocation of money in the Silver State Industries Endowment Fund for administrative costs and maintenance of the modern structures, buildings, and other property of the Nevada State Prison, and eliminates the prohibition on spending or transferring the reserved principal of the Fund. Additionally, the measure authorizes the sale or consumption of beer and wine at certain events held within the historic structures, buildings, and other property of the Nevada State Prison. Finally, the bill eliminates the trust fund used for further study and development of the Nevada State Prison and requires that any money remaining in the fund on July 1, 2021, be deposited in the Endowment Fund for the Historic Preservation of the Nevada State Prison.

This bill is effective on July 1, 2021.

AJR 4 (File 19)

Assembly Joint Resolution 4 recognizes the spiritual beliefs of certain indigenous peoples concerning Rocky Mountain juniper trees, locally known as “swamp cedars,” in an area of Spring Valley in White Pine County known as “Bahsahwahbee,” and the massacres of indigenous people that occurred in this area in the 1800s. The resolution urges the United States Congress and the President of the United States to take action to protect Bahsahwahbee, including, without limitation, designating Bahsahwahbee as a National Monument or expanding Great Basin National Park to include Bahsahwahbee.

This resolution is effective on May 14, 2021.

Lake Tahoe

SB 368 (Chapter 215)

Senate Bill 368 requires the State Board of Finance to issue not more than \$4 million in general obligation bonds to fund certain environmental improvement and conservation projects included in the second phase of the Environmental Improvement Program (EIP) for the Lake Tahoe Basin.

This bill is effective on July 1, 2021.

SCR 8 (File 23)

Senate Concurrent Resolution 8 supports the Bi-State Working Group on Transportation and asks the Group to collaborate and agree on a five-year list of transportation priorities and projects in the Tahoe Basin. The list of transportation priorities and projects should:

- Include cost-benefit analyses for each project;
- Coincide with California’s and Nevada’s efforts to address climate change; and
- Identify potential funding recommendations, equity issues associated those recommendations, and monetary and non-monetary barriers to implementing an effective transportation system.

This resolution is effective on May 18, 2021.

SCR 9 (File 34)

[Senate Concurrent Resolution 9](#) encourages and supports the Nevada System of Higher Education (NSHE) to work collaboratively among its institutions on science and research efforts addressing the specific needs of the Lake Tahoe Basin in alignment with Nevada’s State Climate Strategy. The resolution also recommends that NSHE enhance coordination efforts with various state and federal agencies to align NSHE’s science and research efforts with policy goals, including the State Climate Strategy, which are established by the Tahoe Bi-State Executive Committee, the Tahoe Science Advisory Council, and other relevant agencies and stakeholders in the Basin.

This resolution is effective on May 25, 2021.

SJR 12 (File 16)

[Senate Joint Resolution 12](#) recognizes as a priority the completion of the Tahoe East Shore Trail extension and its associated safety, transit, environmental, and visitor improvements. The resolution urges the United States Congress to provide the necessary federal funding for implementing the remaining elements of the State Route 28 National Scenic Byway Corridor Management Plan.

This resolution is effective on May 10, 2021.

Measurement Standards

AB 31 (Chapter 32)

[Assembly Bill 31](#) revises provisions governing the Nevada Petroleum Products Inspection Act. Specifically, the bill:

- Requires the State Board of Agriculture of the State Department of Agriculture to adopt specification standards for aviation fuel, diesel exhaust fluid, and certain petroleum heating products;
- Makes it unlawful for any person to refuse to permit the State Sealer of Consumer Equitability, or the appointees thereof, or any member of the Nevada Highway Patrol to perform their duties concerning petroleum product or motor vehicle fuel sampling;
- Allows, by mutual agreement, for the waiver of the 24-hour notice period before an outlet or tank that has been sealed due to a violation may be unsealed for purposes of removing its contents;
- Revises provisions relating to the storage and disposal of petroleum products;
- Revises the powers and duties of the State Sealer of Consumer Equitability relating to petroleum products; and
- Makes other technical and conforming changes.

This bill is effective on May 21, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks on July 1, 2021, for all other purposes.

AB 75 (Chapter 41)

Assembly Bill 75 requires the State Sealer of Consumer Equitability to adopt regulations establishing:

- Field reference standards to be used in the installation, adjustment, repair, or calibration of devices for weights and measures, and weighing and measuring devices; and
- Transfer standards to be used as temporary measurement references to check the accuracy of commercial weighing and measuring equipment.

The bill also creates a rebuttable presumption concerning the presence of a field reference standard and makes various technical changes concerning weights and measures.

This bill is effective on May 21, 2021.

AB 411 (Chapter 372)

Assembly Bill 411 requires that the regulations adopted by the State Board of Agriculture of the State Department of Agriculture allow the sale of motor vehicle fuel containing not more than 15 percent ethanol by volume.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and July 1, 2022, for all other purposes.

SB 400 (Chapter 217)

Senate Bill 400 revises the penalties for certain unlawful acts relating to weights and measures, public weighing, petroleum products, and advertisements of motor vehicle fuel and petroleum products.

The State Sealer of Consumer Equitability must adopt regulations establishing a schedule of civil penalties for the commission of certain unlawful acts relating to petroleum products. Finally, the bill establishes procedures for an administrative hearing if requested by a person who is subject to such a civil penalty.

This bill is effective on May 29, 2021.

Pest and Noxious Weed Control

AB 34 (Chapter 34)

Assembly Bill 34 revises various provisions governing the control of pests, noxious weeds, and pesticides. Specifically, the bill:

- Authorizes the Director of the State Department of Agriculture to adopt regulations that establish and administer a program to certify certain agricultural products as being free from propagative parts from which noxious weeds may grow;

- Authorizes the Department to provide certain notices by electronic mail;
- Exempts a business from the requirement to obtain a license from the Department if that business is licensed by another state and sells nursery stock only to the public exclusively via the Internet;
- Revises the prohibition against engaging in certain activities involving pest control without a license;
- Revises provisions governing the certification of restricted-use pesticide application;
- Defines the term “control” as it applies to noxious weeds; and
- Makes various other changes concerning certification and regulation of pesticide applicators.

This bill is effective on May 21, 2021.

AB 74 (Chapter 40)

Assembly Bill 74 requires that sellers of restricted-use pesticides maintain records of the distribution of those pesticides, in addition to sales records. Also, the sales and distribution records must be maintained in accordance with federal recordkeeping requirements for State certification plans.

This bill is effective on May 21, 2021.

AB 85 (Chapter 259)

Assembly Bill 85 removes from statute a provision that prohibits the State Quarantine Officer from designating a weed as noxious if the weed is so well established in the State that its control has been judged to be impracticable. With this prohibition removed, the State Quarantine Officer may declare by regulation any weed to be a noxious weed. The bill authorizes the State Quarantine Officer to limit a declaration or temporary designation of noxious weeds to specific geographic areas in this State. Before temporarily designating a weed as a noxious weed, the State Quarantine Officer must hold a public meeting and consult with each applicable State agency or department or governing body of a local government that has jurisdiction over any public right-of-way in the relevant geographic area or areas.

This bill is effective on October 1, 2021.

Public Lands and Recreation

AB 102 (Chapter 103)

Assembly Bill 102 eliminates the requirement that the permanent service-connected disability rating of a Nevada resident be 10 percent or more before he or she may be issued a free annual permit for entering, camping, and boating in all State parks and recreational areas. However, the Division of State Parks of the State Department of Conservation and Natural Resources must still impose an administrative fee to cover the costs of issuing the permit.

This bill is effective on May 26, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 378 (Chapter 133)

[Assembly Bill 378](#) revises the purpose of the State Land Office to include managing State lands and, where appropriate, disposing of State lands. The bill also eliminates the definition of “public lands” for the purpose of State planning for the use of certain lands. With regard to the list of priorities of the State Land Use Planning Agency, the bill removes activities relating to federal lands in this State, as well as the investigation and review of proposals for the designation of areas of critical environmental concern and the development of standards and plans therefor. Additionally, the measure revises certain other duties of that Agency and of the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources. Finally, the bill repeals various statutory provisions relating to the management, regulation, and acquisition of public lands.

This bill is effective on October 1, 2021.

SB 43 (Chapter 149)

[Senate Bill 43](#) expands the membership of the Advisory Board on Outdoor Recreation by adding one voting member and two nonvoting members. The voting member is to be appointed by the Governor from a list of nominees submitted by the Board of Directors of the Nevada Association of Counties. The two nonvoting members must be representatives of the United States Department of the Interior and the U.S. Department of Agriculture, respectively.

This bill is effective on July 1, 2021.

SB 52 (Chapter 25)

[Senate Bill 52](#) requires the Administrator of the Division of Outdoor Recreation of the State Department of Conservation and Natural Resources to establish by regulation a program for awarding a dark sky designation to sites in Nevada that possess varying degrees of exceptional or distinguished quality of starry nights and a nocturnal environment that is specifically protected for public enjoyment and for its scientific, natural, and educational value. The regulation must include categories for which a site may be awarded such a designation, as well as standards for awarding such a designation. The regulation must also include procedures for applying for a designation; reviewing, suspending, and revoking a designation; and appealing a suspension or revocation.

This bill is effective on May 21, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 53 (Chapter 23)

[Senate Bill 53](#) authorizes the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources to organize the areas under the jurisdiction of the Division into regions. Fees collected in each region must be accounted for separately and be used for certain purposes in the region in which the money was collected. The authorized use of such fees is expanded to include the repair, operation, and maintenance of communication systems. The measure further expands the authorization to collect such fees at any area under the jurisdiction of the Division, instead of only at State parks.

This bill is effective on May 20, 2021.

SB 449 (Chapter 346)

[Senate Bill 449](#) transfers the duty to develop and administer the Outdoor Education and Recreation Grant Program from the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources to the Administrator of the Division of Outdoor Recreation of the Department.

This bill is effective on July 1, 2021.

SJR 10 (File 17)

[Senate Joint Resolution 10](#) urges the United States Congress to protect the public lands including and adjacent to Sunrise Mountain, Frenchman Mountain, and Rainbow Gardens in Clark County by designating all or portions of the area as a national conservation area, national recreation area, or national monument or by applying other federal protections that Congress deems appropriate for these important and scenic lands.

This resolution is effective on May 10, 2021.

Water Resources

AB 6 (Chapter 28)

[Assembly Bill 6](#) provides that a person may file a written protest against the granting of an application for a temporary change to the place of diversion, manner of use, or place of use of water already appropriated. The State Engineer may hold a hearing in accordance with the procedures set forth in existing law.

This bill is effective on July 1, 2021.

AB 146 (Chapter 513)

[Assembly Bill 146](#) authorizes the State Department of Conservation and Natural Resources to develop plans, recommendations, and policies to address water pollution resulting from diffuse sources. The Director of the Department must consult or notify Indian tribes when working to control water pollution.

The bill also revises requirements for regulations adopted by the State Environmental Commission relating to water pollution and revises other requirements relating to the control of diffuse sources of water pollution.

Finally, the bill updates an existing legislative declaration concerning the adverse effects of water pollution to include a statement that the people of this State have a right to clean water and that it is the policy of Nevada to mitigate any degradation of the waters of this State.

This bill is effective on June 8, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 333 (Chapter 274)

[Assembly Bill 333](#) provides that, in a county whose population is less than 700,000 (currently all counties other than Clark County), certain requirements related to the appropriation of water do not apply to the retention or detention of developed stormwater flow for the purpose of flood control or stormwater management, if such retention or detention:

- Is required by the governing body of the county or city as a condition of approval of the development; and
- Does not impair the predevelopment recharge of relevant sources of groundwater or the offsite predevelopment flow of relevant sources of surface water.

The bill also establishes deadlines relating to judicial review of certain land use planning decisions of a governing body, commission, or board. The court is authorized to extend the deadlines and requires all memoranda of points and authorities to comply with Rule 28 of the Nevada Rules of Appellate Procedure.

This bill is effective on October 1, 2021.

AB 356 (Chapter 364)

[Assembly Bill 356](#) prohibits, with certain exceptions, the use of water from the Colorado River to irrigate nonfunctional turf on certain property on and after January 1, 2027. The Board of Directors of the Southern Nevada Water Authority must develop a plan to identify and facilitate the removal of relevant turf that exists within the Authority's service area, and the Board may approve an extension or waiver for such removal. The bill also creates the Nonfunctional Turf Removal Advisory Committee to discuss pertinent issues and provide recommendations to the Board.

Lastly, the bill requires the Legislative Committee on Public Lands to conduct a study during the 2021–2022 Interim concerning water conservation in this State.

Provisions of this bill requiring an interim study are effective on July 1, 2021. All other provisions are effective on June 4, 2021. Provisions concerning the Nonfunctional Turf Removal Advisory Committee expire by limitation on December 31, 2026.

SB 98 (Chapter 160)

[Senate Bill 98](#) expands the boundary of the Carson Water Subconservancy District to include the portions of Storey County that are within the Carson River hydrologic basin. The measure expands the membership of the Board of Directors of the Carson Water Subconservancy District from 11 to 13 members by including 2 residents of Storey County appointed by the Board of County Commissioners of Storey County.

The measure excludes the portion of Storey County within the District from the taxable property on which the Board of Directors is authorized to levy a certain tax. Instead, the Board of County Commissioners of Storey County must pay to the District from the County's general fund an amount equal to what would have been generated by such a tax on the portion of Storey County that is within the Carson River hydrologic basin.

This bill is effective on July 1, 2021.

Wildfires

AB 84 (Chapter 258)

[Assembly Bill 84](#) authorizes the State Forester Firewarden, with the approval of the Director of the State Department of Conservation and Natural Resources, to enter into certain public-private partnerships for the purpose of addressing the threat of catastrophic wildfires. The bill also authorizes the State Forester Firewarden to purchase, or acquire by donation, cameras or other equipment necessary for early warning or detection of wildfires.

This bill is effective on October 1, 2021.

AB 86 (Chapter 260)

[Assembly Bill 86](#) authorizes the governing body of a county, city, or general improvement district created to furnish fire protection to bring an action against a person, firm, association, or agency that is responsible for willfully or negligently causing a wildfire to recover any expenses incurred in extinguishing the wildfire and reasonable attorney's fees and litigation expenses.

The bill also revises the circumstances under which a person, firm, association, or agency may be liable for the cost to extinguish a fire or meet an emergency to remove the requirement that the fire or other emergency must have threatened human life for expenses to be recovered.

Finally, the bill provides that, with certain exceptions, a person, firm, association, or agency may also be liable for the expenses incurred in extinguishing a fire or meeting an emergency by a city agency or general improvement district created to furnish fire protection.

This bill is effective on October 1, 2021.

AB 100 (Chapter 113)

[Assembly Bill 100](#) authorizes the State Forester Firewarden to enter into a cooperative agreement with federal, State, and local agencies for the purpose of creating a fire board of directors to ensure that agencies in this State work collaboratively on fire suppression activities.

The bill also creates the Wildland Fire Protection Program in the Division of Forestry of the State Department of Conservation and Natural Resources and authorizes the State Forester Firewarden to enter into cooperative agreements with fire protection districts and boards of county commissioners to participate in the Wildland Fire Protection Program.

Finally, the bill authorizes the Commissioner of Insurance to create a program for insurers to provide incentives to promote and encourage property owners to take measures to mitigate the risk of property loss or damage caused by wildfire.

This bill is effective on July 1, 2021.

Wildlife

AB 89 (Chapter 109)

[Assembly Bill 89](#) authorizes the Board of Wildlife Commissioners to adopt regulations establishing a program that allows a person to transfer his or her big game tag to a qualified

organization for use by a person who has a disability or life-threatening medical condition or who is 16 years of age or younger and is otherwise eligible to hunt. The bill also authorizes the Board of Wildlife Commissioners to establish by regulation a process by which a family member of a deceased big game hunter may transfer the tag of the deceased big game hunter to another person.

This bill is effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 211 (Chapter 401)

Assembly Bill 211 requires tentative maps for the subdivision of land to be forwarded to the Department of Wildlife for review of potential impacts to wildlife and wildlife habitat unless:

- The relevant governing body has adopted a habitat conservation plan for multiple species that has been approved by the United States Fish and Wildlife Service of the U.S. Department of the Interior and that evaluates potential impacts to wildlife and wildlife habitat, including any determination of impact required by federal law; or
- The proposed subdivision is infill development that is proposed on a vacant or substantially vacant tract of land which is surrounded by land that is already developed.

The bill also authorizes the Board of Wildlife Commissioners to establish by regulation certain fees for the review of a tentative map by the Department. Finally, the measure requires a governing body or planning commission to consider the potential impact to wildlife and wildlife habitat before taking final action on a tentative map.

This bill is effective on July 1, 2021.

SB 125 (Chapter 233)

Senate Bill 125 authorizes a person who is licensed as a master falconer and who meets certain federal conditions to possess a golden eagle under certain circumstances. The Board of Wildlife Commissioners may adopt regulations that authorize certain persons to transport, transfer, possess, or use a golden eagle in falconry, and such persons must first obtain an eagle permit from the Department of Wildlife. The Board of Wildlife Commissioners must adopt regulations that impose civil penalties against a person who violates various prohibitions against tampering with bald eagles and golden eagles.

This bill is effective on October 1, 2021.

SB 406 (Chapter 304)

Senate Bill 406 requires the Department of Wildlife to designate paper and electronic forms of the tag that must be held by a person in order to take possession of a species of wildlife. The bill further requires that such a paper tag must be attached to an animal, or such an electronic tag must be validated in accordance with relevant regulations, before the tag holder takes possession of or transports an animal or parts thereof.

In addition, the bill removes the requirement that, in order to qualify for an annual resident specialty combination hunting and fishing license, a person 65 years of age or older must have

continuously resided in this State for the 5 years immediately preceding the date of application for such a license.

Lastly, the bill exempts from an existing approval requirement the first \$250,000 received from a private source by the Department as a gift, donation, bequest, or devise--or combination thereof—for any one unanticipated emergency event.

This bill is effective on July 1, 2021.

OCCUPATIONAL AND PROFESSIONAL LICENSING

Note: For licensing related to educators, see the “[Personnel](#)” section in the Education chapter.

Health and Personal Care Providers

AB 73 (Chapter 83)

[Assembly Bill 73](#) requires an applicant for a license to practice dietetics to provide evidence that he or she is a registered dietitian in good standing with the Commission on Dietetic Registration. A person who is eligible to take the Registration Examination for Dietitians, but who has not successfully completed the exam, may practice dietetics under the direct supervision of a licensed dietitian.

The bill removes the requirement that a licensed dietitian who fails to apply for the renewal of his or her license within two years after the date of the license expiration must take the Registration Examination for Dietitians before renewing his or her license.

Also, the measure removes the requirement that the State Board of Health of the Division of Public and Behavioral Health of the Department of Health and Human Services establish certain fees relating to the examination of an applicant, the late renewal of a license, and the issuance of a duplicate license.

This bill is effective on October 1, 2021.

AB 91 (Chapter 110)

[Assembly Bill 91](#) requires at least one of the members of the State Board of Nursing to be a licensed advanced practice registered nurse. In addition, the member representing the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured, or unable to afford health care must be a licensed registered nurse.

The measure also removes the limitation on the number of consecutive terms a Board member may serve.

This bill is effective on October 1, 2021.

AB 210 (Chapter 126)

[Assembly Bill 210](#) provides for the registration and regulation of certain business entities that provide chiropractic services. Such business entities must register with the Chiropractic Physicians’ Board of Nevada. The measure specifies the duties of such registered entities.

The measure also makes various changes to the practice of chiropractic, including:

- Changing the title of a person who provides chiropractic services to “chiropractic physician” and the title of a person assisting a chiropractic physician to “chiropractic assistant”;
- Revising certain educational qualifications of an applicant for a chiropractic license;

- Authorizing a chiropractic physician to recommend, dispense, or administer any drug or device for which a prescription or order is not required; and
- Revising provisions concerning confidential communications between a patient and a chiropractic physician.

This bill is effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 217 (Chapter 89)

[Assembly Bill 217](#) requires the administrator or other person in charge of designated medical facilities, facilities for the dependent, and other licensed facilities to ensure that each unlicensed caregiver at the facility completes certain training, including training on the topic of the control of infectious diseases. The measure requires the State Board of Health to adopt regulations prescribing training for unlicensed caregivers who provide care at such facilities. The administrator or other person in charge of such a facility shall ensure the implementation of best practices taught in the required training and shall develop, annually update, and provide to certain persons a written plan for the control of infectious diseases at the facility.

Finally, this bill requires the Division of Public and Behavioral Health of the Department of Health and Human Services to post on the Internet a list of nationally recognized organizations that offer free or low-cost training that meets the requirements of those regulations.

This bill is effective on May 25, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks on January 1, 2022, for all other purposes.

AB 278 (Chapter 128)

[Assembly Bill 278](#) requires the Department of Health and Human Services to develop and make available to the Board of Medical Examiners and the State Board of Osteopathic Medicine a data request to be administered to applicants for the renewal of a license or a biennial registration. The data request must solicit certain information about the practice of the applicant. Applicants must respond to this request but are not subject to disciplinary action by the relevant board for refusal or failure to complete it. The Department must collect and maintain the confidential information received from the applicants and prepare an annual report relating to the data received.

This bill is effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

AB 327 (Chapter 188)

[Assembly Bill 327](#) requires certain mental and behavioral health professionals to complete two hours of instruction relating to cultural competency and diversity, equity, and inclusion biennially as part of their continuing education. The bill requires the curriculum for the training to be based upon a range of research from diverse sources and to address persons of different cultural backgrounds. A health care provider who receives cultural competency training as part of his or her employment at a health care facility may use that training to satisfy his or her continuing education requirement.

This bill is effective on May 28, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 366 (Chapter 367)

[Assembly Bill 366](#) provides that a recording of the provision of services by certain licensed mental health professionals to patients as part of a program of education is exempt from various requirements for the retention, maintenance, and disclosure of health care records if:

- The recording is used for a training activity;
- The patient has provided informed consent to the use of the recording in the training activity on a form that complies with regulations and is retained by the applicable mental health professional for not less than the length of time specified by the applicable mental health board's regulations;
- Destroying the recording does not result in the maintenance of incomplete patient records;
- The recording complies with existing Health Insurance Portability and Accountability Act regulations to ensure that the recording cannot be reproduced, copied, or stolen; and
- The recording does not contain any identifiable information relating to the patient unless the patient has provided written consent.

Further, the bill requires the applicable mental health professional licensing boards to adopt regulations concerning the recording of patients as part of a program of education, including, but not limited to, defining "training activity." Finally, the bill provides that a recording for a training activity is not considered part of a medical record.

This bill is effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 442 (Chapter 94)

[Assembly Bill 442](#) requires certain health care providers to complete two hours of training in the screening, brief intervention, and referral to treatment approach to substance use disorder. The bill allows training in this approach to satisfy certain continuing education requirements for specified providers.

In addition, the bill provides that certain health care providers who dispense narcotic drugs to individuals for maintenance or detoxification treatment and who obtain a federal registration for that purpose are exempt from requirements to complete continuing education relating specifically to substance use and other addictive disorders and the prescribing of opioids for one period of licensure. Such providers may also use the federal registration to satisfy four hours of any applicable continuing education requirement.

This bill is effective on May 25, 2021.

SB 44 (Chapter 522)

[Senate Bill 44](#) revises provisions concerning the administration and licensure of certain behavioral health professions. The bill establishes education requirements for the issuance of a license or registration by certain behavioral health licensing boards. Such boards are required to provide an alternate means for applicants to submit official transcripts as proof of educational qualifications under certain circumstances. The bill also revises certain requirements for issuing an expedited license by endorsement by such boards. Further, the measure requires the boards to prescribe standards for remote supervision and adopt regulations authorizing remote supervision, including electronic supervision.

In addition, the bill makes various changes to the Board of Examiners for Social Workers, including, among other items:

- Authorizing the Board to issue a license as a master social worker to an applicant who possesses a master's or doctoral degree in social work and meets certain other requirements;
- Authorizing a master social worker to engage in independent or clinical social work as part of an approved internship program;
- Authorizing the Board to issue a license to an applicant who has graduated from a foreign college or university if the applicant submits certain documentation and meets other licensure requirements;
- Authorizing the Board to refuse to issue a license if an applicant has committed an act that constitutes grounds for initiating disciplinary action or has entered certain pleas or been convicted of a crime that demonstrates unfitness to engage in social work; and
- Making it a misdemeanor to practice as a social worker unless appropriately licensed.

This bill is effective on June 8, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

SB 69 (Chapter 444)

[Senate Bill 69](#) makes various changes related to behavioral health. The bill removes provisions for the licensing and regulation of peer support recovery organizations and instead prescribes requirements for the certification and regulation of persons who provide peer support recovery services for compensation as a regular part of their job duties. It makes the Nevada Certification Board responsible for certifying peer recovery support specialists and peer recovery support specialist supervisors. If the Nevada Certification Board or its successor organization ceases to certify such persons, the bill makes the Division of Public and Behavioral Health (DPBH) of the Department of Health and Human Services responsible for certifying and regulating these persons.

Additionally, SB 69 requires Nevada's Department of Education (NDE) to develop, maintain, and publish a list of evidence-based curricula and programs concerning substance misuse and substance use disorders. The board of trustees of each school district and the governing body of each charter school must submit a report describing any such curricula or program used or offered during School Year 2020-2021 to the Legislative Committee on Education. The bill also requires

public schools to participate in the biennial Youth Risk Behavior Surveillance System (YRBS) developed by the Centers for Disease Control and Prevention, but authorizes pupils and their parents or guardians to abstain from participation.

Finally, SB 69 requires the State Board of Health to adopt regulations providing for the certification of substance use disorder prevention coalitions and prescribes the duties of such coalitions.

Provisions of this bill requiring NDE to develop a list of evidence-based curricula and programs as well as provisions related to the YRBS are effective on July 1, 2021. Provisions related to peer recovery support services and substance use disorder prevention coalitions are effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes. Provisions requiring certification of peer recovery support specialists through the DPBH are effective on the date on which the Nevada Certification Board, or its successor organization, ceases to certify such persons.

SB 181 (Chapter 170)

[Senate Bill 181](#) consolidates the postgraduate counseling program requirements for licensure as a clinical alcohol and drug counselor into a single program consisting of at least 3,000 hours. The bill allows a licensed clinical professional counselor who meets certain requirements to be licensed as a clinical alcohol and drug counselor. Further, the bill reduces from 4,000 to 3,000 the minimum hours of supervised counseling of persons with alcohol and other substance use disorders that are required for licensure as an alcohol and drug counselor.

This bill is effective on October 1, 2021.

SB 184 (Chapter 171)

[Senate Bill 184](#) makes various changes to the licensure, regulation, and supervision of physician assistants by the Board of Medical Examiners and the State Board of Osteopathic Medicine, including:

- Prohibiting the Boards from requiring that a physician assistant receive or maintain certification by the National Commission on Certification of Physician Assistants to satisfy any continuing education requirements for the renewal of a license;
- Providing that provisions governing allopathic and osteopathic medicine do not apply to the performance of a medical student enrolled in an accredited medical program or a physician assistant performing his or her official duties as part of any division or department of the United States unless licensure by a state is required; and
- Establishing provisions for a physician assistant to obtain a simultaneous license from the licensing boards of allopathic and osteopathic medicine and requiring the fees for a simultaneous license to be half the fee each board would charge for a person licensed by only one board.

This bill is effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

SB 190 (Chapter 504)

[Senate Bill 190](#) requires the State Board of Pharmacy to adopt regulations that establish a protocol allowing a pharmacist to dispense self-administered hormonal contraceptives to any patient. In order to dispense such contraceptives, a pharmacist must provide a risk assessment questionnaire to a patient who requests a self-administered hormonal contraceptive, create a record, provide the patient with certain information, and comply with relevant regulations and guidelines. The Board may suspend or revoke the certificate of a pharmacist who does not comply with these requirements.

The Board must post on a website a list of pharmacies that dispense self-administered contraceptives under the protocol. Finally, the bill requires certain health insurers to cover self-administered hormonal contraceptives dispensed by a pharmacist.

This bill is effective on June 8, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

SB 196 (Chapter 287)

[Senate Bill 196](#) prohibits a health care provider from performing or supervising a pelvic examination on an anesthetized or unconscious patient without first obtaining the patient's informed consent, except under certain circumstances. The bill also prohibits a health care provider, or a person supervised by a health care provider, from supervising or performing a pelvic examination that the provider is not appropriately licensed, certified, or registered to perform, or that is not within the provider's scope of practice. Finally, the bill authorizes the imposition of professional discipline or denial of a license or certificate for a provider who performs or supervises a prohibited pelvic examination.

This bill is effective on July 1, 2021.

SB 217 (Chapter 289)

[Senate Bill 217](#) transfers full responsibility and authority for the regulation of behavior analysts, assistant behavior analysts, and registered behavior technicians from the Aging and Disability Services Division of the Department of Health and Human Services to the Board of Applied Behavior Analysis. The measure makes certain provisions to ensure the Board processes applications, investigates complaints, adjudicates contested cases, imposes discipline, and operates in generally the same manner as other boards regulating health care professionals. Further, SB 217 revises requirements related to the supervision of assistant behavior analysts and behavior technicians. The bill also recognizes the Behavior Analyst Certification Board, Inc., or its successor organization, as a regulatory authority for certain purposes. Finally, the bill includes "Board Certified Behavior Analyst - Doctoral" within the definition of "behavior analyst" and makes other changes to the definition of the practice of behavioral therapy.

This bill is effective on June 2, 2021, for the purpose of performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 229 (Chapter 290)

[Senate Bill 229](#) deletes certain requirements and protocols concerning a pharmacist who engages in a collaborative practice of pharmacy or in collaborative drug therapy management pursuant to

a collaborative practice agreement entered into with a licensed practitioner. The bill prohibits a collaborative practice agreement from granting a pharmacist authority to engage in an activity that is outside the scope of practice of the practitioner. The bill also prescribes certain requirements that must be included in written guidelines and protocols for collaborative drug therapy. Further, the bill sets forth certain situations in which a practitioner is prohibited from entering into a collaborative practice agreement with a collaborating pharmacist.

Finally, the bill specifies that a pharmacist is considered a provider of health care for the purpose of required cooperation with an investigation concerning an infectious disease or exposure to a biological, radiological, or chemical agent.

This bill is effective on June 2, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 251 (Chapter 172)

[Senate Bill 251](#) requires primary care providers to attempt to determine whether adult women to whom they provide services have a personal or family history of certain cancers or meet other criteria for which the United States Preventive Services Task Force recommends screening for a harmful mutation of the BRCA gene. If certain criteria are met, primary care providers must screen for the mutation, provide written notice of the need to discuss genetic counseling and testing, provide genetic counseling, and, if clinically indicated, provide genetic testing.

In addition, the bill requires a notice to be sent with the results of a mammogram advising women who have a familial history of certain types of cancer to speak with their doctor about genetic counseling and testing.

Physicians, physician assistants, and advanced practice registered nurses may receive credit toward applicable continuing education requirements for completing a course related to genetic counseling and genetic testing.

Finally, certain public and private health plans must cover screening, genetic counseling, and testing for harmful BRCA gene mutations where such services are required as set forth in the bill. The Commissioner of Insurance may take various actions, including suspending or revoking a health insurer's certificate, for failure to comply with these requirements.

This bill is effective on January 1, 2022.

SB 325 (Chapter 492)

[Senate Bill 325](#) requires the State Board of Pharmacy to prescribe a protocol to allow a pharmacist to:

- Order laboratory tests necessary for therapy that uses a drug approved by the United States Food and Drug Administration for preventing the acquisition of human immunodeficiency virus (HIV);
- Conduct tests necessary for such therapy; and

- Prescribe, dispense, and administer such drugs without a prescription from a health care practitioner.

In addition, the bill requires public and private health insurance plans to cover HIV prevention drugs and related laboratory and diagnostic procedures and to reimburse pharmacists for these services at a rate equal to similar services provided by physicians, physician assistants, or advanced practice registered nurses. Health insurers may subject the benefits to reasonable medical management techniques, and the Commissioner of Insurance may take certain actions, including suspending or revoking the certificate of health insurers who fail to comply with the requirements of the bill.

This bill is effective on June 6, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 379 (Chapter 174)

[Senate Bill 379](#) requires the Director of the Department of Health and Human Services to establish and maintain a database of certain demographic and practice information about health care providers. The Director must make an electronic data request available to health professional licensing boards to request certain data from applicants for the renewal of a license or certification. In addition, the Director must establish the Health Care Workforce Working Group to analyze information in the database and make recommendations concerning how to attract health care providers to Nevada. Finally, certain data from the database must be published annually.

This bill is effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

SB 408 (Chapter 218)

[Senate Bill 408](#) makes various changes to provisions governing the State Board of Pharmacy. Among other things, the bill:

- Authorizes the Board to enter into certain written agreements and contracts;
- Revises the credentials authorizing a person to manufacture, engage in wholesale distribution of, compound, sell, or dispense any drug, poison, medicine, or chemical;
- Increases from \$500 to \$1,000 the maximum fee that may be charged for the investigation, issuance, or renewal of a license to a manufacturer or wholesaler;
- Requires an applicant for registration as a pharmacist or pharmaceutical technician to undergo a criminal background check; and
- Makes it a misdemeanor to secure or attempt to secure any certificate, license, or permit issued by the Board through false representation, or to fraudulently represent oneself to be the holder of such a certificate, license, or permit.

This bill is effective on May 29, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

SB 455 (Chapter 421)

[Senate Bill 455](#) requires that, in order to perform computed tomography, a person who is certified in nuclear medicine technology, radiation therapy, or nuclear medicine must receive training approved by the Division of Public and Behavioral Health of the Department of Health and Human Services. A person who holds a license to engage in radiation therapy and radiologic imaging may also perform computed tomography if he or she has completed other appropriate training or credentialing approved by the Division. Further, the bill allows such a license holder to perform fluoroscopy if he or she is certified by the American Registry of Radiologic Technologists to practice radiography or has completed other appropriate training or holds another appropriate credential approved by the Division.

This bill is effective on June 4, 2021.

SB 456 (Chapter 535)

[Senate Bill 456](#) transfers the duty to appoint the State Dental Health Officer from the Division of Public and Behavioral Health to the Division of Health Care Financing and Policy of the Department of Health and Human Services. The bill also removes the option for persons holding a restricted license to practice dentistry under the general supervision of the State Dental Health Officer, thereby prohibiting such persons from performing dental services unless supervised by a licensed dentist.

This bill is effective on July 1, 2021.

Other Regulated Professions**AB 51 (Chapter 98)**

[Assembly Bill 51](#) defines “single-family residence” for the purpose of establishing eligibility to recover damages from the Recovery Fund administered by the State Contractors’ Board. The bill provides that an injured person who has obtained a judgment against a residential contractor and received payment from the Fund assigns to the Board his or her rights to enforce the judgment up to the amount of the payment. The injured person retains all other applicable rights.

Additionally, the measure increases the amount of certain administrative fines the Board may impose on a residential contractor for failing to notify an owner of his or her rights relating to the Recovery Fund.

This bill is effective on May 26, 2021.

AB 101 (Chapter 195)

[Assembly Bill 101](#) authorizes a licensed veterinarian to administer to an animal certain products containing hemp or CBD. The veterinarian may also recommend to the owner of an animal the use of such products to treat a condition of the animal. The Nevada State Board of Veterinary Medical Examiners is prohibited from taking disciplinary action against a veterinarian or the facility in which the veterinarian engages in the practice of veterinary medicine for administering or recommending the use of such products.

This bill is effective on October 1, 2021.

AB 173 (Chapter 96)

Assembly Bill 173 removes the exemption from licensure as a professional engineer for an employee of a natural gas utility who is engaged in a type of work for the utility that requires a license, as determined through regulation by the Public Utilities Commission of Nevada.

The measure also eliminates the requirement that an applicant for a license as a professional land surveyor complete the required years of active experience in land surveying before being eligible to take the principles and practices of land surveying examination.

This bill is effective on May 25, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 200 (Chapter 186)

Assembly Bill 200 prohibits the practice of veterinary medicine unless a veterinarian-client-patient relationship exists, except that emergency or urgent care may be provided to an animal when a client cannot be identified. The bill also expands the practice of veterinary medicine to include veterinary telemedicine. A veterinarian who practices telemedicine must be licensed in Nevada and may supervise a veterinary technician via telemedicine under certain circumstances.

In addition, the bill revises certain requirements for an application for a license to practice veterinary medicine. The bill revises the requirements for renewal of certain licenses and registrations, and updates the Nevada State Board of Veterinary Medical Examiners current annual renewal schedule that ends on November 15 to a biennial renewal schedule that begins on May 15 of each odd-numbered year. Further, AB 200 revises the acts which constitute grounds for disciplinary action and the requirements governing the investigation and disposition of a complaint by the Board. Finally, the bill authorizes the Board to adopt regulations that provide for the Board to issue nondisciplinary letters of correction for certain violations.

This bill is effective on May 28, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

AB 227 (Chapter 176)

Assembly Bill 227 provides that a contractor may personally perform work that requires a contractor's license or may perform the work by or through employees of the contractor or of another contractor. Additionally, those persons, or a person employed by a private employment agency licensed by the Labor Commissioner, may perform for a contractor work that does not require a contractor's license.

The measure revises the list of acts that constitute cause for disciplinary action against a licensee by the State Contractors' Board to include entering into an agreement with a natural person who is not an employee of the licensed contractor and not licensed as a contractor to perform for the licensed contractor any work that requires a contractor's license. In addition to any disciplinary action or other action that may be taken against the licensed contractor, such an agreement is void and unenforceable.

This bill is effective on May 28, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

AB 437 (Chapter 45)

[Assembly Bill 437](#) revises certain educational qualifications for a license to practice embalming. The bill also allows for the issuance of such a license by reciprocity to an applicant who has practiced embalming successfully for at least five years and practiced actively for at least two of the previous five years. Finally, the bill authorizes a student enrolled in an accredited embalming college or school of mortuary science to enter an embalming room without the express permission of the immediate family of the deceased.

This bill is effective on October 1, 2021.

SB 9 (Chapter 60)

[Senate Bill 9](#) creates a State-level exemption from licensure requirements for investment advisers to specific types of qualifying private funds as defined in federal law. The bill sets forth the following conditions an adviser must meet to qualify for an exemption:

- The adviser provides advice solely to one or more qualifying funds;
- The adviser is not required to register with the Securities and Exchange Commission (SEC);
- Neither the adviser nor any of its advisory affiliates are subject to an event that would disqualify an issuer pursuant to federal regulations;
- The adviser files with the Administrator of the Securities Division of the Office of the Secretary of State, who is the Deputy of Securities appointed by the Secretary of State, any report or amendment thereto required by the SEC pursuant to federal regulations; and
- The adviser pays the fee required by the Administrator.

An adviser who becomes ineligible for the licensing exemption must comply with any applicable laws for licensure within 90 days of ineligibility.

The Administrator must submit a biennial report relating to securities to the Legislative Commission and publish the report on the Secretary of State's website. Lastly, the bill requires the Administrator to consider any model rule, regulation, exemption, or like provision adopted by the North American Securities Administrators Association.

This bill is effective on July 1, 2022.

SB 35 (Chapter 16)

[Senate Bill 35](#) abolishes the Fund for the Private Investigator's Licensing Board from the State General Fund and requires the Board to establish an account in a financial institution in the State of Nevada. The bill requires that any money collected, except fines in certain circumstances, must be deposited in the new account and such money must be used for expenses incurred in carrying out the Board's powers and duties.

Provisions of this bill requiring the Board to establish an account in a financial institution are effective on May 14, 2021. All other provisions are effective on October 1, 2021.

SB 179 (Chapter 285)

Senate Bill 179 makes various changes to provisions governing the practice of sign language interpreting. Among other things, the bill:

- Replaces the term “certification” with the term “credentialing” in provisions governing the qualifications of sign language interpreters and realtime captioning providers;
- Raises credentialing requirements for K–12 educational interpreters and community interpreters;
- Establishes provisional registration requirements for interpreters who do not meet the proposed standards for registration and provides a time frame for them to improve their knowledge and skills to meet the standards;
- Requires the Aging and Disability Services Division of the Department of Health and Human Services to adopt by regulation qualifications for professional mentors of interpreters;
- Authorizes the Division to adopt regulations establishing professional classifications of the practice of sign language interpreting that are in addition to existing statutory standards; and
- Removes the exemption from registration requirements for persons who engage in the practice of sign language interpreting or the practice of realtime captioning solely for meetings of nonprofit civic organizations.

Finally, the bill establishes that an interpreter who is registered to practice sign language interpreting as of July 1, 2021, but does not meet the requirements established by this bill is to be issued a provisional registration that expires on July 1, 2026.

This bill is effective on June 2, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

SB 276 (Chapter 527)

Senate Bill 276 imposes a \$15 technology fee upon applicants for the issuance or renewal of certain licenses, certificates, permits, and registrations issued by the Real Estate Division of the Department of Business and Industry. Money collected from the technology fee must be deposited into technology accounts created by this bill for the benefit of the respective professions or occupations and must be accounted for and used to acquire or improve the technology used by the Division to administer provisions governing the respective professions or occupations.

This bill is effective on June 8, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

SB 291 (Chapter 415)

Senate Bill 291 authorizes the State Board of Cosmetology to adopt regulations to provide for the licensure and regulation of advanced estheticians and instructors of advanced estheticians, including the qualifications and fees for issuing and renewing a license and the scope of practice

of each classification. A holder of a license to operate a cosmetological establishment must display at each establishment he or she operates a sign indicating that the establishment is not a medical facility.

This bill is effective on January 1, 2022.

SB 303 (Chapter 227)

Senate Bill 303 provides for the regulation by the State Contractors' Board of contractors who install residential photovoltaic systems used to produce electricity. The bill makes provisions regarding:

- Responsibilities of a contractor who installs a residential photovoltaic system;
- Required components of a written contract for such an installation;
- Consumers' rights;
- Authorization for the adoption of certain regulations by the State Contractors' Board;
- Involvement of the Public Utilities Commission of Nevada;
- Restrictions on advertising and solicitations and a requirement for the State Contractors' Board to adopt further regulations on advertising;
- Conditions under which a contract is deemed unenforceable or void;
- Applicability of statutes related to deceptive trade practices and enforcement by the Office of the Attorney General; and
- Enforcement authorities of the State Contractors' Board.

This bill is effective on October 1, 2021.

SB 453 (Chapter 347)

Senate Bill 453 revises various provisions regarding the issuance and renewal of licenses and certificates by the Commissioner of Financial Institutions. The bill authorizes licensure through the Nationwide Multistate Licensing System and Registry. In addition, the Commissioner is authorized to take any action regarding participation in the Registry that is deemed necessary to carry out the Commissioner's duties, including, but not limited to, utilizing the Registry to collect licensing fees, reports, and fingerprints for the purpose of conducting a background check.

The bill requires certain licensees who are required to submit certain annual reports to the Commissioner to also submit such reports to the Registry. Lastly, the Commissioner must notify the Governor and the Director of the Legislative Counsel Bureau (LCB) once the Nationwide Multistate Licensing System and Registry has sufficient operational capabilities to allow the Commissioner to carry out the necessary provisions.

OCCUPATIONAL AND PROFESSIONAL LICENSING

This bill is effective on June 3, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on the date the Governor and the Director of the LCB are notified that the Nationwide Multistate Licensing System and Registry is operational for all other purposes.

RESOLUTIONS AND MEMORIALS

Assembly Concurrent Resolutions

ACR 1 (File 4)

[Assembly Concurrent Resolution 1](#) adopts the Joint Standing Rules of the Senate and Assembly for the 81st Session of the Nevada Legislature.

This resolution is effective on February 1, 2021.

ACR 6 (File 29)

[Assembly Concurrent Resolution 6](#) memorializes former State Assemblyman and Senator Alan H. Glover.

This resolution is effective on May 20, 2021.

Assembly Joint Resolutions

AJR 1 (File 36)

[Assembly Joint Resolution 1](#) proposes to amend [Section 1 of Article 13 of the Nevada Constitution](#) by replacing the description of persons who benefit from institutions fostered and supported by the State from: “insane” to “persons with significant mental illness”; “blind” to “persons who are blind or visually impaired”; and “deaf and dumb” to “persons who are deaf or hard of hearing.” The resolution further proposes to add entities for the benefit of persons with intellectual disabilities or developmental disabilities to the types of entities that shall be fostered and supported by the State. Finally, the resolution proposes to replace the term “institutions” with the term “entities” in Section 1 of Article 13.

If approved in identical form during the 2023 Legislative Session, the proposal will be submitted to voters for final approval or disapproval.

AJR 2 (File 18)

[Assembly Joint Resolution 2](#) expresses the Legislature’s support for various governmental entities to work collaboratively with land managers, land users, private landowners, water purveyors, and other stakeholders to:

- Identify watersheds that can be improved by better forest, rangeland, and soil health measures; and
- Identify or establish voluntary programs to address the health of forests, rangelands, and soil.

This resolution is effective on May 14, 2021.

AJR 3 (File 30)

[Assembly Joint Resolution 3](#) urges the President of the United States and the U.S. Congress to support a long-term goal of protecting 50 percent of the planet, inland waters, and oceans, and

urges State and local agencies in Nevada to work cooperatively with federal agencies and tribal governments to protect 30 percent of the lands and waters in the State by 2030.

This resolution is effective on May 21, 2021.

AJR 4 (File 19)

Assembly Joint Resolution 4 recognizes the spiritual beliefs of certain indigenous peoples concerning Rocky Mountain juniper trees, locally known as “swamp cedars,” in an area of Spring Valley in White Pine County known as “Bahsahwahbee,” and the massacres of indigenous people that occurred in this area in the 1800s. The resolution urges the United States Congress and the President of the United States to take action to protect Bahsahwahbee, including, without limitation, designating Bahsahwahbee as a National Monument or expanding Great Basin National Park to include Bahsahwahbee.

This resolution is effective on May 14, 2021.

AJR 7 (File 15)

Assembly Joint Resolution 7 urges the United States Congress to pass the National Infrastructure Bank Act of 2020, also known as H.R. 6422 of the 116th Congress, to facilitate efficient, long-term financing of infrastructure projects, business and economic growth, and the creation of new jobs.

This resolution is effective on May 4, 2021.

AJR 10 (File 24)

Assembly Joint Resolution 10 proposes to amend both the Ordinance of the *Nevada Constitution* and the *Nevada Constitution* itself to remove language authorizing the use of slavery and involuntary servitude as a criminal punishment.

If approved in identical form during the 2023 Legislative Session, the proposal will be submitted to the voters for final approval or disapproval.

Assembly Joint Resolutions—80th Session

AJR 10 of the 80th Session (File 41)

Assembly Joint Resolution 10 of the 80th Session proposes to amend the *Nevada Constitution* to set the minimum wage at \$12 per hour worked beginning July 1, 2024, regardless of whether the employer provides health benefits to employees. The resolution proposes to remove the annual adjustment to the minimum wage and instead provides that if at any time the federal minimum wage is greater than \$12 per hour worked, the State minimum wage is increased to the amount established for the federal minimum wage. Finally, this resolution proposes to allow the Legislature to establish a minimum wage that is greater than the hourly rate set forth in the *Constitution*.

This resolution was approved by the 80th Session of the Legislature in 2019 and approved in identical form during the 81st Session. The proposal will be submitted to the voters for final approval or disapproval.

Senate Concurrent Resolutions

SCR 1 (File 14)

[Senate Concurrent Resolution 1](#) urges employers in Nevada to provide personal protective equipment to employees to help prevent the spread of COVID-19.

This resolution is effective on March 30, 2021.

SCR 2 (File 10)

[Senate Concurrent Resolution 2](#) honors former State Senator Allison Copening for her service in the Nevada Legislature and her long-term advocacy for organ donation.

The resolution also supports the development of a transplant institute in Nevada to expand opportunities for organ donation and transplants in this State, promote innovation in the health care field, satisfy the growing demand for transplant services, and provide economic growth and job opportunities for physicians, medical researchers, and others.

This resolution is effective on March 9, 2021.

SCR 3 (File 9)

[Senate Concurrent Resolution 3](#) memorializes former State Senator Joseph M. Neal, Jr.

This resolution is effective on February 25, 2021.

SCR 5 (File 22)

[Senate Concurrent Resolution 5](#) declares that systemic racism and structures of racial discrimination constitute a public health crisis magnified by the disproportionately high impact of COVID-19 on communities of color. The resolution also:

- Affirms a commitment to incorporate issues related to systemic racism and structures of racial discrimination into the regular business of the Legislature;
- Requests that federal funding be distributed equitably based on the percentage of members of Black, Indigenous, and other persons of color communities to address issues that disproportionately affect such persons in direct proportion to their disadvantages by individual racial category; and
- Urges support for local, State, regional, and federal initiatives to understand, address, and dismantle systemic racism and its impact on economic development, public safety, and the delivery of human and social services.

This resolution is effective on May 18, 2021.

SCR 7 (File 12)

[Senate Concurrent Resolution 7](#) recognizes March 25, 2021, as the Bicentennial of Greek independence and calls upon all Nevadans to remember and appreciate the independence, creativity, and rich heritage of Greek-American Nevadans and to recognize the contributions Greek-Americans have made to Nevada and the United States.

RESOLUTIONS AND MEMORIALS

This resolution is effective on March 25, 2021.

SCR 8 (File 23)

[Senate Concurrent Resolution 8](#) supports the Bi-State Working Group on Transportation and asks the Group to collaborate and agree on a five-year list of transportation priorities and projects in the Tahoe Basin. The list of transportation priorities and projects should:

- Include cost-benefit analyses for each project;
- Coincide with California's and Nevada's efforts to address climate change; and
- Identify potential funding recommendations, equity issues associated those recommendations, and monetary and non-monetary barriers to implementing an effective transportation system.

This resolution is effective on May 18, 2021.

SCR 9 (File 34)

[Senate Concurrent Resolution 9](#) encourages and supports the Nevada System of Higher Education (NSHE) to work collaboratively among its institutions on science and research efforts addressing the specific needs of the Lake Tahoe Basin in alignment with Nevada's State Climate Strategy. The resolution also recommends that NSHE enhance coordination efforts with various state and federal agencies to align NSHE's science and research efforts with policy goals, including the State Climate Strategy, which are established by the Tahoe Bi-State Executive Committee, the Tahoe Science Advisory Council, and other relevant agencies and stakeholders in the Basin.

This resolution is effective on May 25, 2021.

SCR 11 (File 39)

[Senate Concurrent Resolution 11](#) creates a joint special committee to conduct a study of the potential community and economic benefits of innovation zones—a unique form of local government on private land—and their impact on revenues and taxes, as well as various entities, industries, and natural resources. The special joint committee must include at least three members of the Assembly and three members of the Senate appointed by legislative leadership. Input from certain interested stakeholders is also required. A report of the joint special committee's findings and recommendations must, to the extent practicable, be submitted to the Governor on or before December 31, 2021. The committee must also submit a report of its findings to the Legislature and may request the drafting of one legislative measure for consideration by the 2023 Legislature.

This resolution is effective on May 28, 2021.

SCR 12 (File 28)

[Senate Concurrent Resolution 12](#) reaffirms the sister-state relationship of the State of Nevada and Taiwan, which continues to enhance trade, educational, and cultural relations.

This resolution is effective on May 20, 2021.

SCR 13 (File 40)

[Senate Concurrent Resolution 13](#) creates an interim committee to investigate matters relating to reapportionment and redistricting in conjunction with the data from the decennial census of 2020. The study committee, composed of at least three members of the Assembly and at least three members of the Senate, must examine data from the United State Census Bureau and monitor any redistricting systems established or recommended for use by the Nevada Legislature, including the requirements for computer equipment, computer software, and the training of personnel. Relevant case law and the programs of other states relating to redistricting must be reviewed. Possible procedures for use by the Nevada Legislature to ensure that members of the public are involved in the redistricting process must also be considered. Finally, the committee may examine any other matter relating to reapportionment and redistricting that it determines may be beneficial to the process of redistricting.

This resolution is effective on May 28, 2021.

SCR 14 (File 35)

[Senate Concurrent Resolution 14](#) memorializes former District Court Judge Don P. Chairez.

This resolution is effective on May 25, 2021.

Senate Joint Resolutions**SJR 6 (File 25)**

[Senate Joint Resolution 6](#) expresses support for the creation of a retirement plan that addresses the loss of retirement benefits for military spouses due to frequent relocations. The resolution further urges the federal government to implement such a retirement plan that is funded by the Department of Defense Appropriations Act.

This resolution is effective on May 18, 2021.

SJR 7 (File 26)

[Senate Joint Resolution 7](#) proposes to amend the *Nevada Constitution* to remove the constitutional provisions governing the Board of Regents of the University of Nevada. The Legislature shall provide by law for the governance of the University and the establishment of its various departments. In addition, the resolution stipulates that 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 2023 Legislative Session, the proposal will be submitted to voters for final approval or disapproval.

SJR 10 (File 17)

[Senate Joint Resolution 10](#) urges the United States Congress to protect the public lands including and adjacent to Sunrise Mountain, Frenchman Mountain, and Rainbow Gardens in Clark County by designating all or portions of the area as a national conservation area, national recreation area, or national monument or by applying other federal protections that Congress deems appropriate for these important and scenic lands.

This resolution is effective on May 10, 2021.

SJR 11 (File 27)

[Senate Joint Resolution 11](#) urges the United States Congress to ratify the Convention on the Elimination of all Forms of Discrimination Against Women.

This resolution is effective on May 18, 2021.

SJR 12 (File 16)

[Senate Joint Resolution 12](#) recognizes as a priority the completion of the Tahoe East Shore Trail extension and its associated safety, transit, environmental, and visitor improvements. The resolution urges the United States Congress to provide the necessary federal funding for implementing the remaining elements of the State Route 28 National Scenic Byway Corridor Management Plan.

This resolution is effective on May 10, 2021.

Senate Joint Resolutions—80th Session

SJR 8 of the 80th Session (File 11)

[Senate Joint Resolution 8 of the 80th Legislative Session](#) proposes to amend the *Nevada Constitution* by adding a guarantee that equality of rights under the law shall not be denied or abridged by this State or any of its political subdivisions on account of race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry, or national origin.

This resolution was approved by the 80th Session of the Legislature in 2019 and approved in identical form during the 81st Session. The proposal will be submitted to the voters for final approval or disapproval.

STATE AND LOCAL GOVERNMENT

Notes: For specific State agencies—as well as specific boards, commissions, and councils—see also the “[Subject Index](#)” and relevant subject-related chapter(s).

AB 2 (Chapter 67)

[Assembly Bill 2](#) allows a gubernatorial appointee to serve on up to three boards, commissions, or similar bodies.

This bill is effective on May 25, 2021.

AB 187 (Chapter 124)

[Assembly Bill 187](#) designates the month of September of each year as “Ovarian and Prostate Cancer Prevention and Awareness Month” and requires the Governor to issue annually a proclamation encouraging the observance of Ovarian and Prostate Cancer Prevention and Awareness Month.

This bill is effective on May 27, 2021.

AB 228 (Chapter 127)

[Assembly Bill 228](#) provides for the establishment of children’s advocacy centers where multidisciplinary teams work to investigate and help children recover from abuse and neglect, and hold accountable perpetrators of child abuse and neglect. The bill outlines credentialing and operational requirements of such centers. In addition, AB 228:

- Requires the governing body of each county and each child welfare agency to ensure, to the extent that money is available, that children who are victims of abuse or neglect have access to the services provided through a children’s advocacy center; and
- Creates the Account to Support Children’s Advocacy Centers in the State General Fund, administered by the Division of Child and Family Services of the Department of Health and Human Services.

This bill is effective on May 27, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 280 (Chapter 386)

[Assembly Bill 280](#) requires that any single-stall restroom located in a place of public accommodation be as inclusive and accessible as possible to a person of any gender identity or expression. The bill prohibits the owner or operator of a place of public accommodation from labeling a single-stall restroom with signage that indicates the restroom is for a specific gender, and instead authorizes the labeling of the single-stall restroom as available for use by any person. Similar requirements for inclusivity, accessibility, and signage are also applied to public buildings and facilities owned by a public body, as well as applicable areas leased by or on behalf of a public body. A person may report a violation committed in such an area to the Attorney General, who must take the necessary action to ensure compliance.

The bill requires each county, city, and any other governmental entity that adopts a building code to include a requirement that any single-stall restroom made available to the public that is constructed on or after October 1, 2021, be as inclusive and accessible as possible to a person of any gender identity or expression.

Finally, the bill appropriates \$40,320 from the State General Fund to the Division of State Parks of the State Department of Conservation and Natural Resources to replace signage on restroom stalls in State parks.

Provisions of this bill relating to an appropriation are effective on June 4, 2021. Provisions relating to enforcement of the bill's requirements are effective on February 1, 2022. All other provisions are effective on October 1, 2021.

AB 343 (Chapter 518)

Assembly Bill 343 requires the regional transportation commission in a county whose population is 100,000 or more, in collaboration with various other State and local agencies, to develop a written plan for conducting walking audits of urbanized areas within the county to assess whether:

- An area is safe and has adequate lighting at night;
- Healthy food is available in the area;
- Sidewalks are in good condition and free of barriers;
- There are benches and other places available for pedestrians to rest; and
- There are curb cuts and audible crosswalks that provide pedestrians with sufficient time to cross the street.

The plans must be submitted to the respective district health department and the Legislative Committee on Health Care no later than June 1, 2022.

In addition, the bill authorizes each regional transportation commission in a county whose population is 100,000 or more to request, for each regular session of the Legislature, the drafting of not more than one legislative measure that relates to matters within the scope of the commission.

This bill is effective on June 8, 2021.

AB 376 (Chapter 557)

Assembly Bill 376 creates the Keep Nevada Working Task Force within the Office of the Lieutenant Governor. The Task Force is required to:

- Develop strategies to support current and future industries across this State;
- Conduct research on methods to strengthen career pathways for immigrants;
- Support the efforts of business and other groups to provide stability to the workforce; and
- Recommend approaches to attract and retain immigrant business owners.

The Attorney General must publish model policies that provide recommendations to limit immigration enforcement at public schools, institutions of higher education, certain health care facilities, courthouses, and other State and local governmental agencies. The bill also requires the Attorney General to publish model policies that provide guidance and training recommendations to State or local law enforcement agencies and requires each State or local law enforcement agency to adopt policies that are consistent with these model policies or notify the Attorney General that the State or local law enforcement agency is not adopting policies consistent with the model policies.

Finally, the bill appropriates \$500,000 from the State General Fund to the Immigration Clinic at the William S. Boyd School of Law of the University of Nevada, Las Vegas, for the purpose of providing pro bono legal services relating to immigration law.

Provisions of this bill regarding the appropriation are effective on June 11, 2021. Provisions regarding the Task Force are effective on June 11, 2021, for the purposes of appointing members and performing preparatory administrative tasks and on July 1, 2021, for all other purposes. Provisions regarding model policies to be published by the Attorney General are effective on July 1, 2021, for the purpose of performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

SB 61 (Chapter 182)

Senate Bill 61 makes various changes to the program for the operation of vending facilities by licensees who are blind. Among other things, the bill:

- Requires the Bureau of Services to Persons Who Are Blind or Visually Impaired in the Rehabilitation Division of the Department of Employment, Training and Rehabilitation to provide certain training and assistance to licensees in the program and to those who wish to become licensees;
- Grants the Bureau the right of first refusal on behalf of licensees with regard to operating a vending facility in or on public buildings or property;
- Authorizes vending facilities to be operated in or on buildings or properties of the Nevada System of Higher Education, the Nevada State Park System, the Department of Corrections, and, under certain conditions, an airport authority or department of aviation, with the approval of the Bureau and the State agency;
- Revises timelines within which State or public entities must notify the Bureau regarding reactivation, leasing, releasing, licensing, or issuing permits to operate vending facilities in or on a public building or property, as well as notification related to new construction, remodeling, leasing, et cetera, of public buildings or property;
- Provides for the election of the Nevada Committee of Vendors Who Are Blind; and
- Authorizes the Bureau to enter a contract to establish a vending facility on private property through which the licensee may pay an incentive to the property owner for certain locations.

This bill is effective on July 1, 2021.

SB 109 (Chapter 489)

[Senate Bill 109](#) requires a governmental agency that requests information related to a person's race or ethnicity to also request information related to a person's sexual orientation and gender identity or expression. The bill also:

- Provides, with limited exception, that such information is confidential;
- Authorizes the agency to use such information only for certain purposes; and
- Provides that no person shall be required to provide information related to the person's sexual orientation and gender identity or expression.

Finally, the bill requires a governmental agency to submit to the Director of the Legislative Counsel Bureau an annual report, or progress report if necessary, regarding information received regarding sexual orientation and gender identity or expression.

This bill is effective on October 1, 2021.

Emergency Management

AB 14 (Chapter 69)

[Assembly Bill 14](#) changes the required frequency of meetings of the Nevada Resilience Advisory Committee, the Nevada Tribal Emergency Coordinating Council, and the State Disaster Identification Coordination Committee. The bill also removes the requirement that the State Disaster Identification Coordination Committee or a subcommittee thereof perform certain duties upon activation. Finally, the bill makes certain reports submitted by a provider of health care to the State Disaster Identification Coordination Committee discretionary during a state of emergency, declaration of disaster, public health emergency, or other health event.

This bill is effective on May 25, 2021.

AB 63 (Chapter 79)

[Assembly Bill 63](#) authorizes a local government to use money from its fund established to stabilize the operation of government and mitigate the effects of a natural disaster to also mitigate the effects of a declared emergency.

This bill is effective on October 1, 2021.

AB 96 (Chapter 84)

[Assembly Bill 96](#) authorizes a governmental entity that licenses and regulates emergency response employees to contract with a nonprofit organization to establish a program to provide peer support counseling for these employees who are experiencing mental health issues as a result of the nature of their work.

The bill also requires the Division of Public and Behavioral Health of the Department of Health and Human Services to post on its website information concerning peer support services available

to emergency response employees. The Division must also, to the extent funds are available, collect and report certain information relating to suicide among emergency response employees to the Chief Medical Officer.

This bill is effective on May 25, 2021.

AB 485 (Chapter 352)

[Assembly Bill 485](#) transfers the Division of Emergency Management and its powers and duties from the Department of Public Safety to the Office of the Military and grants the Adjutant General authority over the Division. The bill also makes several changes regarding the authority and service of—and eligibility for appointment to—certain positions in the office of the Adjutant General.

This bill is effective on July 1, 2021.

SB 14 (Chapter 63)

[Senate Bill 14](#) requires the Division of Emergency Management of the Department of Public Safety to post its guide regarding the preparation of emergency response plans on its website and requires that a copy of the guide be provided to certain persons or entities only upon request. In addition, SB 14 requires the Division to coordinate with the Public Utilities Commission of Nevada, the Division of Environmental Protection of the State Department of Conservation and Natural Resources, and the Office of Energy in the Office of the Governor to annually compile a list of each utility and provider of new electric resources required to submit a vulnerability assessment and an emergency response plan.

This bill is effective on May 26, 2021.

Financial Administration

AB 13 (Chapter 68)

[Assembly Bill 13](#) revises the information that the State Controller must include in the annual report of certain financial information that is provided to the Governor and the Legislature. The bill requires that the report provide a complete statement of the change from the immediately preceding fiscal year in:

- The assets, liabilities, and resources of the State; and
- The amount of the expenditures and revenues for the programs provided by the State.

This bill is effective on October 1, 2021.

AB 26 (Chapter 10)

[Assembly Bill 26](#) clarifies that the annual report regarding the Fund for Energy Assistance and Conservation prepared by the Division of Welfare and Supportive Services of the Department of Health and Human Services must specify the amount of money in the Fund that:

- Has been allocated to and received by the Division on or before June 30 of all preceding fiscal years; and

- Remains unspent and unencumbered as of December 31 of the fiscal year in which the report is being made.

This bill also clarifies that the Division may be required to distribute to the Housing Division of the Department of Business and Industry up to 30 percent of such money in the Fund that remains unspent and unencumbered.

This bill is effective on May 4, 2021.

AB 30 (Chapter 31)

Assembly Bill 30 revises a requirement for eligibility of certain nonprofit organizations to receive a grant from the Account for Aid for Victims of Domestic Violence, which is administered by the Division of Child and Family Services of the Department of Health and Human Services. If a nonprofit is in a county whose population is less than 100,000, it must offer services that are primarily, rather than exclusively, for victims of domestic violence. To be eligible for a grant, a nonprofit must be able to provide certain services and programs. Lastly, the name of the Account is changed to the Account for Aid for Victims of Domestic or Sexual Violence.

This bill is effective on July 1, 2021.

AB 62 (Chapter 7)

Assembly Bill 62 authorizes the State Treasurer to include certain procedures for the administration of the Nevada ABLE Savings Program in any regulations adopted to establish and carry out the Program. The bill also authorizes the State Treasurer to apply for and accept any gift, grant, donation, bequest, or other source of money to carry out the Program, and requires any money so received to be deposited in the Endowment Account established for the Program. Finally, this bill authorizes money in the Endowment Account to be used for contributions to savings trust accounts.

This bill is effective on April 21, 2021.

AB 70 (Chapter 82)

Assembly Bill 70 requires the Division of Welfare and Supportive Services of the Department of Health and Human Services to deposit within two working days any child support payments it accumulates in excess of \$10,000 on any day, except money for which the Division is unable to identify the obligee within two working days. In such cases, the money must be deposited within five working days if the Department identifies the obligee or returned to the payor within five working days if the Division is unable to identify the obligee.

This bill is effective on May 25, 2021.

AB 153 (Chapter 396)

Assembly Bill 153 declares that it is the policy of the State to encourage using agencies to implement any operating cost-saving measures to reduce costs related to energy, water, or the disposal of waste. The bill also clarifies that any savings realized throughout the term of a performance contract may be used to make any payments required under the performance contract, including the payment of finance charges. Finally, the bill authorizes using agencies to request the

reinvestment of savings realized under a performance contract as part of the process for the preparation of the proposed budget of the Executive Branch.

This bill is effective on July 1, 2021.

AB 338 (Chapter 106)

Assembly Bill 338 authorizes the investment of certain public funds in foreign bonds, notes, or other obligations that are not publicly traded and reduces from “AA” to “A” the minimum rating by a nationally recognized rating service required for those obligations to be an authorized investment.

This bill is effective on July 1, 2021.

AB 357 (Chapter 365)

Assembly Bill 357 creates the Consumer Protection Legal Account in the Office of the Attorney General and the Consumer Protection Administrative Account in the Bureau of Consumer Protection in the Office of the Attorney General. In addition to other provisions, the bill:

- Allocates money in the Consumer Protection Legal Account to legal aid organizations, in certain percentages, to be used for consumer protection and efforts to prevent fraud; and
- Requires the deposit of certain money from settlements and litigation into the Consumer Protection Administrative Account and provides that any balance of more than \$500,000 in the Account at the end of a fiscal year, at the end of a calendar year, and at any other time in the discretion of the Consumer’s Advocate reverts to the Consumer Protection Legal Account.

Finally, the bill reallocates money collected in certain actions brought by the Attorney General involving deceptive trade practices or unfair trade practices and provides the money must be deposited in the Consumer Protection Administrative Account rather than the State General Fund or the Attorney General’s Special Fund.

This bill is effective on July 1, 2021.

AB 362 (Chapter 132)

Assembly Bill 362 requires the Board of Trustees of the College Savings Plans of Nevada to adopt and, as necessary, revise a policy for the use of any money in the Nevada Higher Education Prepaid Tuition Trust Fund that is in excess of the amount of money determined by the Board to be required to establish a guaranteed rate for tuition under a prepaid tuition contract. The bill also authorizes the use of money in the Trust Fund for the payment of qualified higher education expenses for qualified beneficiaries.

This bill is effective on July 1, 2021.

AB 445 (Chapter 545)

Assembly Bill 445 transfers the Office of Grant Procurement, Coordination and Management of the Department of Administration into the Office of the Governor and renames it the Office of Federal Assistance. In addition to administering the Office, the Director is required to develop

and carry out a State Plan for Maximizing Federal Assistance and consult with the Nevada Advisory Council on Federal Assistance. Among other provisions, the bill also extends an existing grant matching pilot program, creates the Nevada Grant Matching Program within the Office of Federal Assistance to serve the same purpose the pilot program served, and provides for the transfer of \$1 million from the Abandoned Property Trust Account to the Grant Matching Account at the end of each fiscal year. The bill expands the membership of the Nevada Advisory Council on Federal Assistance to include the State Treasurer; the State Controller; and two members appointed by the Speaker of the Assembly and the Majority Leader of the Senate who represent a nonprofit organization, a local agency, or a tribal government. Finally, the bill appropriates from the State General Fund a total of \$1,576,298 over the 2021–2023 Biennium to implement the provisions of the bill.

Provisions of this bill that extend the existing grant matching pilot program until June 30, 2022, are effective on June 10, 2021. Provisions that expand the membership of the Advisory Council, specify how grant management funds are to be used, and address the transfer of money to the Grant Matching Account are effective on June 10, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes. Provisions related to appropriations are effective on July 1, 2021. All other provisions are effective on June 10, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

AB 477 (Chapter 460)

Assembly Bill 477 abolishes the Department of Motor Vehicles’ Revolving Account for the Assistance of the Department, which provided funding to carry out the provisions of law relating to the titling and registration of off-highway vehicles. The bill requires the State Controller to transfer any unexpended balance in that account to the State Department of Conservation and Natural Resources’ Account for Off-Highway Vehicles, which is used to fund the Commission on Off-Highway Vehicles and grants for projects relating to off-highway vehicles.

This bill is effective on June 4, 2021.

SB 47 (Chapter 152)

Senate Bill 47 authorizes the State Board of Finance to continue to issue certain interim debentures to pay for the general operations of the State beyond the current expiration date of June 30, 2021.

The bill permits the Board to issue not more than \$150 million in interim debentures if the State Treasurer:

- Determines that the balance in the State General Fund is insufficient to meet upcoming obligations;
- Notifies the Interim Finance Committee (IFC) of the insufficiency and its amount; and
- Includes a request to the IFC to allow the issuance of interim debentures by the Board.

Finally, the bill authorizes the IFC to consider the request and make a determination regarding whether to approve or disapprove the request within 15 days. If the IFC does not consider or disapproves the request, the Board is prohibited from issuing the interim debentures.

This bill is effective on May 27, 2021.

SB 68 (Chapter 323)

[Senate Bill 68](#) revises various provisions governing the investment of certain money held by the State. Specifically, the bill:

- Eliminates the prohibition against investment of the State's money in a reverse-repurchase agreement and authorizes the State Treasurer to enter into reverse-repurchase agreements if certain conditions are met;
- Increases from \$50 million to \$75 million the maximum amount of money the State Treasurer is authorized to transfer from the State Permanent School Fund to a corporation for public benefit to provide private equity funding to businesses engaged in certain industries that are located or seeking to locate in Nevada; and
- Increases from \$40 million to \$60 million the maximum allowable amount the State Treasurer is authorized to use from the State Permanent School Fund to guarantee outstanding bonds issued by a school district.

This bill is effective on June 3, 2021.

SB 177 (Chapter 500)

[Senate Bill 177](#) revises the eligibility of nonprofit organizations that provide services for victims of domestic violence to receive grants from the Account for Aid for Victims of Domestic Violence and renames the Account as the Account for Aid for Victims of Domestic or Sexual Violence. The bill requires that an organization must provide services exclusively to victims of domestic violence in a county with a population of 100,000 or more (currently Clark and Washoe Counties) but need only provide services primarily to victims of domestic violence in a county with a population of less than 100,000. The bill also excludes nonprofits that provide services exclusively to victims of domestic violence from the requirement that they be able to shelter victims on any day at any hour and be able to store and prepare food in order to receive grants.

The Administrator of the Division of Child and Family Services of the Department of Health and Human Services must allocate 75 percent of the money allocated to a county under this program for services for victims of domestic violence and 25 percent for services for victims of sexual violence. The number of grants that may be awarded in counties with populations of less than 100,000 is limited to one applicant to provide services for victims of domestic violence and one applicant to provide services for victims of sexual violence. In a county with a population of more than 100,000, grants may be provided to not more than two applicants providing services to each category of violence. The bill eliminates the requirement that 15 percent of all money allocated from the Account to a county whose population is 700,000 or more (currently Clark County) must go to an organization specifically created to assist victims of sexual assault.

The bill raises from \$25 to \$50 the portion of the fee collected by a county clerk when issuing a marriage license that is used to fund the Account.

This bill is effective on July 1, 2021.

SB 268 (Chapter 224)

[Senate Bill 268](#) requires, to the extent of available resources, the Fiscal Analysis Division of the Legislative Counsel Bureau to perform a budget stress test in each even-numbered year. The stress test must compare the estimated future revenue to, and the estimated future expenditure from, the major funds in the State Treasury under various potential economic conditions. A report regarding the results of the test must be posted on the Legislature’s website and submitted to the Governor and the Legislature.

This bill is effective on July 1, 2021.

SB 377 (Chapter 418)

[Senate Bill 377](#) provides that certain money for an adoption assistance program which remains at the end of a fiscal year—and which was appropriated to the Division of Child and Family Services of the Department of Health and Human Services, or granted to a county by the Division—does not revert to the State General Fund and may be carried forward to the next fiscal year for use by the Division or county, as applicable, for the costs of general child welfare services. Any money carried over and not expended by the end of the second fiscal year reverts to the State General Fund.

This bill is effective on July 1, 2021.

SB 409 (Chapter 438)

[Senate Bill 409](#) requires the Division of Human Resource Management of the Department of Administration to charge an annual fee to the Executive Branch for each employee position in the Executive Branch that falls within a designated bargaining unit to carry out the duties of the Division to support the Executive Branch in collective bargaining negotiations.

This bill is effective on July 1, 2021.

Local Governments

Note: This section contains measures that primarily or solely affect local governments. See also specific local governments in the “[Subject Index](#).”

AB 3 (Chapter 250)

[Assembly Bill 3](#) authorizes, subject to certain requirements, the electronic filing, submission, and presentation of maps and related documents for purposes of the division of land, except in circumstances where the county recorder does not accept electronic documents for recording.

This bill is effective on July 1, 2021.

AB 55 (Chapter 254)

[Assembly Bill 55](#) revises the charter of the City of North Las Vegas. The bill creates a charter committee to prepare recommendations to be presented to the Legislature on behalf of the City concerning all necessary amendments to the charter. The bill also, in addition to other provisions:

- Specifies that the removal of the City Attorney must be in accordance with the terms of his or her employment contract;

- Authorizes the City Manager and City Attorney to take certain legal action for the collection and disposition of certain money;
- Authorizes the City Council to hold an emergency meeting on the call of the Mayor or by a majority of the Council; and
- Clarifies that the City Council is authorized to establish an animal shelter rather than a pound.

This bill is effective on June 2, 2021.

AB 63 (Chapter 79)

[Assembly Bill 63](#) authorizes a local government to use money from its fund established to stabilize the operation of government and mitigate the effects of a natural disaster to also mitigate the effects of a declared emergency.

This bill is effective on October 1, 2021.

AB 86 (Chapter 260)

[Assembly Bill 86](#) authorizes the governing body of a county, city, or general improvement district created to furnish fire protection to bring an action against a person, firm, association, or agency that is responsible for willfully or negligently causing a wildfire to recover any expenses incurred in extinguishing the wildfire and reasonable attorney's fees and litigation expenses.

The bill also revises the circumstances under which a person, firm, association, or agency may be liable for the cost to extinguish a fire or meet an emergency to remove the requirement that the fire or other emergency must have threatened human life for expenses to be recovered.

Finally, the bill provides that, with certain exceptions, a person, firm, association, or agency may also be liable for the expenses incurred in extinguishing a fire or meeting an emergency by a city agency or general improvement district created to furnish fire protection.

This bill is effective on October 1, 2021.

AB 87 (Chapter 108)

[Assembly Bill 87](#) authorizes the governing body of a city or county to establish by ordinance a simplified procedure for the vacation or abandonment of an easement without conducting a hearing on the vacation or abandonment. This bill also provides that unless the vacation or abandonment of the easement is for a public utility owned or controlled by the governing body, the simplified procedure must include certain provisions and must not apply to the vacation or abandonment of any street, drainage easement, sidewalk, or other pedestrian right of way.

This bill is effective on October 1, 2021.

AB 88 (Chapter 348)

[Assembly Bill 88](#) requires the board of trustees of each school district, the governing body of each charter school, and the governing body of each university school for profoundly gifted pupils to change and adopt policies prohibiting the use of any name, logo, mascot, song, or other identifier

that is racially discriminatory or that contains racially discriminatory language or imagery. However, an identifier associated with a federally recognized Indian tribe may be used if the school obtains permission for such use from the tribe.

Assembly Bill 88 also requires the Nevada State Board on Geographic Names to recommend changing the name of any geographic feature or place in the State that is racially discriminatory, or that contains racially discriminatory language or imagery. The Board must submit a report to the Legislature on any such recommended changes.

Finally, AB 88 prohibits a county, city, or incorporated place in this State from sounding a siren, bell, or alarm at a time during which the siren, bell, or alarm was previously sounded in association with an ordinance that required persons of a particular race, ethnicity, ancestry, national origin, or color to leave by a certain time.

This bill is effective on October 1, 2021.

AB 139 (Chapter 239)

Assembly Bill 139 authorizes the governing body of a county or city to transfer money from an enterprise fund to pay for the capital costs of constructing one or more fire stations if:

- The transfer does not cause the balance of the unreserved working capital in the enterprise fund to be less than 50 percent of the annual operating costs and capital expenditures for the program for the issuance of barricade permits, encroachment permits, and building permits; and
- The governing body finds that the construction of the fire station is necessary based on an analysis of the need for infrastructure prepared between January 1, 2020, and December 31, 2021.

This bill is effective on May 31, 2021, and expires by limitation on June 30, 2024.

AB 211 (Chapter 401)

Assembly Bill 211 requires tentative maps for the subdivision of land to be forwarded to the Department of Wildlife for review of potential impacts to wildlife and wildlife habitat unless:

- The relevant governing body has adopted a habitat conservation plan for multiple species that has been approved by the United States Fish and Wildlife Service of the U.S. Department of the Interior and that evaluates potential impacts to wildlife and wildlife habitat, including any determination of impact required by federal law; or
- The proposed subdivision is infill development which is proposed on a vacant or substantially vacant tract of land that is surrounded by land that is already developed.

The bill also authorizes the Board of Wildlife Commissioners to establish by regulation certain fees for the review of a tentative map by the Department. Finally, the measure requires a governing body or planning commission to consider the potential impact to wildlife and wildlife habitat before taking final action on a tentative map.

This bill is effective on July 1, 2021.

AB 258 (Chapter 203)

[Assembly Bill 258](#) requires the trustees of a consolidated library district to appoint an executive director, consistent with the statutorily prescribed duties of such trustees. For a consolidated library district that serves a population of more than 1,000,000 (currently the Las Vegas-Clark County Library District), the trustees must:

- Establish the educational qualifications of the executive director, which may include, without limitation, holding a master's degree in library and information science; and
- Appoint, evaluate the performance of, and, if necessary, dismiss an internal auditor.

This bill is effective on July 1, 2021.

AB 325 (Chapter 243)

[Assembly Bill 325](#) authorizes the submission of a certified paper copy of an electronic document for recording to a county recorder who has elected to receive and record electronic documents. The bill also prescribes a certificate sufficient for certifying that a paper copy is a true and correct copy of an electronic document.

This bill is effective on July 1, 2021.

AB 333 (Chapter 274)

[Assembly Bill 333](#) provides that, in a county whose population is less than 700,000 (currently all counties other than Clark County), certain requirements related to the appropriation of water do not apply to the retention or detention of developed stormwater flow for the purpose of flood control or stormwater management, if such retention or detention:

- Is required by the governing body of the county or city as a condition of approval of the development; and
- Does not impair the predevelopment recharge of relevant sources of groundwater or the offsite predevelopment flow of relevant sources of surface water.

The bill also establishes deadlines relating to judicial review of certain land use planning decisions of a governing body, commission, or board. The court is authorized to extend the deadlines and requires all memoranda of points and authorities to comply with Rule 28 of the Nevada Rules of Appellate Procedure.

This bill is effective on October 1, 2021.

AB 335 (Chapter 361)

[Assembly Bill 335](#) reorganizes existing requirements for an employment plan that applies to a redevelopment project undertaken in a redevelopment area of a city whose population is 500,000 or more (currently the City of Las Vegas). The bill requires the employment plan to include a description of how the developer will seek the participation in the redevelopment project of local small business contractors and subcontractors who are licensed in this State and whose place of

business is located within 100 miles of the project. Additionally, the bill requires that a redevelopment agency submit the employment plan and progress reports to the Nevada Commission on Minority Affairs of the Department of Business and Industry and the Southern Nevada Enterprise Community Board.

The bill also requires developers and businesses that receive incentives from an agency for a redevelopment project undertaken in a redevelopment area of a city whose population is 500,000 or more (currently the City of Las Vegas) to submit progress reports on the employment plan to the agency. These provisions also apply to a public agency that uses redevelopment funds for the design or construction of a redevelopment project being built as a public work in a redevelopment area of a city whose population is 500,000 or more.

Additionally, the bill requires that a redevelopment plan, and any amendments to the plan, for a county whose population is 700,000 or more (currently Clark County) terminates not later than 45 years after the original redevelopment plan is adopted. The bill allows a community, either a city or county, to enact its own procedural ordinance and exercise certain powers related to redevelopment.

Finally, the bill provides that the Southern Nevada Enterprise Community Board must include two members who are residents of the Community or an area that is located within ten miles of the Community.

This bill is effective on October 1, 2021.

AB 363 (Chapter 388)

Assembly Bill 363 requires a county whose population is 700,000 or more and each city in such a county whose population is 25,000 or more to adopt an ordinance to regulate the rental of a residential unit or room within a residential unit for the purpose of transient lodging and provides for the imposition of civil penalties or fines for noncompliance.

The bill requires a person who makes available for rent a residential unit or a room within a residential unit for purposes of transient lodging to obtain an authorization from the governmental body and requires the holder of an authorization to pay an annual fee for the authorization, designate a local representative for the rental, and maintain liability coverage for the residential unit. Additionally, the bill requires accommodations facilitators to collect and remit to the county or city, as applicable, taxes on the rental of residential units as transient lodging.

Finally, the bill requires a board of county commissioners of a county whose population is 700,000 or more to establish a process by which a person may apply for an authorization if they own a residential unit and used an accommodations facilitator before June 1, 2021, to make available for rent a residential unit or room within a residential unit in violation of an existing ordinance prohibiting the use of an accommodations facilitator.

Provisions of this bill requiring a board of county commissioners to establish a process by which a person who used an accommodations facilitator in violation of an ordinance may apply for an authorization are effective on June 4, 2021. All other provisions are effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

AB 397 (Chapter 135)

[Assembly Bill 397](#) revises provisions related to the payment and use of marriage license fees and fees charged for the filing and recording or issuing of certain bonds, declarations, and certificates. In addition to other provisions, the bill revises the permitted uses of these proceeds by providing that the fees may be used in the office of the county clerk to acquire, improve, support, or maintain technology; train employees in the operation of the technology; and acquire temporary or permanent staff or professional services to implement, support, or maintain technology that enhances customer service, improves efficiency, or promotes transparency in government.

This bill is effective on July 1, 2021.

SB 4 (Chapter 278)

[Senate Bill 4](#) clarifies that criminal or civil penalties, or both, may be imposed for violation of an ordinance that regulates the sale, use, storage, and possession of fireworks. The bill provides that a civil penalty imposed must not be less than \$250 nor more than \$10,000 depending on the amount of fireworks in possession and requires the consideration of certain factors in determining the amount and category of civil and criminal penalties. Finally, the bill provides that civil penalties may not be imposed on a person who has received a license or permit pursuant to the ordinance and that the ordinance does not apply to a child under 18 years of age unless the child has been emancipated.

This bill is effective on June 2, 2021.

SB 37 (Chapter 147)

[Senate Bill 37](#) provides that a district attorney is not required to present to the board of county commissioners of his or her county the reasons for requesting the presence of the Attorney General or a deputy attorney general or special investigator to provide assistance in a criminal case. A district attorney also is not required to have the board adopt a resolution joining in the request, unless the Attorney General intends to seek reimbursement for any expenses incurred in providing assistance to the district attorney.

This bill is effective on October 1, 2021.

SB 98 (Chapter 160)

[Senate Bill 98](#) expands the boundary of the Carson Water Subconservancy District to include the portions of Storey County that are within the Carson River hydrologic basin. The measure expands the membership of the Board of Directors of the Carson Water Subconservancy District from 11 to 13 members by including 2 residents of Storey County appointed by the Board of County Commissioners of Storey County.

The measure excludes the portion of Storey County within the District from the taxable property on which the Board of Directors is authorized to levy a certain tax. Instead, the Board of County Commissioners of Storey County must pay to the District from the County's general fund an amount equal to what would have been generated by such a tax on the portion of Storey County that is within the Carson River hydrologic basin.

This bill is effective on July 1, 2021.

SB 127 (Chapter 164)

[Senate Bill 127](#) revises the Charter of the City of Mesquite regarding the appointment of the City Manager and City Attorney by providing that if the person first nominated by the Mayor is not confirmed by the requisite number of votes of the Mayor and members of the City Council, then any member of the City Council may submit a nominee for consideration and confirmation.

This bill is effective on October 1, 2021.

SB 138 (Chapter 222)

[Senate Bill 138](#) provides that a city or county may only exercise powers relating to planned unit developments if the county or city enacts an ordinance for planned unit development in conformance with certain requirements. The ordinance must require the plan to be set forth in written and graphic materials; set forth certain procedures for reviewing an application for a plan; and set forth procedures for reviewing an application to modify, remove, or release any provision of a plan.

The bill also revises requirements for minimum site areas and parking for a planned unit development, eliminates a requirement for tentative approval of a plan for a planned unit development under certain circumstances, and makes various other changes relating to provisions affecting planned unit developments.

This bill is effective on July 1, 2021.

SB 150 (Chapter 283)

[Senate Bill 150](#) requires the governing body of a county whose population is 100,000 or more or a city whose population is 150,000 or more to designate zoning districts where a tiny house may be located, as follows:

- At least one zoning district in which a tiny house may be located and classified as an accessory dwelling unit;
- At least one zoning district in which a tiny house may be located and classified as a single-family residence; and
- At least one zoning district in which a tiny house may be located in a tiny house park.

The bill also provides that all smaller counties and cities must designate at least one of these zoning districts where a tiny house may be located.

Further, the bill requires the governing body of a county or city to consider certain health and environmental effects of the locations of tiny houses in the zoning districts designated in the ordinance on certain populations. The bill authorizes the governing body of a county or city to set forth additional requirements for tiny houses and tiny house parks.

This bill is effective on January 1, 2024.

SB 283 (Chapter 499)

[Senate Bill 283](#) authorizes the governing body of a municipality to create a district to finance or refinance qualified improvement projects for energy efficiency, renewable energy, resiliency, or water efficiency if:

- The governing body makes a finding that the creation of the district serves a public purpose; and
- The governing body adopts by resolution certain procedures for the creation and administration of the district.

The bill requires that each owner of a tract on which a qualified improvement project will be located enter into a voluntary assessment agreement in which the owner consents in writing to the location of the project, the specific amount of the assessment against the tract provided by a financing agreement, and the placement of an assessment lien on the property.

The bill also sets forth certain liability protections for a municipality and its governing body, officers, and employees for the creation of a district and certain construction and financing requirements for a qualified improvement project.

This bill is effective on October 1, 2021.

SB 297 (Chapter 333)

[Senate Bill 297](#) provides that the urban agricultural element of a master plan prepared by a planning commission may include an inventory of other real property owned by the city or county. The bill also requires the Council on Food Security to research and develop recommendations on community gardens and urban farms. Further, the bill authorizes a board of county commissioners to approve a partial abatement of ad valorem taxes, equal to 10 percent of the taxes that would otherwise be imposed on a parcel, if the property owner's application to allow the property to be used as a community garden or urban farm for a period of not less than five years is approved.

Finally, the bill authorizes a city or county to use vacant or blighted land or other real property owned by the city or county for urban farming and authorizes the Department of Transportation to lease certain property for \$1 per year for use as community gardens and urban farms. A local government that leases such land from the Department must prioritize community gardens and urban farms that meet certain criteria.

This bill is effective on October 1, 2021.

SB 309 (Chapter 228)

[Senate Bill 309](#) establishes a reinvestment advisory committee in each county of the State with a population of 700,000 or more (currently Clark County). The bill prescribes the membership and duties of such a committee, which include:

- Reviewing reports from the Division of Health Care Financing and Policy of the Department of Health and Human Services and Medicaid managed care organizations (MCOs) regarding reinvestment of funds in the communities they serve;

- Reporting to the Division and MCOs about local initiatives to address homelessness, housing issues, and social determinants of health;
- Making recommendations regarding the use of funds by MCOs to support certain local government initiatives and to develop innovative partnerships with community development organizations and providers of housing services; and
- Compiling an annual report on these issues and the committee's activities.

This bill is effective on January 1, 2022.

SB 362 (Chapter 213)

[Senate Bill 362](#) authorizes a regional transportation commission in a county with a population of 700,000 or more—currently Clark County—to provide microtransit services as part of its public transit system. The bill also repeals a requirement that the regional transportation commission in Clark County receive certain determinations from the Nevada Transportation Authority before it may operate an on-call public transit system.

This bill is effective on October 1, 2021.

Open Government

AB 9 (Chapter 6)

[Assembly Bill 9](#) allows the Department of Taxation to disclose, in confidence, certain confidential taxpayer information to the Budget Division of the Governor's Office of Finance for use in the projection of revenue.

This bill is effective on April 8, 2021.

AB 21 (Chapter 71)

[Assembly Bill 21](#) authorizes a person for whom a fictitious address has been issued by the Division of Child and Family Services (DCFS) of the Department of Health and Human Services to request a county assessor or county recorder to maintain the personal information of the person contained in their records in a confidential manner without having to obtain a court order. The bill also prohibits the Secretary of State or a county or city clerk from making personal contact information available. Finally, the bill authorizes any person for whom a fictitious address has been issued by DCFS to also 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.

This bill is effective on May 25, 2021.

AB 67 (Chapter 384)

[Assembly Bill 67](#) revises provisions relating to the discipline of a pupil from a public school, charter school, or university school for profoundly gifted pupils. Specifically, the bill revises the categories of discipline that may be used to discipline a student to include suspension, significant suspension, and expulsion. The bill allows a pupil with a disability to be suspended, expelled, or permanently expelled under certain circumstances in compliance with federal law. Assembly

Bill 67 also requires Nevada's Department of Education to adopt regulations necessary to carry out provisions relating to pupil discipline.

Additionally, AB 67 provides that only significant suspensions can be considered when determining whether a pupil should be deemed a habitual disciplinary problem. In extraordinary circumstances, a school may request an exception to the prohibition on permanently expelling a pupil less than 11 years of age.

The bill also authorizes a designee of the board of trustees of a school district, the governing body of a university school for profoundly gifted pupils, or the governing body of a charter school to take certain disciplinary actions. Finally, AB 67 provides that the Open Meeting Law does not apply to certain disciplinary hearings or proceedings.

This bill is effective on July 1, 2021.

AB 253 (Chapter 247)

[Assembly Bill 253](#) makes various changes to the Open Meeting Law, including, but not limited to:

- Authorizing, under certain circumstances, a public body to conduct a meeting using a remote technology system and requiring the notice of a public meeting that uses a remote technology system to include information about how a member of the public may hear, observe, participate in, and provide public comment at the meeting through the remote technology system;
- Requiring that if a public body that holds a meeting using a remote technology system does not have a physical location for the meeting, it must have a website and post on its website the notice of the meeting and any supporting material for the meeting;
- Prohibiting a public body whose members are all required to be elected officials from holding a meeting using a remote technology system unless a physical location where members of the public may attend and participate is designated; and
- Revising notice and posting requirements applicable to certain State agencies that intend to act upon regulations.

This bill is effective on May 31, 2021.

AB 281 (Chapter 90)

[Assembly Bill 281](#) permits short-term lessors, brokers, and dealers of motor vehicles to maintain and store the books and records of their business electronically and to produce these records within three business days upon request.

The measure specifies that rather than considering certain records containing information about short-term lessees publicly available records, they will be made available to the Departments of Motor Vehicles and Taxation and certain local government employees upon request.

This bill is effective on October 1, 2021.

SB 77 (Chapter 488)

[Senate Bill 77](#) exempts from the requirements of the Open Meeting Law certain meetings conducted by a public body for the purpose of engaging in predecisional and deliberative discussions relating to an action under the National Environmental Policy Act (NEPA) of 1969.

The bill requires that any such closed meeting discussions must:

- Not include any item in the discussions for the closed meeting other than the subject of the memorandum of understanding or other agreement entered into with the federal agency;
- Occur before the federal agency publicly releases the document addressing the action under NEPA and begins the corresponding public comment period; and
- Be required by the federal agency to be kept confidential under the memorandum of understanding or agreement.

This bill is effective on June 2, 2021.

Peace Officers and Law Enforcement

AB 111 (Chapter 116)

[Assembly Bill 111](#) adds two members to the Peace Officers' Standards and Training Commission and requires the Majority Leader of the Senate and the Speaker of the Assembly to each appoint one member who is not a peace officer and who has demonstrated experience in one or more of the following areas:

- Implicit and explicit bias;
- Cultural competency;
- Mental health as it relates to policing and law enforcement; and
- Experience working with certain vulnerable populations.

Finally, the bill requires the Governor, the Majority Leader of the Senate, and the Speaker of the Assembly to consider the racial, gender, and ethnic diversity of the Commission when making their appointments.

This bill is effective on May 27, 2021, for the purpose of appointing additional members to the Peace Officers' Standards and Training Commission and on July 1, 2021, for all other purposes.

AB 132 (Chapter 508)

[Assembly Bill 132](#) requires a peace officer or probation officer who takes a child into custody to make certain disclosures to the child in accessible language concerning his or her rights before initiating a custodial interrogation.

This bill is effective on July 1, 2021.

AB 186 (Chapter 514)

[Assembly Bill 186](#) prohibits a law enforcement agency from requiring a peace officer to issue a certain number of traffic citations or make a certain number of arrests.

This bill is effective on July 1, 2021.

AB 220 (Chapter 404)

[Assembly Bill 220](#) requires each law enforcement agency to adopt a written policy establishing standards of conduct for the use of a mobile device issued by the law enforcement agency to any peace officer employed by the agency and sets forth specific requirements relating to the policy.

This bill is effective on October 1, 2021.

AB 304 (Chapter 206)

[Assembly Bill 304](#) requires the Peace Officers' Standards and Training Commission to expand its regulations requiring all peace officers to annually complete not less than 12 hours of continuing education to address crisis intervention as part of topics related to mental health.

This bill is effective on May 29, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

AB 336 (Chapter 129)

[Assembly Bill 336](#) requires the Peace Officers' Standards and Training Commission to adopt regulations establishing standards for an annual behavioral wellness visit for peace officers to aid in preserving their emotional and mental health and assessing conditions that may affect the performance of their duties.

This bill is effective on January 1, 2023.

AB 376 (Chapter 557)

[Assembly Bill 376](#) creates the Keep Nevada Working Task Force within the Office of the Lieutenant Governor. The Task Force is required to:

- Develop strategies to support current and future industries across this State;
- Conduct research on methods to strengthen career pathways for immigrants;
- Support the efforts of business and other groups to provide stability to the workforce; and
- Recommend approaches to attract and retain immigrant business owners.

The Attorney General must publish model policies that provide recommendations to limit immigration enforcement at public schools, institutions of higher education, certain health care facilities, courthouses, and other State and local governmental agencies. The bill also requires the Attorney General to publish model policies that provide guidance and training recommendations to State or local law enforcement agencies and requires each State or local law enforcement agency to adopt policies that are consistent with these model policies or notify the Attorney General that

the State or local law enforcement agency is not adopting policies consistent with the model policies.

Finally, the bill appropriates \$500,000 from the State General Fund to the Immigration Clinic at the William S. Boyd School of Law of the University of Nevada, Las Vegas, for the purpose of providing pro bono legal services relating to immigration law.

Provisions of this bill regarding the appropriation are effective on June 11, 2021. Provisions regarding the Task Force are effective on June 11, 2021, for the purposes of appointing members and performing preparatory administrative tasks and on July 1, 2021, for all other purposes. Provisions regarding model policies to be published by the Attorney General are effective on July 1, 2021, for the purpose of performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

AB 396 (Chapter 276)

[Assembly Bill 396](#) provides that peace officers, rather than officers, are authorized to use deadly force to effectuate an arrest and requires that for deadly force to be used, the threat of serious bodily harm must be imminent.

This bill is effective on July 1, 2021.

AB 409 (Chapter 136)

[Assembly Bill 409](#) requires the Peace Officers' Standards and Training Commission to adopt certain regulations concerning the recruitment and selection of peace officers. The regulations must include evaluations to identify implicit bias on the part of a peace officer on the basis of race, color, religion, national origin, physical or mental disability, sexual orientation, or gender identity or expression.

This bill is effective on October 1, 2021.

AB 440 (Chapter 520)

[Assembly Bill 440](#) requires peace officers to issue misdemeanor citations, traffic citations, vessel citations, and wildlife citations under certain circumstances for offenses punishable as misdemeanors that do not constitute repeat offenses, crimes of violence, or other prohibited offenses. The bill revises the discretionary issuance of misdemeanor citations and traffic citations by requiring an officer to issue such citations in accordance with the standards set forth in the bill. Additionally, the bill decreases, from 100,000 to 30,000, the county population threshold that requires a candidate for the office of county sheriff to meet certain qualifications relating to employment, service, certification, and training by the date he or she files for candidacy.

This bill is effective on October 1, 2021. However, provisions relating to the mandatory issuance of misdemeanor citations, traffic citations, vessel citations, and wildlife citations do not apply to a peace officer employed by the Division of Parole and Probation of the Department of Public Safety (DPS) until the earlier of July 1, 2023, or the date that the Director of DPS notifies the Director of the Legislative Counsel Bureau that the Division has sufficient resources to carry out such provisions.

SB 34 (Chapter 320)

[Senate Bill 34](#) renames existing personnel of the State Department of Agriculture charged with enforcing certain laws as “agricultural police officers” and authorizes the Director of the Department to appoint such officers. The bill increases the minimum requirement of certification to qualify for these positions from a category II to a category I peace officer. This change makes applicable to agricultural police officers:

- The industrial insurance coverage for police officers;
- Exemption from service as grand or trial jurors;
- The compensation for police officers with temporary disabilities; and
- Eligibility for certain programs of group insurance or other medical or hospital service for the surviving spouse or any child of police officers and firefighters.

This bill is effective on June 3, 2021.

SB 41 (Chapter 52)

[Senate Bill 41](#) prohibits a person from installing or using a pen register or trap and trace device without first obtaining an order from a district court and provides that a peace officer may apply to a district court for such an order. The bill includes certain federal officers in the definition of “peace officer” when they are acting as members of a task force comprised of federal and State or local enforcement agencies, authorizes a court to accept a facsimile or electronic copy of a signature on an application for such an order, and authorizes the use of secure electronic transmission for the application and issuance of such an order.

This bill is effective on October 1, 2021.

SB 50 (Chapter 47)

[Senate Bill 50](#) prohibits the issuance of a no-knock arrest warrant or a no-knock search warrant unless it is demonstrated via sworn affidavit that the underlying crime involves a significant and imminent threat to public safety and that giving notice in serving a warrant is likely to create an imminent threat of death or serious bodily injury to the officers executing the warrant or to another person. The bill sets forth criteria that an application for a no-knock warrant must meet and sets forth the manner in which a no-knock warrant must be executed.

This bill is effective on October 1, 2021.

SB 148 (Chapter 57)

[Senate Bill 148](#) requires State and local law enforcement agencies in Nevada to submit information regarding hate crimes to the Central Repository for Nevada Records of Criminal History monthly. The Central Repository is to ensure that the information is provided to the Federal Bureau of Investigation for inclusion in the annual *Hate Crime Statistics* report and that the information is made publicly available.

Any data acquired under the provisions of this bill may be used only for research or statistical purposes and must not contain any of a victim’s identifying information. The bill also requires the

Director of the Department of Public Safety to adopt guidelines regarding the manner in which this data is to be reported to the Central Repository.

This bill is effective on May 25, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 212 (Chapter 410)

Senate Bill 212 revises provisions relating to the use of force by peace officers, including placing restrictions on the use of restraint chairs by peace officers and prohibiting a peace officer who is responding to a protest or demonstration from discharging a kinetic energy projectile indiscriminately into a crowd or targeting the head, pelvis, spine, or other vital areas of a person. Prior to using a chemical agent, an officer must first declare that the protest or demonstration constitutes an unlawful assembly and then provide orders to disperse, an egress route, and reasonable time for protesters or demonstrators to disperse.

The bill also requires a peace officer to employ de-escalation techniques and other alternatives consistent with his or her training before resorting to higher levels of force to effect an arrest. If an officer uses a higher level of force, the officer is to identify himself or herself as a peace officer, if this can be done safely, and is to use only the objectively reasonable amount of force necessary to safely accomplish a lawful purpose.

In carrying out his or her duties, a peace officer is prohibited from using deadly force against a person based on the danger that the person poses to himself or herself, if a reasonable peace officer would believe that the person does not pose an imminent threat of death or serious bodily harm to the peace officer or another person.

Law enforcement agencies must adopt written policies on the threat posed by certain persons to peace officers. Such policies must include specified information regarding the use of force. Law enforcement agencies are required to make available to the public annually, and submit on a monthly basis to the Central Repository for Nevada Records of Criminal History, a report that includes statistics relating to incidents involving the use of force. Law enforcement agencies are also required to participate in the National Use-of-Force Data Collection program of the Federal Bureau of Investigation, but the data collected may not be used against a peace officer during any criminal proceeding.

Provisions of this bill relating to participation in the National Use-of-Force Data Collection program are effective on June 4, 2021, for the purposes of adopting policies or procedures and performing preparatory administrative tasks and on the date that the Director of the Department of Public Safety determines there is sufficient funding to carry out the provisions. Other provisions of the bill are effective on October 1, 2021.

SB 236 (Chapter 329)

Senate Bill 236 requires every law enforcement agency to establish an early warning system to identify officers who display bias indicators or other problematic behavior. If a peace officer's behavior is identified by the system, the agency is required to increase supervision and provide training and counseling as appropriate. If an officer is repeatedly identified by the system, the agency is to consider imposing consequences such as duty transfer or discipline.

Senate Bill 236 also establishes provisions relating to traffic stops conducted by officers, including the recording, collection, and review of information concerning those stops and the establishment of standardized methods to be used by officers when making stops, including the gathering of certain demographic information and the annual reporting of such information to the Department of Public Safety. As funds are available, the Department is authorized to use the data collected under these provisions for statistical analysis and reporting to identify and address patterns or practices of profiling. Any identifying information of an officer or of a person who was stopped is confidential, and only data that is not deemed confidential may be made publicly available.

Finally, this bill requires the Legislative Commission to appoint a committee to conduct an interim study related to the establishment of crisis call centers.

Provisions of this bill requiring the Legislative Commission to appoint an interim study committee and requiring the Department to develop a standardized method of recording traffic stops and adopt regulations to carry out the provisions related to the early warning system are effective on June 3, 2021. Provisions requiring each law enforcement agency to establish an early warning system are effective on October 1, 2021. Provisions relating to recording data on traffic stops and making it publicly available are effective on October 1, 2021, if existing resources are adequate or on the date on which federal funding is obtained to carry out the provisions if not. All other provisions of the bill are effective on June 3, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 317 (Chapter 551)

[Senate Bill 317](#) provides that if a peace officer who is an employee of a juvenile justice services department in a county whose population is more than 700,000 (currently Clark County) is put on leave without pay pending the outcome of a criminal prosecution, the employee will be awarded back pay for the duration of the leave if:

- The charges against the employee are dismissed or the employee is found not guilty at trial; and
- The employee is not subjected to punitive action in connection with the alleged misconduct.

The department may offset any other income earned by the employee during the duration of the unpaid leave against any back pay awarded to the employee. The bill also provides that the period of 180 calendar days during which an employee of a juvenile justice services department may resolve pending criminal charges begins after arrest.

This bill is effective on July 1, 2021.

SB 358 (Chapter 299)

[Senate Bill 358](#) clarifies that under certain circumstances involving a person who has created a hostage situation, threatened imminent illegal use of an explosive, or barricaded himself or herself and is not exiting or surrendering at the request of a peace officer, the interception or attempted interception of a wire communication is not unlawful and does not require the consent of the person whose wire communication is intercepted or attempted to be intercepted. In addition, the filing of

an application for ratification by the court of such an interception or attempted interception is not required.

This bill is effective on October 1, 2021.

Public Officers and Employees

Note: For specific public officers or employees, see also the “[Subject Index](#).”

AB 48 (Chapter 78)

[Assembly Bill 48](#) authorizes a retired public employee or officer or surviving spouse of a retiree to reinstate insurance under the Public Employees’ Benefits Program if the retiree:

- Did not have more than one period during which he or she was not covered by insurance under the Program on or after October 1, 2011;
- Is enrolled in Medicare Parts A and B at the time of the request for reinstatement;
- Retired from a local governmental agency that does not participate in the Program; and
- Was enrolled in the Program as a retiree on November 30, 2008.

This bill is effective on July 1, 2021.

AB 58 (Chapter 46)

[Assembly Bill 58](#) authorizes the Attorney General to investigate whether a State governmental authority, any agent thereof or any person acting on behalf of a State governmental authority, has engaged in certain patterns or practices that deprive persons of certain rights, privileges, or immunities. At the conclusion of the investigation, a report must be issued that includes whether the governmental entity engaged in such conduct. If such conduct is disclosed by certain persons, they must be afforded protections against reprisal or retaliation. Finally, the Attorney General is required to participate and cooperate in any investigation by the United States Department of Justice regarding whether the Office of the Attorney General has engaged in certain patterns or practices that deprive persons of certain rights, privileges, or immunities.

This bill is effective on October 1, 2021.

AB 236 (Chapter 199)

[Assembly Bill 236](#) revises the eligibility qualifications for the office of Attorney General by increasing the minimum age required from 25 years to 30 years at the time of an election; increasing the residency requirement from 2 years to 3 years; and adding a requirement that the person be a member of the State Bar of Nevada in good standing.

This bill is effective on May 29, 2021.

AB 315 (Chapter 358)

[Assembly Bill 315](#) requires an employer of a police officer, firefighter, or correctional officer to make certain information available to such employees regarding mental health issues and

treatment. While the employee is still employed, the employer must provide ongoing information relating to the awareness, prevention, mitigation, and treatment of certain mental health issues including post-traumatic stress disorder, depression, anxiety, and acute stress. Within three months after the retirement of the employee, the employer must provide up to two hours of counseling with a mental health professional to discuss the symptoms, prevention, mitigation, and treatment of such mental health issues.

This bill is effective on July 1, 2021.

AB 365 (Chapter 317)

Assembly Bill 365 declares it is the public policy of this State that persons employed by the State be afforded respect, dignity, and equity in the workplace. The bill requires the departments of the State government to prepare and submit to the Governor and the Legislature an annual report concerning equity in the workplace. The report must include a summary of each complaint filed by an employee in the immediately preceding calendar year that alleges conduct that is not unlawful but is against the declared public policy of the State, as well as any action taken in response to such a complaint. The annual report relating to the Judicial Branch of State government must also be submitted to the Chief Justice of the Supreme Court of Nevada.

The bill further requires the Administrator of the Division of Human Resource Management of the Department of Administration to evaluate annually the effectiveness of any policy of the Division intended to encourage equity in the workforce for persons of color and other persons of marginalized identities, and to prepare and submit a report to the Governor and the Legislature concerning the results of the evaluation.

Finally, the bill requires the Personnel Commission within the Division of Human Resource Management to adopt regulations for the training of supervisors and managerial employees concerning implicit bias.

This bill is effective on June 3, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 385 (Chapter 369)

Assembly Bill 385 prohibits a public body from entering into an employment contract that entitles an officer or employee of the public body to receive:

- Any fringe benefit unless the public body has adopted a policy authorizing all persons employed in a similar position to receive the benefit;
- Any bonus unless the bonus is based on merit and awarded at a public meeting; and
- Certain wages or other payments upon the termination of the employment of the officer or employee for cause or the resignation of the officer or employee when an investigation relating to his or her employment is pending.

The bill also prescribes certain payments and benefits to which an officer or employee of a public body is entitled or remains entitled upon termination of employment.

This bill is effective on December 1, 2022, and does not apply to any contract entered into prior to that date, but does apply to any renewal or extension of such a contract.

AB 479 (Chapter 462)

[Assembly Bill 479](#) creates the position of Chief Investment Officer as a member of the executive staff of the Public Employees' Retirement System and renames the existing position of Investment Officer as Deputy Investment Officer.

This bill is effective on July 1, 2021.

SB 15 (Chapter 64)

[Senate Bill 15](#) applies the standard of “the greatest extent practicable” to certain duties of the Administrator of the Office of Grant Procurement, Coordination and Management. In addition, SB 15 authorizes the Administrator to develop a manual of policies relating to grant procurement, coordination, and management for State agencies.

This bill is effective on July 1, 2021.

SB 38 (Chapter 148)

[Senate Bill 38](#) authorizes the Attorney General—or any other officer, agency, or employee of the Executive Branch—to enter into a pro bono contract with an attorney or law firm engaged in private practice for legal services, if the Attorney General determines that the provision of such legal services is necessary. The bill:

- Requires the Attorney General to retain final authority over the course and conduct of any matter that is the subject of a pro bono contract;
- Provides that any law firm or attorney offering pro bono legal services is deemed ineligible for outside counsel contracts with the Office of the Attorney General for a period of one year from the end date of the pro bono contract; and
- Delineates certain requirements associated with such pro bono contracts.

This bill is effective on October 1, 2021.

SB 46 (Chapter 151)

[Senate Bill 46](#) authorizes any person employed by the Office of the Attorney General who prosecutes or defends actions on behalf of the State of Nevada or the Executive Branch to obtain a court order to require a county assessor, a county recorder, the Secretary of State, or a city or county clerk to maintain personal information contained in their records in a confidential manner. In addition, SB 46 authorizes certain persons employed by the Office of the Attorney General to request that the Department of Motor Vehicles display an alternate address on their driver's license or identification card. Finally, SB 46 authorizes the Office of the Attorney General to obtain permits from the Department of Public Safety to own and operate emergency vehicles in the performance of its duties.

This bill is effective on October 1, 2021.

SB 51 (Chapter 321)

[Senate Bill 51](#) declares it is the policy of this State that its employees do not engage in sex- or gender-based harassment and specifies that such harassment violates this policy and is a form of unlawful discrimination. Employees of this State must not engage in sex- or gender-based harassment against another employee, an applicant for employment, or any other person in the workplace. The measure requires the Administrator of the Division of Human Resource Management of the Department of Administration to adopt and maintain a policy concerning sex- and gender-based harassment and, at least annually, review and update that policy as necessary. The policy and any updates must be provided to each employee of the State.

Senate Bill 51 also creates the Sex- or Gender-Based Harassment and Discrimination Investigation Unit within the Division of Human Resource Management. An appointing authority must notify the Unit and the appropriate agency representative or Deputy Attorney General assigned to the agency of any complaint filed by an employee alleging sex- or gender-based harassment. The Unit must assign or appoint an investigator to discreetly investigate such a complaint, prepare a written report of his or her findings, and submit the report to the Unit for transmission to the appointing authority or other appropriate person within the agency in which the complaint arose. The appointing authority must review the report and determine an appropriate resolution of the complaint. The bill makes any information obtained by the investigator, the written report, and the written resolution of the complaint confidential unless ordered by the Administrator or a court, or if it is necessary to file a claim authorized by law. Notice requirements and an appeals process are provided if disclosure is ordered. The information relating to a complaint is deemed confidential regardless of whether the provisions of a collective bargaining agreement require the disclosure of this information.

This bill is effective on June 3, 2021.

SB 294 (Chapter 306)

[Senate Bill 294](#) provides that in a labor dispute between a government employer and an employee organization that represents employees other than firefighters, police officers, teachers, and educational support personnel, where the parties do not agree whether to make the findings and recommendations of a fact finder final and binding, either party may submit the findings and recommendations of the fact finder to a second fact finder to serve as an arbitrator and issue a decision which is final and binding on the parties.

The bill also repeals provisions relating to the formation of a panel to determine whether the findings and recommendations of a fact finder on certain issues are to be final and binding.

This bill is effective on July 1, 2021.

SB 327 (Chapter 296)

[Senate Bill 327](#) provides that—for the purposes of certain prohibited discrimination related to education and public and private employment—the term “race” includes traits associated with race, including hair texture and protective hairstyles. Further, the bill requires the Nevada Equal Rights Commission to provide complainants with certain information in instances when the Commission does not conclude that an unfair employment practice has occurred.

In addition, the bill sets forth requirements for testing used by a city, county, or school district for a decision regarding the promotion of an employee and makes it a category E felony to tamper with the test score of an employee.

Provisions of this bill regarding testing requirements are effective on October 1, 2021. All other provisions are effective on June 2, 2021.

SB 341 (Chapter 416)

Senate Bill 341 makes various changes related to health care. Specifically, it authorizes the Division of Public and Behavioral Health of the Department of Health and Human Services (DHHS) to:

- Apply for available grants to address disparities in health care;
- Use a competitive process to select and award a grant to a community-based nonprofit organization to serve as a lead partner in ensuring services funded through the Division are allocated and funded in an equitable manner;
- Establish an advisory committee to ensure services funded by such a grant are provided in a culturally competent manner;
- Apply for grants to address race-based disparities in kidney disease; and
- Establish an advisory committee of people interested in issues related to kidney disease to develop a plan to increase education and awareness of the disease.

In addition, the bill:

- Requires DHHS to submit various reports to the Legislature, including annual reports regarding disparities in health and behavioral health;
- Creates the Minority Health and Equity Account to hold money for the Office of Minority Health and Equity within DHHS;
- Requires the Division of Health Care Financing and Policy of DHHS to require managed care organizations that provide behavioral health services through Medicaid or the Children's Health Insurance Program to implement a plan to ensure such services are provided in a culturally competent manner;
- Declares the policy of the State that those employed by the State must reflect the age, gender, sexual, ethnic, and geographic diversity of the State, to the extent practicable; and
- Requires public employers to provide, and public officers and employees to complete, training concerning diversity and racial equity to the extent money is available.

This bill is effective on July 1, 2021.

SB 360 (Chapter 308)

[Senate Bill 360](#) adds one member to the Board of the Public Employees' Benefits Program. The member must be appointed by the Governor from a list of ten classified State employees submitted by the labor organization representing the largest number of classified State employees participating in the Program.

This bill is effective on July 1, 2021.

SB 421 (Chapter 429)

[Senate Bill 421](#) changes the employment status of the Director of the Office of Science, Innovation and Technology in the Office of the Governor from nonclassified to unclassified status.

This bill is effective on July 1, 2021.

SB 451 (Chapter 433)

[Senate Bill 451](#) establishes the State's monthly contribution amounts for health insurance benefits provided to active employees and retiree participants in the Public Employees' Benefits Program (PEBP) for the 2021–2023 Biennium. For active participants, the State's contribution toward the total monthly cost is \$727.00 per month in Fiscal Year (FY) 2021–2022 and \$755.00 per month in FY 2022–2023. For retiree participants not eligible for Medicare, the base State monthly contribution is \$471.50 in FY 2021–2022 and \$498.00 in FY 2022–2023. For Medicare eligible retiree participants enrolled in the PEBP-sponsored individual Medicare market exchange, the base State monthly contribution is \$13.00 per year of State service for up to 20 years of such service, which equates to a maximum of \$260.00 per month.

This bill is effective on July 1, 2021.

SB 456 (Chapter 535)

[Senate Bill 456](#) transfers the duty to appoint the State Dental Health Officer from the Division of Public and Behavioral Health to the Division of Health Care Financing and Policy of the Department of Health and Human Services. The bill also removes the option for persons holding a restricted license to practice dentistry under the general supervision of the State Dental Health Officer, thereby prohibiting such persons from performing dental services unless supervised by a licensed dentist.

This bill is effective on July 1, 2021.

Public Works and Purchasing**AB 28 (Chapter 75)**

[Assembly Bill 28](#) imposes an inverse preference on any bidder for a State purchasing contract with a principal place of business in another state if, for a similar contract, the other state grants a preference to a person with a principal place of business in that state and denies that preference to a person with a principal place of business in the State of Nevada. The inverse preference imposed on a bid or proposal for a State purchasing contract is equal to the amount of the preference that is denied by the other state to a person with a principal place of business in the State of Nevada.

The bill also clarifies that the inverse preference must be imposed regardless of whether the preference of 5 percent was awarded to a Nevada-based business or the preference of 5 percent was awarded to a local business owned and operated by a veteran with a service-connected disability.

This bill effective on July 1, 2021.

AB 410 (Chapter 371)

[Assembly Bill 410](#) revises the qualifications of a construction manager as agent and requires the selection of a construction manager as agent to be made on the basis of competence and qualifications and not on the basis of competitive fees. The bill also requires that a construction manager at risk must not have entered into a contract with a public body to act as a construction manager as agent during the four years immediately preceding the date of an advertisement for proposals. Finally, the bill removes the prospective sunset of the authority to enter into a contract with a construction manager at risk to construct a public work.

This bill is effective on June 4, 2021.

SB 67 (Chapter 523)

[Senate Bill 67](#) establishes a four-year pilot program to gather data on the use of job order contracts for certain public works in Clark County, the City of Henderson, the City of Las Vegas, the City of North Las Vegas, and the Clark County Water Reclamation District and provides certain requirements for the solicitation and fulfillment of job order contracts. The Labor Commissioner must enforce existing law governing public works for a job order contract in the same manner as a contract for public works with the same estimated cost as a job order contract. The bill requires a public body to submit an annual report on the job order contracts pilot program to the Director of the Legislative Counsel Bureau.

This bill is effective on October 1, 2021, and expires by limitation on June 30, 2025.

SB 141 (Chapter 165)

[Senate Bill 141](#) removes the prospective June 30, 2021, expiration of the authority for public bodies to enter into contracts with construction managers at risk, therefore making the authorization permanent. The bill also expands the types of projects that are included in the definitions of “horizontal construction” and “vertical construction.”

This bill is effective on May 27, 2021.

SB 445 (Chapter 345)

[Senate Bill 445](#) makes several revisions related to the State Purchasing Act, including prohibiting any contract under the Act from:

- Requiring that any dispute that arises from the contract be instituted or heard in another state or nation; or
- Requiring the State to indemnify another party against liability for damages.

Additionally, the bill increases from \$50,000 to \$100,000 the maximum amount of the contracts that the Clerk of the State Board of Examiners may be authorized to approve.

This bill is effective on October 1, 2021.

State Agencies

Note: For specific State agencies, see also the “[Subject Index](#).”

AB 69 (Chapter 81)

[Assembly Bill 69](#) revises the membership of the Board of Economic Development to include the Director of the Department of Business and Industry as a nonvoting member and modifies the number of persons required to be considered by the Board for appointment to the Executive Director of the Office of Economic Development in the Office of the Governor.

This bill also changes the name of the Division of Motion Pictures to the Nevada Film Office and requires that the library of filming locations maintained by the Nevada Film Office be made available on an Internet website maintained by the Office. Finally, this bill removes the requirement that in a county whose population is 700,000 or more registrations filed with the Nevada Film Office by a media production company be signed by the head of the county business license agency.

This bill is effective on July 1, 2021.

AB 459 (Chapter 436)

[Assembly Bill 459](#) moves the Office of Workforce Innovation from the Office of the Governor to the Department of Employment, Training and Rehabilitation; changes the name to the Governor’s Office of Workforce Innovation; and establishes the Executive Director of the Office of Workforce Innovation in the unclassified service of the State.

The bill also moves responsibility for apprenticeships, including the position of State Apprenticeship Director, from the Office of Workforce Innovation to the Office of the Labor Commissioner. The bill establishes that the Labor Commissioner, rather than the Governor, appoints the State Apprenticeship Director, and that the Governor appoints voting members of the State Apprenticeship Council based on recommendations of the Labor Commissioner rather than the Executive Director of the Office of Workforce Innovation. The bill also provides that the State Apprenticeship Director is in the unclassified service of the State.

Finally, the measure amends [Senate Bill 247 of the 81st Session](#) to reflect the Labor Commissioner’s responsibility for apprenticeship programs.

Provisions of this bill amending SB 247 of the 81st Session are effective on October 1, 2021. All other provisions are effective on July 1, 2021.

SB 16 (Chapter 65)

[Senate Bill 16](#) transfers the duty to provide staff assistance to the Nevada Commission on Minority Affairs of the Department of Business and Industry from the Department of Administration to the Department of Business and Industry.

This bill is effective on July 1, 2021.

SB 58 (Chapter 194)

Senate Bill 58 revises the responsibilities of the Investigation Division of the Department of Public Safety to include investigations relating to technological crimes and assisting other divisions within the Department. Upon request, the Division may also conduct criminal investigations for other departments enforcing statutes relating to cannabis and for any agency, board, commission, or other unit of the Executive Branch that is authorized to conduct criminal investigations. The Director may authorize the Department and its various divisions, employees, and officers to use certain designations to identify themselves.

This bill is effective on May 28, 2021.

SB 222 (Chapter 497)

Senate Bill 222 requires State agencies to collaborate with minority groups on policies, agreements, and programs that affect minority groups and to ensure that programs and services are accessible and inclusive. The bill also requires State agencies to designate a diversity and inclusion liaison and sets forth certain duties of the liaison. Finally, the bill requires the Office of Minority Health and Equity of the Department of Health and Human Services, the Nevada Commission on Minority Affairs of the Department of Business and Industry, and the Office for New Americans in the Office of the Governor to facilitate a meeting between the liaisons and minority groups at least once a year and submit an annual report regarding findings and recommendations to the Governor and the Legislative Commission.

This bill is effective on January 1, 2022.

SB 422 (Chapter 430)

Senate Bill 422 creates a Mail Services Division within the Department of Administration and makes conforming changes concerning approval of claims against the Communications Fund and the establishment of a central mailing room.

This bill is effective on July 1, 2021.

SB 447 (Chapter 423)

Senate Bill 447 makes the Consumer Affairs Unit permanent in the Department of Business and Industry and eliminates the Consumer Affairs Division of the Department. The bill provides that the Unit and the Commissioner of Consumer Affairs will carry out powers and duties relating to deceptive trade practices, as well as those relating to sightseeing tours, organizations for buying goods or services at a discount, dance studios, health clubs, consumer reporting, and solicitation by telephone.

This bill is effective on July 1, 2021.

TAXATION, REVENUE, AND ECONOMIC DEVELOPMENT

Taxes

AB 363 (Chapter 388)

[Assembly Bill 363](#) requires a county whose population is 700,000 or more and each city in such a county whose population is 25,000 or more to adopt an ordinance to regulate the rental of a residential unit or room within a residential unit for the purpose of transient lodging and provides for the imposition of civil penalties or fines for noncompliance.

The bill requires a person who makes available for rent a residential unit or a room within a residential unit for purposes of transient lodging to obtain an authorization from the governmental body and requires the holder of an authorization to pay an annual fee for the authorization, designate a local representative for the rental, and maintain liability coverage for the residential unit. Additionally, the bill requires accommodations facilitators to collect and remit to the county or city, as applicable, taxes on the rental of residential units as transient lodging.

Finally, the bill requires a board of county commissioners of a county whose population is 700,000 or more to establish a process by which a person may apply for an authorization if they own a residential unit and used an accommodations facilitator before June 1, 2021, to make available for rent a residential unit or room within a residential unit in violation of an existing ordinance prohibiting the use of an accommodations facilitator.

Provisions of this bill requiring a board of county commissioners to establish a process by which a person who used an accommodations facilitator in violation of an ordinance may apply for an authorization are effective on June 4, 2021. All other provisions are effective on June 4, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2022, for all other purposes.

AB 414 (Chapter 210)

[Assembly Bill 414](#) revises the exemption from real property transfer taxes for the conveyance of real property under a deed that becomes effective upon the death of the grantor. The bill provides that upon the recording of the Death of Grantor Affidavit in the office of the county recorder, the conveyance of real property is exempt from taxes imposed on the transfer of real property. This bill further establishes a procedure for claims to be made against property transferred pursuant to a deed upon death if the grantor of the deed dies on or after July 1, 2021. Any property transferred pursuant to such a deed remains subject to any claim by the Department of Health and Human Services to recover public assistance provided to the grantor. Lastly, the bill provides certain rights and protections to a person dealing with a beneficiary of a deed upon death.

Provisions of this bill relating to the exemption from the real property transfer tax are effective on May 29, 2021. All other provisions are effective on July 1, 2021.

AB 435 (Chapter 139)

[Assembly Bill 435](#) expands the exemption from the commerce tax to apply to any person who takes part in an exhibition, trade show, industry or corporate meeting, or similar event held in this

State for a purpose related to the conduct of a business, including, without limitation, an organizer, manager, or sponsor of such an event or an exhibitor at such an event.

This bill is effective on July 1, 2021.

AB 495 (Chapter 249)

Assembly Bill 495 provides for the imposition, administration, and payment of an excise tax on the gross proceeds of profitable gold or silver mining companies that report Nevada gross revenue greater than \$20 million annually. The revenue from this new mining excise tax is to be deposited in the State General Fund for the 2021–2023 Biennium, and then is to be deposited in the State Education Fund beginning on July 1, 2023. The bill also provides that beginning on July 1, 2023, the portion of the tax on net proceeds of minerals that is currently deposited in the State General Fund will instead be deposited in the State Education Fund.

Among other provisions, the bill:

- Requires the disbursement of \$200 million from the State’s allocation of federal Coronavirus State and Local Fiscal Recovery Funds to Nevada’s Department of Education for grants to qualifying school districts and university schools for profoundly gifted pupils to be used to augment certain programs implemented to address the impacts of learning loss experienced as a result of the COVID-19 pandemic;
- Requires the disbursement of \$15 million from the State’s allocation of federal Coronavirus State and Local Fiscal Recovery Funds to the State Public Charter School Authority for grants to charter schools to be used to augment certain programs implemented to address the impacts of learning loss experienced as a result of the COVID-19 pandemic;
- Authorizes Medicaid recipients to directly receive reimbursements for personal care services and use that money to pay for services provided by a personal care assistant or agency in the home;
- Appropriates \$50,895 in Fiscal Year (FY) 2021–2022 and \$104,354 in FY 2022–2023 from the State General Fund to the Division of Health Care Financing and Policy of the Department of Health and Human Services to pay the State’s share of the costs of personal care services for recipients of Medicaid;
- Allows a scholarship organization that provides grants to low-income students to attend schools of their parent’s or guardian’s choosing, including private schools, to use a donation for which the donor received a payroll tax credit to provide a grant to a student who did not receive a grant from such a donation the preceding school year or will likely not receive a grant from such a donation in the same amount each school year until graduating high school;
- Provides for an additional \$4.745 million in tax credits for the Nevada Educational Choice Scholarship Program;

- Appropriates \$600,000 in each fiscal year of the 2021-2023 Biennium from the State General Fund to the Nevada System of Higher Education for support of the Silver State Opportunity Grant Program;
- Directs the Commission on School Funding to investigate sources of revenue to fund public education and requires the Commission to submit a report to the Governor and the Director of the Legislative Counsel Bureau for transmission to the 2023 Legislature; and
- Directs the Legislative Committee on Education to conduct a study during the 2021–2022 Interim concerning the composition of school boards of trustees in this State.

Provisions of this bill requiring the transfer of the portion of mineral excise tax proceeds in the State General Fund to the State Education Fund are effective on July 1, 2023. All other provisions are effective on July 1, 2021.

SB 25 (Chapter 15)

[Senate Bill 25](#) repeals provisions requiring the Department of Taxation, in determining whether food intended for human consumption is subject to the sales and use tax, to base its determination on whether the food is intended for immediate consumption and not on the type of establishment where the food is sold.

This bill is effective on May 14, 2021.

SB 74 (Chapter 17)

[Senate Bill 74](#) eliminates the requirement for Nevada’s Department of Taxation to use the population totals issued by the United States Census Bureau of the U.S. Department of Commerce for the purposes of distributing certain taxes and making certain determinations based on population in the case such population totals conflict with those certified by the Governor. The bill also clarifies that the allocation and deposit of proceeds of the basic city-county relief tax is determined using the population totals certified by the Governor annually.

This bill is effective on May 14, 2021.

SB 278 (Chapter 330)

[Senate Bill 278](#) defines the term “wholesale sale,” for the purposes of the wholesale excise tax on cannabis, as a sale or transfer of cannabis by a cannabis cultivation facility to another cannabis establishment. The term does not include a transfer of cannabis by a cannabis cultivation facility to another cannabis cultivation facility when both facilities share identical ownership.

This bill is effective on July 1, 2021.

SB 367 (Chapter 417)

[Senate Bill 367](#) amends provisions governing the excise tax on admission to certain facilities where live entertainment is provided by exempting from the tax live entertainment provided by or entirely for the benefit of a governmental entity.

This bill is effective on June 4, 2021.

SB 389 (Chapter 313)

[Senate Bill 389](#) provides for the regulation of peer-to-peer car sharing programs by the Department of Motor Vehicles (DMV), including minimum requirements on insurance that must be carried by the owner of the shared vehicle, records that must be kept by the peer-to-peer car sharing program, and the issuance of licenses for peer-to-peer car sharing programs by the DMV.

The bill also provides that passenger cars which are shared through such a program are subject to governmental service fees identical to those collected by the Department of Taxation on the rental of other passenger cars in this State.

The bill appropriates \$374,871 in Fiscal Year (FY) 2021–2022 and \$406,699 in FY 2022–2023 from the State General Fund to the Department of Taxation for personnel, operating, equipment, and computer programming costs related to carrying out the provisions of the bill. Any remaining balances of the appropriations must be reverted to the State General Fund.

Provisions of this bill appropriating funds are effective on July 1, 2021. All other provisions are effective on June 3, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

SB 423 (Chapter 472)

[Senate Bill 423](#) allows for compensation to the State for the costs of collecting the taxes on certain centrally assessed property by requiring the Department of Taxation, before apportioning and remitting the taxes due to each county, to transmit an amount of the taxes as specified by the Legislature to the State Treasurer for deposit to the credit of the Department. The bill requires the Department to spend such money in accordance with its work program.

This bill is effective on July 1, 2021.

SB 440 (Chapter 351)

[Senate Bill 440](#) provides an exemption from sales and use taxes on purchases of tangible personal property by members of the Nevada National Guard who are on active status and who are residents of this State and certain relatives of such members, if the purchases occur on the date on which Nevada Day is observed or the immediately following Saturday or Sunday.

The bill also revises the eligibility requirements for an existing tax exemption that is authorized for certain members of the Nevada National Guard to make the exemption available to Guard members who have been called into active duty for a period of more than 30 days outside of the United States and certain relatives.

This bill is effective on July 1, 2021, and expires by limitation on June 30, 2031.

SB 441 (Chapter 342)

[Senate Bill 441](#) moves the provisions of law governing the issuance, suspension, and revocation of a seller's permit from the Sales and Use Tax Act and the Local School Support Tax Law and places those provisions in a single location in [Chapter 360 of Nevada Revised Statutes](#). Further, the bill maintains the existing \$15 fee for issuance of a seller's permit and requires collected fees to be distributed in the same manner as the existing fees. The bill also defines terms relating to

seller's permits and makes conforming changes to provide that the provisions of the bill do not affect permits issued before the bill's effective date.

This bill is effective on October 1, 2021.

Tax Abatements, Credits, and Economic Development

AB 20 (Chapter 70)

[Assembly Bill 20](#) revises provisions relating to the transferable tax credit program administered by the Office of Economic Development in the Office of the Governor, including:

- Making various changes to the definition of “qualified production” for the purposes of determining eligibility for a production to receive transferable tax credits;
- Removing the requirement for the Office to approve an application for transferable tax credits for eligible productions, and instead making the approval of the application at the discretion of the Office;
- Changing the time by which an audit of the qualified production must be submitted to the Office from not more than 90 days after the completion of principal production or postproduction to not more than 270 days after the completion of principal production or postproduction, with the ability for the Office to extend the deadline by an additional 90 days;
- Removing the requirement that the production company's business address be located in Nevada;
- Requiring qualified productions to acknowledge the State of Nevada in the end credits or elsewhere in the production; and
- Specifying that qualified direct production expenditures may occur only during the period in which the qualified production is produced in order to qualify for the transferable tax credits.

This bill is effective on July 1, 2021.

AB 66 (Chapter 383)

[Assembly Bill 66](#) requires the Department of Taxation to issue a document certifying an abatement or partial abatement of sales and use taxes to a business that has been approved for these abatements by the Office of Economic Development in the Office of the Governor, which can be used by the business to pay the sales and use tax at the rate stated on the document.

The bill prohibits the effective date of an abatement or partial abatement under an agreement entered into by the Office from being later than one year after the date on which the application for the abatement is approved and requires the applicant to enter into the agreement within one year after the application is received by the Office; otherwise, the applicant must submit a new application.

Finally, this bill allows for a business with a certifying document to apply to the Department of Taxation for a refund of the taxes paid that were eligible for abatement if the business does not use the certifying document to receive the abatement of sales and use taxes; however, if the failure to present the certifying document results in the business paying the full amount of sales and use tax on 50 percent or more of the purchases that were eligible for the abatement, the business is subject to a penalty equal to 10 percent of the total amount of the abatement.

This bill is effective on July 1, 2021.

AB 69 (Chapter 81)

[Assembly Bill 69](#) revises the membership of the Board of Economic Development to include the Director of the Department of Business and Industry as a nonvoting member and modifies the number of persons required to be considered by the Board for appointment to the Executive Director of the Office of Economic Development in the Office of the Governor.

This bill also changes the name of the Division of Motion Pictures to the Nevada Film Office and requires that the library of filming locations maintained by the Nevada Film Office be made available on an Internet website maintained by the Office. Finally, this bill removes the requirement that in a county whose population is 700,000 or more registrations filed with the Nevada Film Office by a media production company be signed by the head of the county business license agency.

This bill is effective on July 1, 2021.

SB 284 (Chapter 225)

[Senate Bill 284](#) revises various provisions governing the affordable housing tax credit program administered by the Housing Division of the Department of Business and Industry. Specifically, the bill:

- Revises the procedure for the issuance of transferable tax credits so that transferable tax credits are issued before, rather than after, the project is completed;
- Authorizes an entity to which a project sponsor transfers transferable tax credits to transfer those tax credits to one or more of its subsidiaries or affiliates, and requires the entity to notify the Housing Division of such a transfer;
- Removes the four-year sunset provisions originally established in [Senate Bill 448 of the 80th Session](#), making the program permanent; and
- Clarifies that the maximum amount of tax credits that may be issued under the program remains at \$40 million as established in SB 448 of the 80th Session.

This bill is effective on July 1, 2021.

SB 297 (Chapter 333)

[Senate Bill 297](#) provides that the urban agricultural element of a master plan prepared by a planning commission may include an inventory of other real property owned by the city or county. The bill also requires the Council on Food Security to research and develop recommendations on

community gardens and urban farms. Further, the bill authorizes a board of county commissioners to approve a partial abatement of ad valorem taxes, equal to 10 percent of the taxes that would otherwise be imposed on a parcel, if the property owner's application to allow the property to be used as a community garden or urban farm for a period of not less than five years is approved.

Finally, the bill authorizes a city or county to use vacant or blighted land or other real property owned by the city or county for urban farming and authorizes the Department of Transportation to lease certain property for \$1 per year for use as community gardens and urban farms. A local government that leases such land from the Department must prioritize community gardens and urban farms that meet certain criteria.

This bill is effective on October 1, 2021.

SB 442 (Chapter 343)

[Senate Bill 442](#) prohibits the Office of Energy in the Office of the Governor from changing the Green Building Rating System or accepting applications for partial abatements of property taxes for buildings meeting certain energy efficiency criteria. The bill eliminates the program to grant such partial abatements on July 1, 2035.

Provisions of this bill repealing relevant statutes are effective on July 1, 2035. All other provisions are effective on July 1, 2021.

SB 448 (Chapter 552)

[Senate Bill 448](#) makes various changes related to energy regulations, policies, and programs. Specifically, the bill:

- Makes renewable energy storage facilities and hybrid renewable energy generation and storage facilities eligible for partial abatements of certain property and sales taxes;
- Requires an electric utility to amend its integrated resource plan (IRP) before September 1, 2021, to include a plan for two high-voltage transmission infrastructure projects to be in service by December 31, 2028;
- Amends the components of an IRP to include a carbon dioxide emissions scenario that meets certain goals for reductions in carbon dioxide emissions by 2050;
- Requires transmission providers to join a regional transmission organization before January 1, 2030, unless the Public Utilities Commission of Nevada (PUCN) allows a waiver or a delay;
- Requires an electric utility to file a plan by September 1, 2021, for investing up to \$100 million in transportation electrification programs between January 1, 2022, and December 31, 2024;
- Requires an electric utility to amend its IRP by September 1, 2022, to include a plan for accelerating transportation electrification;

- Provides that there is no presumption that costs, expenses, or investments incurred by a utility were prudently incurred, and places the burden of proof on the utility;
- Clarifies that, subject to certain conditions, a net metering system providing electricity to multiple units on the same property is not deemed a public utility;
- Extends the Economic Development Electric Rate Rider Program through the earlier of December 31, 2024, or whenever the set-aside capacity is fully allocated; modifies allowable discounts under the Program; and requires the PUCN to submit a report on the Program to the Legislature by December 31, 2022;
- Increases from 5 percent to 10 percent the expenditures that must be spent on energy efficiency measures for customers in low-income households, residential customers, and public schools in historically underserved communities as part of an electric utility's energy efficiency plan;
- Creates the Regional Transmission Coordination Task Force to advise the Governor and Legislature on energy transmission policies;
- Abolishes the New Energy Industry Task Force; and
- Phases out the Electric Vehicle Infrastructure Demonstration Program by July 1, 2023.

Provisions of this bill eliminating the Electric Vehicle Infrastructure Demonstration Program are effective on July 1, 2023, and provisions requiring utilities to submit an annual plan for carrying out the Program are effective on January 1, 2023, and expire by limitation on June 30, 2023. All other provisions are effective on June 10, 2021. Incentives for solar energy systems expire on December 31, 2025; the Regional Transmission Coordination Task Force expires on December 31, 2031; and the partial tax abatements for renewable energy storage facilities expire on June 30, 2049. The Economic Development Electric Rate Rider Program expires on the date of termination of the last contract entered into under the Program.

TRANSPORTATION

Department of Motor Vehicles

AB 284 (Chapter 356)

[Assembly Bill 284](#) establishes a procedure to contest the validity of certain liens on motor vehicles and for the return of a vehicle if a justice of the peace finds a lien invalid. After receiving notice of opposition to a lien, the Department of Motor Vehicles (DMV) is prohibited from transferring the vehicle's title until the matter has been adjudicated. A lien on a motor vehicle expires six months after it is filed with the DMV, except when tolled by a pending civil action or administrative proceeding conducted by the DMV. The provisions of this bill do not affect the rights of a secured party pursuant to statute and do not apply to a lien asserted by a tow car operator holding a certificate of public convenience and necessity.

This bill is effective on July 1, 2021.

AB 476 (Chapter 141)

[Assembly Bill 476](#) changes the name of the Division of Management Services and Programs in the Department of Motor Vehicles to the Division of Research and Project Management.

This bill is effective on July 1, 2021.

SB 17 (Chapter 21)

[Senate Bill 17](#) revises provisions relating to driver training schools by:

- Removing the requirement that a school which provides only online classroom instruction maintain a physical business location;
- Requiring that the books and records of the school be kept at the school's principal place of business;
- Providing that the Department of Motor Vehicles (DMV) be allowed to inspect those records during normal business hours; and
- Setting the retention period for such records at three years after a person ceases to be licensed as an operator of a school for training drivers.

The measure also grants the DMV discretionary authority to renew certain instruction permits.

This bill is effective on July 1, 2021.

SB 29 (Chapter 4)

[Senate Bill 29](#) allows the Department of Motor Vehicles to enter into contracts appointing a person to act as its agent in the issuance of salvage titles and the collection of statutory fees, provided the person meets certain qualifications. Qualifications include a background check and posting of a bond of not less than \$50,000. The Department may conduct audits and investigations of such agents as it deems necessary.

This bill is effective on October 1, 2021.

SB 60 (Chapter 155)

Senate Bill 60 revises the design process and numbering of special license plates by the Department of Motor Vehicles (DMV). The bill also revises the process for an applicant's participation in the design of a special plate, including deadlines for the submittal and revision of a special plate design. Senate Bill 60 clarifies that, based on a recommendation from the Commission on Special License Plates, the DMV may take disciplinary action against a charitable organization that has failed to comply with the statutes governing the financial administration of special license plate fees.

The measure provides for the design criteria for exempt license plates without distinguishing marks that are used in undercover investigations, expands the number of law enforcement agencies that may be issued such plates, and protects the disclosure of information related to such vehicles.

Senate Bill 60 increases, from 15 to 30 days, the expiration date of a special permit for the movement of a vehicle to sell out of State, or for the movement outside Nevada of a vehicle purchased by a nonresident. A person who is not a dealer, manufacturer, or rebuilder and who purchases an unregistered vehicle or a vehicle from a private seller may move the vehicle without a DMV permit for three days after the date of purchase if the person carries proof of ownership and liability insurance in the vehicle.

Finally, the bill revises the formula for the distribution of the money in the Pollution Control Account by removing the calculations related to funds collected from the licensure of certain classic vehicles that are exempt from emissions testing.

This bill is effective on July 1, 2021.

SB 204 (Chapter 223)

Senate Bill 204 authorizes the Department of Motor Vehicles (DMV) to issue cards, certificates, and licenses in electronic form, provided a physical version of the document has been issued. Subject to statutory exceptions, a person must carry the physical version of the document in the relevant motor vehicle. The bill also authorizes the DMV to establish electronic branch offices to accept forms and other documentation and to conduct certain transactions electronically. The DMV is not permitted to conduct transactions electronically if State or federal law specifically requires a transaction to be in person or documents to be presented in their original form.

This bill is effective on July 1, 2021.

SB 219 (Chapter 505)

Senate Bill 219 removes a court's authority to suspend a driver's license or prohibit a defendant from applying for a driver's license as the result of any delinquent fine, administrative assessment, fee, or restitution the defendant owes.

The Department of Motor Vehicles (DMV) must reinstate the driver's license of a person whose license was suspended and reinstate the ability of a person to apply for a license if the suspension or delay was a result of any unpaid delinquent fine, administrative assessment, fee, or restitution. The DMV may not charge a fee for reinstatement of a license or require a person to undergo any

physical or mental examination to be eligible for reinstatement of a license. The bill also appropriates from the State Highway Fund to the DMV \$14,950 for the cost of notifying persons of the reinstatement of their licenses or of their ability to apply for a license.

Provisions of this bill relating to an appropriation are effective on July 1, 2021. All other provisions are effective on October 1, 2021.

SB 371 (Chapter 230)

[Senate Bill 371](#) makes several changes to the vehicle-miles-traveled pilot program currently being conducted by the Department of Motor Vehicles (DMV). The changes:

- Remove recreational vehicles from the list of vehicles for which odometer readings must be submitted to the DMV;
- Prohibit the DMV from disclosing information provided to the DMV under the pilot program to an insurer or self-insurer in connection with certain activities relating to motor vehicle insurance; and
- Authorize the DMV to adopt regulations providing for an administrative fine for failure to report an odometer reading or other requested information in a timely manner, if such reporting is required.

This bill is effective on May 30, 2021, and expires by limitation on December 31, 2026.

Department of Transportation

AB 12 (Chapter 8)

[Assembly Bill 12](#) revises the qualifications for a Deputy Director of the Department of Transportation. Specifically, the bill:

- Clarifies that the positions to which the minimum qualification of 2 years of administrative experience apply are any Assistant Director of the Department or the Chief Engineer; and
- Changes the alternative experience qualification to a minimum of 15 years of progressively responsible experience in engineering or project management.

The bill also moves the position of Chief Engineer from classified to unclassified State service.

This bill is effective on May 4, 2021.

AB 41 (Chapter 11)

[Assembly Bill 41](#) revises various provisions governing the operation of certain oversized vehicles. Specifically, the bill:

- Clarifies how the dimensions of certain vehicles are to be determined;

TRANSPORTATION

- Authorizes an applicant for a permit to move certain vehicles or structures to request a waiver from the Department of Transportation from the current maximum vehicle width limitation; and
- Removes a requirement that applications to the Department for movement permits for oversized vehicles be in writing.

This bill is effective on May 4, 2021.

AB 53 (Chapter 12)

[Assembly Bill 53](#) makes discretionary the current requirement that the Department of Transportation establish a system of communication for members of the general public to report emergencies and receive information concerning driving conditions.

This bill is effective on July 1, 2021.

AB 413 (Chapter 43)

[Assembly Bill 413](#) requires Nevada's Department of Transportation to establish an Advisory Working Group to Study Certain Issues Related to Transportation during the 2021–2022 Interim. The Working Group must consist of at least 20 but not more than 30 persons, including the Chairs of the Assembly and Senate Standing Committees on Growth and Infrastructure, with the additional members appointed by the Department to represent a wide variety of interests and organizations.

The topics to be studied include transportation equity, reduction of greenhouse gas emissions, and the sustainability of the State Highway Fund. The Department must submit a written report on the findings and recommendations of the Working Group no later than December 31, 2022, for transmittal to the 2023 Nevada Legislature.

This bill is effective on May 21, 2021, for the purposes of appointing members and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

Special License Plates

AB 123 (Chapter 104)

[Assembly Bill 123](#) imposes an additional \$10 fee for the issuance and renewal of a special license plate in support of the Vegas Golden Knights franchise of the National Hockey League for the support of the Vegas Golden Knights Foundation to assist with its work supporting nonprofit and charitable organizations. The additional fees, which are to be deposited with the State Treasurer for credit to the State General Fund, are to be distributed to the Vegas Golden Knights Foundation on a quarterly basis.

This bill is effective on October 1, 2021.

AB 150 (Chapter 14)

[Assembly Bill 150](#) requires the Department of Motor Vehicles to inform a charitable organization of the corrective actions it must take to end a suspension of the production and distribution of a

special license plate and the collection of fees on behalf of the organization if such a suspension is warranted due to the organization's failure to comply with certain laws.

If a charitable organization does not take corrective action or if the Department does not terminate the suspension after a charitable organization has taken corrective action, the Department may either:

- Terminate the production and distribution of the special license plate and terminate the collection of the additional fees collected on behalf of the charitable organization; or
- Distribute the additional fees to a different charitable organization that meets certain requirements.

This bill is effective on July 1, 2021.

AB 188 (Chapter 88)

Assembly Bill 188 abolishes the Commission on Special License Plates and transfers its duties to the Department of Motor Vehicles (DMV). The DMV must hold public hearings to approve or disapprove applications for the design, preparation, and issuance of special license plates, and must compile and submit a list of all approved special license plate designs with an accompanying report to the Legislature annually.

Charitable organizations receiving additional fees from special license plates must prepare a balance sheet for the immediately preceding fiscal year and file it with the Legislative Auditor by September 1 annually. The Legislative Auditor shall require certain information from these charitable organizations and may request additional fiscal information. By September 30 of every fiscal year, the Legislative Auditor must submit a final report on these charitable organizations to the Director of the DMV and the Director of the Legislative Counsel Bureau for transmittal to the Legislature or Legislative Commission.

A provision of this bill specifically referencing special license plates in support of Tule Springs State Park is effective two years after the date on which the Park is established. All other provisions are effective on October 1, 2021.

AB 349 (Chapter 363)

Assembly Bill 349 provides that in order to be considered an Old Timer vehicle, classic car, or classic rod, a vehicle must not be used for general transportation and must be covered by either an endorsement or insurance policy that is designed or designated specifically for classic or antique vehicles.

The measure exempts new motor vehicles from emissions testing until the fourth registration of the vehicle and makes a technical change to reference a federal regulation relating to the exemption to emissions testing afforded to hybrid electric vehicles. The measure requires that certain fees charged for electronic emissions monitoring programs must be equal in amount to the fee charged for forms certifying emission control compliance. Additionally, the Department of Motor Vehicles may impose by regulation a fee of not more than \$2 for the issuance and renewal of a license to inspect motor vehicles and devices for the control of pollution for certain additional locations.

Finally, the measure authorizes the board of county commissioners for a county with a population of 100,000 or more to impose by ordinance an additional fee for each form certifying emission control compliance. If such a fee is imposed, the board must use the money to reduce emissions, allocating at least 50 percent of such money to support programs to reduce emissions in historically underserved communities.

Provisions of this bill relating to Old Timer vehicles, classic rods, and classic vehicles are effective on January 1, 2023. All other provisions are effective on October 1, 2021.

SB 60 (Chapter 155)

[Senate Bill 60](#) revises the design process and numbering of special license plates by the Department of Motor Vehicles (DMV). The bill also revises the process for an applicant's participation in the design of a special plate, including deadlines for the submittal and revision of a special plate design. Senate Bill 60 clarifies that, based on a recommendation from the Commission on Special License Plates, the DMV may take disciplinary action against a charitable organization that has failed to comply with the statutes governing the financial administration of special license plate fees.

The measure provides for the design criteria for exempt license plates without distinguishing marks that are used in undercover investigations, expands the number of law enforcement agencies that may be issued such plates, and protects the disclosure of information related to such vehicles.

Senate Bill 60 increases, from 15 to 30 days, the expiration date of a special permit for the movement of a vehicle to sell out of State, or for the movement outside Nevada of a vehicle purchased by a nonresident. A person who is not a dealer, manufacturer, or rebuilder and who purchases an unregistered vehicle or a vehicle from a private seller may move the vehicle without a DMV permit for three days after the date of purchase if the person carries proof of ownership and liability insurance in the vehicle.

Finally, the bill revises the formula for the distribution of the money in the Pollution Control Account by removing the calculations related to funds collected from the licensure of certain classic vehicles that are exempt from emissions testing.

This bill is effective on July 1, 2021.

SB 163 (Chapter 548)

[Senate Bill 163](#) requires the Department of Motor Vehicles (DMV) to design, prepare, and issue a special license plate indicating support for the nine historically Black Greek fraternities and sororities, collectively known as "the Divine Nine." The Las Vegas Chapter of the National Pan-Hellenic Council will work with the DMV on the plate design.

Ten percent of the revenues generated from the issuance and renewal of the plates must be distributed to the United Negro College Fund and earmarked for scholarships for Nevada residents attending Nevada colleges and universities. The remaining 90 percent must be distributed equally among the nine organizations and used to promote community awareness and action through activities in Nevada.

This bill is effective on October 1, 2021.

Towing and Tow Car Operators

AB 32 (Chapter 252)

[Assembly Bill 32](#) creates a new process for filing a complaint for expedited relief in justice court related to the towing or immobilization of a motor vehicle. If the complaint filed does not meet certain criteria, it may be dismissed by the court, without prejudice. This dismissal does not affect the right of the vehicle owner to pursue civil damages. The court will determine whether the vehicle was lawfully or unlawfully towed or immobilized and will enter an order declaring who is responsible for certain costs. Upon the presentation of a certified copy of the court order, the person storing the vehicle or the person who immobilized the vehicle must release the vehicle to the owner immediately. The measure also requires the operator of any facility or location where towed vehicles are stored to display a statement on the availability of assistance from a legal aid or similar program.

This bill is effective on October 1, 2021.

AB 301 (Chapter 272)

[Assembly Bill 301](#) requires a tow car operator to immediately release a vehicle to its owner at no charge if the vehicle is towed from a residential complex for a lack of registration and the owner provides evidence of registration that predates the tow. The Nevada Transportation Authority (NTA) must implement a hardship tariff program that will allow owners of vehicles towed for lack of registration to pay reduced tariff rates to recover their vehicles if they are unable to provide proof of registration that predates the tow and if, for reasons outside of their control, they cannot pay the normal charges. The NTA must adopt regulations establishing a range of tariffs and what qualifies as a reason outside the control of the owner. The measure also provides that a tow operator shall not charge any fees for a vehicle towed at the request of someone other than the vehicle owner or law enforcement, until at least 48 hours after the vehicle's arrival at the storage facility.

Assembly Bill 301 prohibits the owner of a residential complex, or the unit-owners' association of a common-interest community, from requesting the towing of a vehicle based solely on an expired registration. The measure also exempts owners of residential complexes and unit-owners' associations from being guilty of a misdemeanor if they have more than two unregistered vehicles on their property. Finally, the measure adds persons employed by a local government to enforce codes or ordinances to the list of persons not subject to the restrictions on the towing of a vehicle by a person other than the owner.

This bill is effective on October 1, 2021.

SB 259 (Chapter 220)

[Senate Bill 259](#) requires the Nevada Transportation Authority (NTA) to conduct annual training for compliance enforcement officers employed by the NTA and tow car operators on any additions or revisions to the laws or regulations governing the licensing and regulation of motor carriers. If no laws or regulations were enacted or revised in the preceding year, the NTA may choose not to hold the training.

The first training session must be held no later than October 1, 2022. The NTA is authorized to adopt regulations to carry out the provisions of the bill.

This bill is effective on May 30, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

Traffic Safety

Note: See also the “[Traffic Laws](#)” section in the “[Criminal and Civil Justice](#)” chapter.

AB 54 (Chapter 36)

[Assembly Bill 54](#) creates the Advisory Committee on Traffic Safety within the Department of Transportation to review, study, and make recommendations regarding: best practices for preventing and reducing death and serious injury from motor vehicle crashes; data on fatal or serious motor vehicle crashes; policies to prevent or reduce such deaths and injuries; and any other matter submitted by the Chair of the Committee.

The bill authorizes the Committee to establish working groups and similar entities and requires the Committee to submit an annual report on its work to the Governor and the Legislature.

This bill is effective on July 1, 2021.

AB 118 (Chapter 42)

[Assembly Bill 118](#) expands the use of child restraints for children transported in motor vehicles. The measure removes a weight requirement for child restraint provisions to apply to a child under six years of age and requires that a child less than 57 inches tall be secured in a child restraint system. The bill further requires that a child less than two years of age generally be secured in a rear-facing child restraint system in the back seat of a motor vehicle, unless specific conditions apply.

The measure permits the Department of Public Safety to accept gifts, grants, and donations from any source for the purchase or donation of child restraint systems for persons who are in financial need.

This bill is effective on January 1, 2022.

SB 285 (Chapter 226)

[Senate Bill 285](#) requires driver training courses to include the rules of the road relating to bicycles (including electric bicycles), electric scooters, and pedestrians.

The measure allows a motor vehicle to cross the center line of a two-lane divided road or highway, even in a no-passing zone, provided there are no unsafe conditions, prohibitions, or restrictions to overtaking on the left and the required minimum three-foot passing distance is maintained. If the right side of the road contains surface hazards or is blocked by objects, or the travel lane is too narrow to accommodate both a motor vehicle and a bicycle or electric scooter, the bill adds an exception to the rule that bicycles and electric scooters ride as far to the right side of the road as possible.

A county or regional transportation commission must integrate facilities, lanes, routes, and signage for bicycles into plans for construction or maintenance of roads as part of its Complete Streets Program, to the extent feasible. With respect to Nevada’s Department of Transportation, counties,

and regional transportation commissions, the bill expands the scope of the users to be considered in Complete Streets Programs to include users of all abilities and ages.

This bill is effective on October 1, 2021.

Transportation Modes and Services

AB 320 (Chapter 273)

[Assembly Bill 320](#) authorizes the operation of a large all-terrain vehicle (ATV) on a portion of a highway designated as a main county road or on a street within a city whose population is less than 25,000 if:

- The large ATV has the equipment required for operation on a highway;
- The large ATV is registered with the Department of Motor Vehicles as a motor vehicle intended for operation on a highway; and
- The governing body of the city or county having jurisdiction over the street or highway enacts an ordinance or resolution authorizing the operation of large ATVs on any portion of the street or highway.

This bill is effective on October 1, 2021.

AB 412 (Chapter 373)

[Assembly Bill 412](#) provides that a “neighborhood occupantless vehicle,” defined as a low-speed vehicle not designed for human occupancy, may operate on roadways with speed limits greater than 35 miles per hour but not more than 45 miles per hour.

The measure provides that a fully autonomous vehicle that is exclusively operated by an automated driving system is exempted from requirements for equipment to illuminate with multiple beams, mirrors to reflect to the driver a view of the highway, windshield wipers, and a muffler—unless the vehicle contains an internal combustion engine.

This bill is effective on July 1, 2021.

AB 444 (Chapter 377)

[Assembly Bill 444](#) authorizes a transportation network company (TNC) to enter into a contract with certain limousine motor carriers who hold certificates of public convenience and necessity to allow drivers employed by the limousine motor carrier to receive connections to potential passengers from the TNC in exchange for the payment of a fee by the limousine motor carrier. The limousine motor carrier remains subject to the laws and regulations governing motor carriers when providing transportation under a contract with a TNC.

Assembly Bill 444 applies certain excise taxes imposed on TNC fares to transportation provided pursuant to a contract with a TNC. The measure exempts limousine motor carriers and drivers from certain taxes and fees imposed by local governments but allows local governments and airports to impose certain business license or other permitting requirements.

This bill is effective on July 1, 2021.

SB 288 (Chapter 550)

[Senate Bill 288](#) authorizes providers of monitored autonomous vehicles (MAVs) to enter into contracts with transportation network companies (TNCs) to receive connections to potential passengers and related services for a fee, in the same way that a driver enters into an agreement with a TNC. An MAV is defined as an autonomous vehicle with a person employed by an MAV provider to remain physically present at all times to monitor the operation of the vehicle.

The measure adds “monitored autonomous vehicle provider” to the provisions applicable to a “driver,” including, but not limited to, passenger services, inspections, insurance, accident reports, recordkeeping requirements, and tort liabilities. An MAV provider must disclose the license plate of the vehicle to a passenger but not the driver’s license of the MAV monitor. The TNC must also include information on MAV providers in its reports to the Nevada Transportation Authority. The measure clarifies that the provisions relating to MAVs do not apply to autonomous vehicle network companies that have been issued permits by the Nevada Transportation Authority or to fully autonomous vehicles operated by such companies.

This bill is effective on June 10, 2021.

SB 362 (Chapter 213)

[Senate Bill 362](#) authorizes a regional transportation commission in a county with a population of 700,000 or more—currently Clark County—to provide microtransit services as part of its public transit system. The bill also repeals a requirement that the regional transportation commission in Clark County receive certain determinations from the Nevada Transportation Authority before it may operate an on-call public transit system.

This bill is effective on October 1, 2021.

SB 383 (Chapter 301)

[Senate Bill 383](#) creates and defines three classes of electric bicycles based on their capabilities. The measure clarifies that electric bicycles are permitted wherever bicycles are permitted except as otherwise specified or prohibited in State or federal law. Local governments and State agencies may prohibit the use of electric bicycles on shared-use paths as needed to protect public health and safety or to comply with other laws or obligations and may also regulate their use on trails designed for nonmotorized use.

New electric bicycles sold in Nevada on or after October 1, 2021, must comply with federal manufacturing and equipment standards. Further, beginning January 1, 2022, manufacturers and distributors of electric bicycles must apply a label containing specified information. The measure requires certain equipment on electric bicycles and prohibits tampering with the speed capability or disengagement devices unless the label is modified.

Senate Bill 383 adds electric bicycles to the statute protecting property owners against liability for recreational bicycling on their property and to the statute making it a crime to throw objects at a bicycle or to damage or deface a bicycle.

This bill is effective on October 1, 2021.

SB 389 (Chapter 313)

[Senate Bill 389](#) provides for the regulation of peer-to-peer car sharing programs by the Department of Motor Vehicles (DMV), including minimum requirements on insurance that must be carried by the owner of the shared vehicle, records that must be kept by the peer-to-peer car sharing program, and the issuance of licenses for peer-to-peer car sharing programs by the DMV.

The bill also provides that passenger cars which are shared through such a program are subject to governmental service fees identical to those collected by the Department of Taxation on the rental of other passenger cars in this State.

The bill appropriates \$374,871 in Fiscal Year (FY) 2021–2022 and \$406,699 in FY 2022–2023 from the State General Fund to the Department of Taxation for personnel, operating, equipment, and computer programming costs related to carrying out the provisions of the bill. Any remaining balances of the appropriations must be reverted to the State General Fund.

Provisions of this bill appropriating funds are effective on July 1, 2021. All other provisions are effective on June 3, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on October 1, 2021, for all other purposes.

Vehicle Emissions and Transportation Electrification**AB 349 (Chapter 363)**

[Assembly Bill 349](#) provides that in order to be considered an Old Timer vehicle, classic car, or classic rod, a vehicle must not be used for general transportation and must be covered by either an endorsement or insurance policy that is designed or designated specifically for classic or antique vehicles.

The measure exempts new motor vehicles from emissions testing until the fourth registration of the vehicle and makes a technical change to reference a federal regulation relating to the exemption to emissions testing afforded to hybrid electric vehicles. The measure requires that certain fees charged for electronic emissions monitoring programs must be equal in amount to the fee charged for forms certifying emission control compliance. Additionally, the Department of Motor Vehicles may impose by regulation a fee of not more than \$2 for the issuance and renewal of a license to inspect motor vehicles and devices for the control of pollution for certain additional locations.

Finally, the measure authorizes the board of county commissioners for a county with a population of 100,000 or more to impose by ordinance an additional fee for each form certifying emission control compliance. If such a fee is imposed, the board must use the money to reduce emissions, allocating at least 50 percent of such money to support programs to reduce emissions in historically underserved communities.

Provisions of this bill relating to Old Timer vehicles, classic rods, and classic vehicles are effective on January 1, 2023. All other provisions are effective on October 1, 2021.

SB 448 (Chapter 552)

[Senate Bill 448](#) makes various changes related to energy regulations, policies, and programs. Specifically, the bill:

TRANSPORTATION

- Makes renewable energy storage facilities and hybrid renewable energy generation and storage facilities eligible for partial abatements of certain property and sales taxes;
- Requires an electric utility to amend its integrated resource plan (IRP) before September 1, 2021, to include a plan for two high-voltage transmission infrastructure projects to be in service by December 31, 2028;
- Amends the components of an IRP to include a carbon dioxide emissions scenario that meets certain goals for reductions in carbon dioxide emissions by 2050;
- Requires transmission providers to join a regional transmission organization before January 1, 2030, unless the Public Utilities Commission of Nevada (PUCN) allows a waiver or a delay;
- Requires an electric utility to file a plan by September 1, 2021, for investing up to \$100 million in transportation electrification programs between January 1, 2022, and December 31, 2024;
- Requires an electric utility to amend its IRP by September 1, 2022, to include a plan for accelerating transportation electrification;
- Provides that there is no presumption that costs, expenses, or investments incurred by a utility were prudently incurred, and places the burden of proof on the utility;
- Clarifies that, subject to certain conditions, a net metering system providing electricity to multiple units on the same property is not deemed a public utility;
- Extends the Economic Development Electric Rate Rider Program through the earlier of December 31, 2024, or whenever the set-aside capacity is fully allocated; modifies allowable discounts under the Program; and requires the PUCN to submit a report on the Program to the Legislature by December 31, 2022;
- Increases from 5 percent to 10 percent the expenditures that must be spent on energy efficiency measures for customers in low-income households, residential customers, and public schools in historically underserved communities as part of an electric utility's energy efficiency plan;
- Creates the Regional Transmission Coordination Task Force to advise the Governor and Legislature on energy transmission policies;
- Abolishes the New Energy Industry Task Force; and
- Phases out the Electric Vehicle Infrastructure Demonstration Program by July 1, 2023.

Provisions of this bill eliminating the Electric Vehicle Infrastructure Demonstration Program are effective on July 1, 2023, and provisions requiring utilities to submit an annual plan for carrying out the Program are effective on January 1, 2023, and expire by limitation on June 30, 2023. All other provisions are effective on June 10, 2021. Incentives for solar energy systems expire

on December 31, 2025; the Regional Transmission Coordination Task Force expires on December 31, 2031; and the partial tax abatements for renewable energy storage facilities expire on June 30, 2049. The Economic Development Electric Rate Rider Program expires on the date of termination of the last contract entered into under the Program.

VETERANS AND ACTIVE MEMBERS OF THE ARMED FORCES

AB 22 (Chapter 100)

[Assembly Bill 22](#) requires the Director of the Department of Veterans Services to establish and maintain a program to assist veterans and servicemen and servicewomen in transitioning to life as civilians. The program is required to provide information and resources specific to this State concerning higher education, career development, physical and mental health care, and other benefits available to veterans and servicemen and servicewomen.

This bill is effective on May 26, 2021.

AB 76 (Chapter 101)

[Assembly Bill 76](#) authorizes the Director of the Department of Veterans Services to establish and operate programs to provide adult day health care services to veterans. This service is limited to the extent that federal funding is available. The bill also eliminates certain obsolete requirements governing the location of veterans' homes.

This bill is effective on May 26, 2021

AB 77 (Chapter 102)

[Assembly Bill 77](#) requires the Director of the Department of Veterans Services to assist veterans experiencing homelessness by connecting them to housing and other support organizations and creating, coordinating, and supporting veterans suicide prevention programs and resources.

The bill also increases from two years to three years the length of a term for members of the Nevada Veterans Services Commission; the Advisory Committee for a Veterans Cemetery in Northern Nevada; and the Advisory Committee for a Veterans Cemetery in Southern Nevada. The length of a term for members of the Women Veterans Advisory Committee is reduced from four years to three years. Finally, the bill includes provisions directing the appointment of new members and the reappointment of certain incumbent members of these entities.

Provisions of this bill concerning the appointment of new members and the reappointment of certain incumbent members are effective on May 26, 2021. All other provisions are effective on July 1, 2021.

AB 102 (Chapter 103)

[Assembly Bill 102](#) eliminates the requirement that the permanent service-connected disability rating of a Nevada resident be 10 percent or more before he or she may be issued a free annual permit for entering, camping, and boating in all State parks and recreational areas. However, the Division of State Parks of the State Department of Conservation and Natural Resources must still impose an administrative fee to cover the costs of issuing the permit.

This bill is effective on May 26, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on July 1, 2021, for all other purposes.

AB 156 (Chapter 353)

[Assembly Bill 156](#) authorizes active members of the Nevada National Guard who attend a school within the Nevada System of Higher Education (NSHE) and who reenlist to assign their

registration and lab fee waiver to either a spouse or a child in lieu of using the waiver themselves during the reenlistment period. This assignment is allowed regardless of whether the member used a waiver to attend school prior to reenlistment. The waiver may only be used by one eligible person during the reenlistment period for credits toward coursework for an associate degree, baccalaureate degree, or certificate, but the waiver can be reassigned if the spouse or child to whom the waiver was assigned does not use the waiver to attend a school within NSHE. Finally, AB 156 requires the Adjutant General to maintain records of waivers granted, assigned, and reassigned and certify for the Board of Regents of the University of Nevada that the waivers have been properly assigned or reassigned.

This bill is effective on July 1, 2021.

AB 165 (Chapter 397)

Assembly Bill 165 removes the five-year limitation on assessing tuition charges against honorably discharged veterans, thereby prohibiting the Board of Regents of the University of Nevada from assessing a tuition charge against any veteran who was honorably discharged, including any veteran who was honorably discharged more than five years before matriculation at a university, State college, or community college within the Nevada System of Higher Education.

This bill is effective on July 1, 2021.

AB 316 (Chapter 208)

Assembly Bill 316 makes the following requirements concerning veterans' benefits, with certain exceptions:

- Any person who advertises or promotes any event or other public gathering relating to benefits or entitlements for veterans must disclose certain information, including that the event is not associated with the United States Department of Veterans Affairs or the Department of Veterans Services and that the veteran may qualify for benefits other than those discussed at the event;
- Any person who advertises or promotes services to represent or assist veterans in matters relating to benefits or entitlements must disclose certain information regarding compensation and the availability of free services; and
- Any person who provides services to obtain veterans' benefits in exchange for compensation must provide a written disclosure before entering into an agreement with a client for the provision of those services.

Finally, this measure authorizes the Attorney General to collect a civil penalty of up to \$10,000 for each violation of the provisions of the bill. The bill specifies that such a violation constitutes consumer fraud, and a victim may bring a civil action.

This bill is effective on May 29, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes.

SB 28 (Chapter 107)

[Senate Bill 28](#) establishes the offense of sexual harassment within the Nevada Code of Military Justice and provides that a person who is guilty of sexual harassment shall be punished by way of nonjudicial punishment or as a court-martial may direct. The bill also makes the existing Code regarding sexual assault consistent with the provisions of the Uniform Code of Military Justice of the Armed Forces of the United States and a directive from the U.S. Department of Defense.

This bill is effective on May 27, 2021.

SB 193 (Chapter 211)

[Senate Bill 193](#) requires the Board of Regents of the University of Nevada to submit a report concerning student veterans to the Legislature. The bill also requires the Board to give preference in admission to certain veterans in each nursing program and program for the education of teachers.

Furthermore, SB 193 removes the time limitation for matriculating within the Nevada System of Higher Education for certain veterans; prohibits the assessment of tuition charges against veterans, spouses, and dependents using Post-9/11 Educational Assistance; and prohibits the assessment of tuition charges against students using Survivors' and Dependents' Educational Assistance.

Provisions of this bill concerning tuition charges are effective on July 1, 2021. All other provisions are effective on October 1, 2021.

SB 440 (Chapter 351)

[Senate Bill 440](#) provides an exemption from sales and use taxes on purchases of tangible personal property by members of the Nevada National Guard who are on active status and who are residents of this State and certain relatives of such members, if the purchases occur on the date on which Nevada Day is observed or the immediately following Saturday or Sunday.

The bill also revises the eligibility requirements for an existing tax exemption that is authorized for certain members of the Nevada National Guard to make the exemption available to Guard members who have been called into active duty for a period of more than 30 days outside of the United States and certain relatives of such members.

This bill is effective on July 1, 2021, and expires by limitation on June 30, 2031.

SJR 6 (File 25)

[Senate Joint Resolution 6](#) expresses support for the creation of a retirement plan that addresses the loss of retirement benefits for military spouses due to frequent relocations. The resolution further urges the federal government to implement such a retirement plan that is funded by the Department of Defense Appropriations Act.

This resolution is effective on May 18, 2021.

VETOED BILLS

Note: The following bills were vetoed after the 81st Session adjourned and were returned to the 82nd Session for consideration of a possible veto override.

AB 65 (Vetoed June 11, 2021)

[Assembly Bill 65](#) amends the Nevada Ethics in Government Law by clarifying, revising, and adding to existing provisions that govern the operation, powers, functions, and duties of the Commission on Ethics, its members and staff, and any specialized or local ethics committees. The measure also specifies the statutory ethical standards that apply to the conduct of current and former public officers and employees. The bill revises proceedings concerning requests for advisory opinions and ethics complaints, the issuance of opinions, and the impositions of remedies and penalties by the Commission on Ethics.

In addition, AB 65 establishes a new chapter of *Nevada Revised Statutes* (NRS), to be cited as the Nevada Legislative Ethics Law, that sets forth standards of ethical behavior and processes for the Legislative Branch. The measure creates a Senate Commission on Ethics and an Assembly Commission on Ethics to hear complaints for ethics violations filed against members or employees of those Houses. A Joint Legislative Commission on Ethics is established to hear complaints for ethics violations filed against officers and employees of the Legislative Counsel Bureau. Further, the bill provides authority for these commissions to impose the same penalties on Legislators and employees of the Legislative Branch as are currently provided for violations in [Chapter 281A of NRS](#).

AB 368 (Vetoed June 10, 2021)

[Assembly Bill 368](#) revises provisions relating to tourism improvement districts and local improvement districts. The bill prohibits cities in a county whose population is less than 700,000 and a county whose population is less than 700,000 from creating a tourism improvement district, and prohibits a municipality from pledging revenue from certain sales and use taxes imposed in a district to finance a sports stadium within a tourism improvement district. The bill also eliminates the authority for a city, county, or town in a county whose population is less than 700,000 to finance certain projects for the promotion of economic development and tourism in a local improvement district.

Finally, the bill adds information that the Department of Taxation must include in its periodic report of tourism improvement districts and provides alternative reporting requirements for the Department if the Department cannot report information about a tourism improvement district without disclosing proprietary information about an individual business.

SB 254 (Vetoed June 11, 2021)

[Senate Bill 254](#) revises various provisions relating to discrimination in housing. Specifically, the bill establishes new procedures and requirements with respect to investigations and hearings regarding complaints to the Nevada Equal Rights Commission alleging an unlawful discriminatory practice in housing, and revises the prohibited practices that constitute an unlawful discriminatory practice in housing in Nevada.

The bill prohibits, with certain exceptions, a person seeking to rent or lease a dwelling from:

VEETOED BILLS

- Inquiring into the arrest record, conviction record, or record of criminal history of an applicant or tenant;
- Refusing to rent or lease to an applicant on the basis of the applicant's arrest record, conviction record, or record of criminal history;
- Making or publishing any notice or advertisement that indicates a preference based on the arrest, conviction, or criminal history record of an applicant; and
- Evicting a tenant on the basis of his or her arrest record, conviction record, or record of criminal history for a misdemeanor offense unless the offense occurred on the premises of the dwelling.

The bill also prohibits a person from refusing to:

- Allow a person with a disability to make reasonable modifications to a dwelling, provided the individual pays for the modifications; or
- Make reasonable accommodations in rules, policies, practices, or services that may be necessary to afford a person with a disability equal opportunity to use and enjoy the property.

SB 391 (Vetoed June 11, 2021)

[Senate Bill 391](#) makes various changes related to dentistry. It provides that the State Dental Health Officer is not required to be licensed to practice dentistry in this State if certain other criteria are met. The bill removes a prohibition on the State Public Health Dental Hygienist pursuing an outside business or vocation, instead authorizing such activity with the approval of the Division of Public and Behavioral Health of the Department of Health and Human Services. In addition, the bill authorizes the Board of Dental Examiners to issue a limited license as a dentist or dental hygienist to the State Dental Health Officer or the State Public Health Dental Hygienist.

Senate Bill 391 also authorizes the Division to issue a permit as a dental responder to a dentist, dental hygienist, or dental therapist who has received certain training in emergency response. Dental responders may provide emergency medical care, immunizations, medical care in mobile clinics, and humanitarian care during a state of emergency, declaration of disaster, public health emergency, or other health event.

The bill creates the Committee on Dental Emergency Management within the Division, and it prescribes duties of the Committee, which relate to emergency management and the practice of professions that provide dental care.

Finally, SB 391 outlines requirements related to providing services through teledentistry and requires hospitals and Medicaid managed care plans or health maintenance organizations to take certain measures to improve access to oral health care through teledentistry.

31ST SPECIAL SESSION

July 8–19, 2020

AB 3 (Chapter 5)

Assembly Bill 3 reduces certain appropriations and other money budgeted during the 80th Session for Fiscal Year (FY) 2020–2021 for specified programs and services of various State agencies. The bill also authorizes certain sums appropriated for FY 2020–2021 to be transferred among specified budget accounts and authorizes the expenditure of certain additional money by various State agencies for certain purposes.

The measure further requires the transfer of \$50 million in Coronavirus Aid, Relief, and Economic Security Act funds to award grants to school districts and charter schools to implement alternative intensive instruction for students identified as having deficits in educational attainment as a result of the loss of in-person instruction.

The bill suspends the transfer of any money from the State General Fund to the Account to Stabilize the Operation of the State Government (commonly known as the Rainy Day Fund) that would normally have been required during FY 2020–2021.

The measure establishes the requirement, conditions, and process by which full-time State employees are required to take, or to be exempted from taking, 48 hours of unpaid furlough leave between January 1, 2021, and June 30, 2021. Part-time employees must take a proportional amount of furlough leave, and employees exempted under certain circumstances from taking furlough leave must have their salaries reduced by 4.6 percent, or a prorated amount if the employees are employed part-time, during the period between January 1, 2021, and June 30, 2021.

Additionally, the bill:

- Increases from 30 to 40 working days the limitation on the amount of annual leave that an employee is authorized to carry forward at the end of Calendar Years 2020 and 2021;
- Provides that employees who participate in the Public Employees' Retirement System who take furlough leave due to extreme financial need are held harmless in the accumulation of retirement service credit and reported salary for purposes of their retirement; and
- Provides State agencies a one-month group insurance premium assessment holiday for each permanent and full-time officer, employee, or retiree who participates in the Public Employees' Benefits Program in FY 2020–2021.

Finally, the bill establishes the order of priority to restore budgetary reductions in FY 2020–2021 and authorizes the allocation of any additional, qualifying federal funding should such funds become available.

This bill is effective on July 20, 2020. Provisions relating to the implementation of employee furloughs are repealed on December 31, 2020, if the Chief of the Budget Division of the Office of Finance in the Office of the Governor has certified to the Governor on or before that date that the State of Nevada has received an amount of federal money which is at least equal to the State

General Fund savings anticipated to be realized from the implementation of the unpaid furlough leave requirements.

ACR 1 (File 9)

Assembly Concurrent Resolution 1 adopts the Joint Rules of the Senate and Assembly for the 31st Special Session of the Nevada Legislature.

This resolution is effective on July 8, 2020.

ACR 2 (File 13)

Assembly Concurrent Resolution 2 expresses appreciation to the staff of the Legislative Counsel Bureau for their service during the 31st Special Session of the Nevada Legislature.

This resolution is effective on July 19, 2020.

AJR 1 (File 10)

Assembly Joint Resolution 1 urges the President of the United States and the U.S. Congress to provide further flexible funding for state, local, and tribal governments to assist with anticipated public budget shortfalls as a result of the COVID-19 pandemic.

This resolution is effective on July 14, 2020.

SB 1 (Chapter 3)

Senate Bill 1 revises the funding of projects in the State's capital improvement program (CIP) approved by the 2017 and 2019 Legislatures. Bonding authority is reduced for 13 projects approved in the 2017 CIP and 10 projects approved in the 2019 CIP. Of the combined 23 projects reduced from the 2017 and 2019 CIPs, 14 are completed, or to be completed, with savings. The unused bonding authority will be transferred or repurposed to offset State General Fund appropriations allocated to other projects, resulting in State General Fund savings. Of the remaining nine projects, four are cancelled and five are reduced in scope.

Cancelled projects include:

- Plumbing fixture water control renovations, housing units 1 through 4, Southern Desert Correctional Center (2017 CIP);
- Renovation of collections storage building 19, Stewart Campus (2019 CIP);
- Visitors Center renovations, Valley of Fire State Park (2019 CIP); and
- Replacement of comfort stations, Valley of Fire State Park (2019 CIP).

The measure further requires the reversion of approximately \$72.6 million in State General Fund appropriations, and the amounts are attributable to:

- Cancellations in the amount of \$23.6 million;
- Scope reductions in the amount of \$10.5 million; and

- Offsetting State General Fund appropriations with bond funds in the amount of \$39 million.

The largest project cancelled is the construction of a building for the College of Engineering at the University of Nevada, Las Vegas, with an allocated cost of \$20 million; however, funding for advance planning for this project is provided.

This bill is effective on July 17, 2020.

SB 2 (Chapter 2)

Senate Bill 2 authorizes the Board of Regents of the University of Nevada, in response to a state of emergency or declaration of disaster, to temporarily waive or modify certain eligibility requirements for a student to receive the Millennium Scholarship. Such waivers or modifications may include, but are not limited to, the required minimum grade point average for one or more semesters and the minimum number of credits in which a student must be enrolled.

The Board must submit a report on any such waivers or modifications and their impact on students to the Governor and the Director of the Legislative Counsel Bureau within 45 days after the waiver or modification becomes effective, and must appear before the appropriate committees of the Legislature at the next practicable opportunity.

Provisions of the bill apply retroactively to authorize the Board of Regents to implement any temporary waiver or modification to eligibility requirements during the spring semester or summer academic term of 2020 that the Board determines is necessary to mitigate the impact on students of the Declaration of Emergency issued by Governor Steve Sisolak on March 12, 2020, due to the COVID-19 pandemic.

This bill is effective on July 17, 2020. Most provisions are repealed as of July 1, 2021, and the remaining provisions expire by limitation on that date.

SB 3 (Chapter 4)

Senate Bill 3 makes temporary changes affecting certain taxes, including requiring:

- The advance payment of the estimated portion of the tax on the net proceeds of minerals that is distributed to the State General Fund for Calendar Years 2021, 2022, and 2023 based upon the estimated net proceeds and royalties for the current calendar year;
- The entire amount of the governmental services tax collected by the Department of Motor Vehicles (DMV) to be deposited in the State General Fund for Fiscal Year 2020–2021 instead of the current requirement that 75 percent be deposited in the State Highway Fund and the remaining 25 percent be deposited in the State General Fund; and
- The Department of Taxation to establish an amnesty program whereby a person delinquent in the payment of a tax, fee, or assessment may pay the amount due without any penalty or interest, in certain circumstances.

The bill also revises provisions governing underpayments and overpayments of the tax on the net proceeds of minerals and the payment of any penalties for underestimating the net proceeds and royalties.

This bill is effective on July 20, 2020, except for the portion of the bill related to potential underpayments and overpayments of the tax on the estimated net proceeds of minerals, which is effective on July 1, 2021. Provisions requiring the DMV to direct the entire amount of the governmental services tax to the State General Fund expire by limitation on June 30, 2021. Provisions requiring advance payment of a portion of the tax on the net proceeds of minerals expire by limitation on June 30, 2023.

SB 4 (Chapter 1)

[Senate Bill 4](#) temporarily authorizes the State Board of Finance to use the proceeds from interim debentures—in the form of a note, bond, or line of credit—to fund the operations of the State or pay the costs of a project. The State Treasurer must submit a certification to the State Board of Finance if the cash balance in the State General Fund has fallen below 25 percent of its lowest average monthly balance for the immediately preceding 36 months or if the cash balance in the State General Fund is insufficient to meet expected future obligations anticipated to be paid within the immediately succeeding 120 calendar days.

If the State Board of Finance concurs with the certification submitted by the State Treasurer, the State Board of Finance may issue general obligation interim debentures and special obligation interim debentures in the form of a line of credit, note, or bond for the purpose of paying for the general operations of the State, provided that the aggregate principal amount of any such interim debentures outstanding at one time cannot exceed \$150 million. Proceeds from the sale of interim debentures—as well as any interest and income earned on the proceeds, after deducting applicable charges and bond administrative expenses—must be deposited in the State General Fund.

The bill also temporarily removes the term “bank service charges” from a list of items for which the State Treasurer must make payment from the Consolidated Bond Interest and Redemption Fund, and instead requires the State Treasurer to make payment from the Fund for “bond administrative expenses,” meaning expenses incurred to administer an interim debenture line of credit, notes, or bonds. Further, the measure temporarily revises provisions governing certain terms related to interest rates that may be included in specified acts or resolutions that authorize the issuance of State securities or a trust indenture or related instrument. Such an act or resolution must specify parameters for the interest rate if it is to be fixed by an agent. The bill temporarily authorizes the delegation of certain authority regarding bond purchases or bid acceptance to an agent who is designated to fix interest rates, under some circumstances.

Until June 30, 2021, interim debentures and bond administrative expenses may be secured by the pledge of, security interest in, and first lien on certain money and revenues, and an interim debenture in the form of a line of credit must mature within three years from the first date on which a draw is made under the line of credit. The State Board of Finance must not approve the issuance of any interim debentures pursuant to the bill after June 30, 2021.

This bill is effective on July 17, 2020, and expires by limitation on June 30, 2021.

SCR 1 (File 11)

Senate Concurrent Resolution 1 expresses appreciation to persons and organizations who offered their services and assistance during the 31st Special Session of the Nevada Legislature in response to the extraordinary circumstances resulting from the global COVID-19 pandemic.

This resolution is effective on July 19, 2020.

32ND SPECIAL SESSION

July 31–August 6, 2020

AB 1 (Chapter 1)

Assembly Bill 1 makes various technical corrections to legislation passed during the 80th Session. The bill amends provisions in AB 431 of the 80th Session to clarify that the right to vote is immediately restored to a person who is placed on probation, granted parole, or granted a pardon. The bill also clarifies that a person's right to vote may be suspended only if the person is incarcerated, and that the right to vote is immediately restored to any person convicted before the effective date of AB 431 who is not incarcerated and who has not already had his or her right to vote restored.

This bill also amends provisions in Senate Bill 151 of the 80th Session concerning applicable time periods within which a tenant who is in default on payment of rent must pay the rent or surrender the premises.

Finally, the bill amends provisions in SB 161 of the 80th Session to include the word “business” within the phrase “Internet lender” in order to clarify that an “Internet business lender,” which is defined as “a person who makes business loans exclusively through the Internet,” is subject to the applicable provisions of law regarding licensing and the conduct of certain business.

This bill is effective on August 2, 2020.

AB 2 (Chapter 2)

Assembly Bill 2 authorizes the Legislative Commission and other legislative committees or subcommittees operating during the legislative interim, as well as other commissions or committees that are supported primarily by legislative staff, to use an authorized remote-technology system for the conduct of their meetings during the public health crisis caused by the COVID-19 pandemic. Meetings may be conducted in this manner regardless of whether a physical location is made available, and reasonable efforts must be made to ensure that the public can hear and observe such meetings and participate during public comment periods. The bill declares the disruption, obstruction, or interference of a remote-technology system as interfering with the legislative process.

Assembly Bill 2 also makes adjustments to the structure of the Legal Division of the Legislative Counsel Bureau (LCB) by clarifying the role of the Legislative Counsel and creating the position of General Counsel within the Division. The measure sets forth the duties and qualifications of the General Counsel and provides that the Legislative Counsel and General Counsel serve as chiefs of the Legal Division.

Finally, AB 2 provides that if the Legislature first approves any State constitutional amendments during a special session held in an even-numbered year, the Director of the LCB shall immediately publish a separate printed volume of advance sheets of statutes, which includes the full text of the approved proposed amendments. This publication shall be deemed to be the publication of proposed amendments as required by the *Nevada Constitution* and no additional publication is necessary.

This bill is effective on August 2, 2020.

AB 3 (Chapter 4)

Assembly Bill 3 authorizes the recording of a law enforcement activity by a person who is not under arrest or in the custody of a peace officer in certain circumstances and prohibits a peace officer from interfering with the lawful recording of a law enforcement activity. The measure also provides that when a peace officer is arresting a person and the person flees or forcibly resists, the peace officer is generally authorized to use only the amount of force reasonably necessary to effect the arrest. A peace officer is prohibited from using a choke hold on another person or placing a person who is in custody in any position that compresses the person's airway or restricts his or her ability to breathe. Further, a peace officer is required to monitor any person who is in the custody of a peace officer for any signs of distress and to take any actions necessary to place the person in a recovery position.

A peace officer must intervene to prevent or stop another peace officer from using unjustified physical force if the peace officer observes or reasonably should have observed the use of such unjustified physical force and if it is safe to do so. If the peace officer who observes the use of unjustified physical force is a supervisor of the peace officer using the unjustified physical force, that supervisor must issue a direct order to stop the use of such physical force. Any peace officer who observes the use of unjustified physical force is required to report the observation to an immediate supervisor or, if the observation involves his or her immediate supervisor, the supervisor of his or her immediate supervisor. This measure additionally prohibits a member of a law enforcement agency from disciplining or retaliating against a peace officer solely for intervening in the use of unjustified physical force or reporting the observation of the use of unjustified physical force.

Each law enforcement agency is required to:

- Train its peace officers on the duty to intervene in the use of unjustified physical force and the reporting of such unjustified physical force;
- Adopt a written policy regarding the drug and alcohol testing of a peace officer following an officer-involved shooting or when the conduct of a peace officer results in substantial bodily harm to or the death of another person; and
- Provide a report to the Legislature on or before November 1, 2020, that includes certain information relating to traffic stops and other stops by law enforcement officers and the software used to process the identity or driver's license number of a person during such a traffic stop or other stop.

Lastly, this measure amends AB 236 of the 80th Session to provide that the reduced maximum period of probation or suspension of sentence that can be imposed upon a person applies to any offense committed on or after July 1, 2020, as well as to any offense committed before July 1, 2020, if the person is sentenced on or after July 1, 2020. The measure provides that any person who is sentenced on or after July 1, 2020, and before August 7, 2020, is entitled to have his or her period of probation or suspension of sentence reduced to the maximum applicable period set forth pursuant to the change in law that became effective on July 1, 2020.

This bill is effective on August 7, 2020.

AB 4 (Chapter 3)

[Assembly Bill 4](#) provides for the conduct and operations of elections in Nevada during a state of emergency or disaster declaration as proclaimed by the Governor or by resolution of the Nevada Legislature. The measure sets forth the circumstances under which an election is deemed an “affected election” during an emergency situation for the purposes of triggering provisions allowing for voting by mail, establishing certain polling places, and conducting early voting.

During an affected election, every active voter must receive a mail-in ballot, a minimum number of polling places for early voting must be established, and polling places for the purposes of registering to vote and voting on Election Day must be available. The bill sets forth the contents of the mail-in ballot and specifies that a mail-in ballot must be postmarked on or before the day of the election and received by the county election office no later than 5 p.m. on the seventh day following the election in order to be counted. Each county or city election officer must also establish at least one location in the jurisdiction where mail-in ballots can be delivered by hand and collected during the period for early voting and on election day. The bill allows a voter to authorize any person to return his or her absent ballot or mail-in ballot to the county or city on behalf of the voter and prohibits such an authorized person from willfully failing to return such a ballot.

Assembly Bill 4 also sets forth the procedures for verifying and processing mail-in ballots and absent ballots, including the review of a voter’s signature on the mail-in and absent ballots and the counting of mail ballots by electronic means. For any affected elections, the returns of the mail ballot vote must be reported separately from other votes that were not cast by mail, but in no case may mail ballot results be released until all polling locations are closed and all votes have been cast on the day of the election. Finally, county election officials must develop a procedure to ensure that each mail ballot is kept secret.

Certain provisions of this bill regarding legal action that would prevent the distribution of certain ballots for city elections are effective on July 1, 2021. The remaining provisions are effective on August 3, 2020, and apply to the 2020 General Election, as well as any state of emergency or declaration of disaster proclaimed by the Governor or by resolution of the Legislature before, on, or after the effective date of the measure if such emergency or declaration was in effect on July 1, 2020, or remains in effect or becomes effective on or after that date.

ACR 1 (File 7)

[Assembly Concurrent Resolution 1](#) adopts the Joint Rules of the Senate and Assembly for the 32nd Special Session of the Nevada Legislature.

This resolution is effective on July 31, 2020.

AJR 1 (File 9)

[Assembly Joint Resolution 1](#) proposes to eliminate from the *Nevada Constitution* the requirements for the Legislature to:

- Impose a tax on the net proceeds of minerals extracted at a rate not to exceed 5 percent of the net proceeds; and

- Appropriate a portion of those proceeds to each county.

Instead, AJR 1 proposes to amend the *Constitution* to:

- Impose a 7.75 percent tax on the gross proceeds of all minerals extracted during a calendar year beginning on or after January 1, 2023; and
- Authorize the Legislature to provide by law for the taxation of mines and mining claims and the proceeds of all minerals extracted in the State.

The proposed amendment requires a majority of the members of each legislative House to pass any provision that enacts or amends a law providing for taxation of mines, mining claims, or the proceeds of minerals extracted in a manner that generates or increases public revenue. In addition, the amendment requires a vote of at least two-thirds of the members of each House to pass a bill to reduce the rate of the tax, or provide an exemption from the tax, on the gross proceeds of minerals extracted by a certain class of taxpayers or imposed on a type of mineral.

Finally, the proposed amendment provides that 25 percent of the proceeds of the tax on the gross proceeds of minerals must be accounted for separately in the State Treasury and used exclusively for educational purposes, to provide for the health care of the residents of this State, or to provide economic assistance to the residents of this State. The use of the remaining 75 percent of the proceeds of the tax is not restricted by the proposed amendment.

If approved in identical form during the 2021 Legislative Session, the proposal will be submitted to voters for final approval or disapproval.

AJR 2 (File 10)

Assembly Joint Resolution 2 proposes to amend the *Nevada Constitution* to:

- Increase the maximum rate of the tax on the net proceeds of minerals extracted in this State from 5 to 12 percent; and
- Establish the minimum rate of the tax on the net proceeds of minerals extracted in this State as the property tax rate imposed in the district where the extractive mining operation is located.

If approved in identical form during the 2021 Legislative Session, the proposal will be submitted to voters for final approval or disapproval.

SB 1 (Chapter 5)

Senate Bill 1 authorizes a court to stay certain residential eviction proceedings for no more than 30 days to allow the parties to participate in an alternative dispute resolution program established by the Supreme Court, district court, or justice court by rule.

This bill is effective on August 7, 2020.

SB 2 (Chapter 6)

Senate Bill 2 revises various provisions related to the rights of peace officers. Specifically, the bill eliminates current prohibitions on:

- The use of a peace officer's compelled statement against the peace officer in a civil case;
- A law enforcement agency conducting an investigation into an officer's alleged misconduct that could result in punitive action if the alleged misconduct occurred more than one year prior to the date of the complaint being filed;
- A law enforcement agency reopening an investigation unless new material evidence has been discovered; and
- Reassigning an officer during an investigation without the officer's consent.

Additionally, the bill enacts several related provisions, as follows:

- A law enforcement agency must initiate an investigation of an officer within a reasonable time following the filing of a complaint or accusation and may not initiate an investigation if a complaint is filed more than five years after the activities in question occurred;
- If a law enforcement agency intends to recommend punitive action against an officer following an investigation, the agency must provide the officer the opportunity to review and respond to all evidence in the agency's possession. Similarly, if the agency recommends punitive action and the officer appeals, the officer or his or her representative may review and copy the entire file concerning the investigation; and
- If evidence in an investigation was obtained in violation of a peace officer's rights and is determined to be prejudicial to the officer, an arbitrator or court must exclude such evidence and, if the evidence was obtained by the law enforcement agency in bad faith, must dismiss the proceeding or action against the officer with prejudice.

This bill is effective on August 7, 2020.

SB 3 (Chapter 7)

Senate Bill 3 makes numerous changes to provisions relating to unemployment compensation, including streamlining the procedures by which such compensation is granted and expanding eligibility requirements for receipt of unemployment benefits. The measure extends the authority to adopt emergency administrative regulations to the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation. It allows the Administrator, with the Governor's approval, to adopt regulations during a state of emergency or declaration of disaster to modify, suspend, or waive requirements relating to unemployment compensation in the best interests of the Division and the public and as necessary to comply with instructions received from the United States Department of Labor.

Senate Bill 3 amends provisions relating to extended unemployment benefits to allow the State to receive additional federal money for its unemployment insurance program. The bill expands the eligibility for unemployment benefits for persons who perform less than full-time work, modifies

various triggers in the law for the receipt of extended benefits, and specifies the method of determining the amount of extended benefits that are payable to persons during high unemployment periods.

The Administrator of the Employment Security Division is also granted regulatory authority to waive or modify the period of disqualification from benefit payments for good cause shown or if he or she determines such action is necessary to expedite benefits and protect the health, safety, and well-being of claimants. In addition, the Administrator must establish, by regulation, the justifications relating to the outbreak of COVID-19 that constitute “good cause” for a person to refuse suitable work, including being sick or in isolation due to COVID-19, the unreasonable risk of exposure to the disease, or the need to care for a family member who is suffering from COVID-19. This regulatory authority is retroactive to any week of unemployment ending on or after May 28, 2020, and any regulations adopted using this authority also apply retroactively to those weeks of unemployment.

Finally, SB 3 authorizes the Administrator to provide documents or communications relating to unemployment insurance electronically upon request. Such electronic communication does not relieve the Administrator from any obligation to provide a form, notice, or other document in different format as required by federal or State laws.

Provisions of this bill expanding the eligibility for unemployment benefits for persons who perform less than full-time work are effective 60 days after August 7, 2020, or on the date on which the Administrator notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out this eligibility expansion, whichever occurs first. All other provisions are effective on August 7, 2020.

SB 4 (Chapter 8)

[Senate Bill 4](#) makes various changes to public health laws to prevent the transmission of COVID-19 in Nevada and provides certain entities with immunity from civil liability for personal injury or death resulting from exposure to COVID-19 if the entities substantially complied with controlling health standards. Specifically, the bill requires a health district in a county whose population is 100,000 or more (currently Clark and Washoe Counties), upon the request of the Nevada Gaming Control Board, to advise the Board on public health matters related to licensed gaming establishments in the health district. The bill also authorizes a district health department, upon request of the Board, to enforce certain public health regulations against a licensed gaming establishment.

In addition, the bill requires the Director of the Department of Health and Human Services and district boards of health in counties whose populations are 100,000 or more to adopt regulations with requirements to reduce the transmission of Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2)—the virus that causes COVID-19—in public accommodation facilities such as hotel/casinos, resorts, hotels, motels, hostels, bed and breakfast facilities, and similar facilities.

The regulations must require public accommodation facilities to:

- Establish standards for cleaning designed to reduce transmission of COVID-19;

- Establish protocols to limit transmission and train staff on how to prevent and mitigate transmission of the disease;
- Establish, implement, and maintain a COVID-19 response plan to monitor and respond to instances and potential instances of infection among employees and guests; and
- Provide testing and time off for employees who have been exposed to or are experiencing symptoms of COVID-19.

The Nevada Gaming Control Board and district health authorities may require a public accommodation facility to submit a copy of its COVID-19 response plan.

In addition, health authorities may, at any time or upon receiving a complaint, inspect public accommodation facilities to ensure compliance with regulations. The bill also outlines the frequency with which health authorities *must* inspect such facilities, as well as penalties and other enforcement mechanisms for violations.

This measure exempts the required regulations from certain provisions of the Nevada Administrative Procedure Act; however, any interested person must be able to comment on their amendment or repeal. Further, the regulations apply only during the period in which the Governor has declared a public health emergency due to SARS-CoV-2 or on each day the positive test rate or number of new COVID-19 cases exceeds certain thresholds.

The bill provides that certain businesses, private nonprofit organizations, or governmental entities—not including public schools, school districts, and certain medical facilities—are immune from civil liability for personal injury or death resulting from exposure to COVID-19, if they substantially complied with controlling health standards. Any complaint in a civil action alleging personal injury or death as a result of exposure to COVID-19 must be pled with particularity. In addition, the person must plead sufficient facts and prove that the entity violated controlling health standards with gross negligence and that the gross negligence was the proximate cause of the personal injury or death. The court is required to determine, as a matter of law, whether an entity was in substantial compliance with controlling health standards.

This measure provides that these civil liability procedures apply only to a cause of action or claim arising from a personal injury or death that accrues before, on, or after August 11, 2020, and before the later of July 1, 2023, or the date on which the Governor terminates the emergency described in the Declaration of Emergency for COVID-19 issued on March 12, 2020.

If an entity fails to comply with controlling health standards, the Secretary of State may suspend the State business license of the entity until the entity complies, in good faith, with controlling health standards. The Secretary of State must provide written notice of the suspension. The authorization of the Secretary of State to suspend a State business license expires by limitation on the later of July 1, 2023, or the date on which the Governor terminates the emergency described in the Declaration of Emergency for COVID-19 issued on March 12, 2020.

Senate Bill 4 provides for the transfer of \$2 million from Budget Account 101-1327 to the Southern Nevada Health District and \$500,000 to the Washoe County Health District to enforce provisions

of this bill. Funds must be expended on or before December 30, 2020. Any unspent money must be reverted back to Budget Account 101-1327.

Finally, this bill appropriates \$410,000 from the State General Fund to the Legislative Fund for the costs of the 32nd Special Session.

This bill is effective on August 11, 2020.

SCR 1 (File 12)

Senate Concurrent Resolution 1 declares that all Nevada residents shall have equal consideration and opportunity under the laws, policies, and practices of the State. The resolution further declares that systemic racism and structures of racial discrimination constitute a public health crisis affecting the entire State of Nevada that is magnified by the disproportionately high impact of COVID-19 on communities of color. The resolution expresses Nevada's support for governmental initiatives to understand, address, and dismantle systemic racism and its impact on the delivery of human and social services, economic development, and public safety. In addition, the resolution requests that federal funding be distributed equitably to black, indigenous, and other persons of color communities based upon the percentage of the members of such communities and in direct proportion to their disadvantages by individual racial category. Finally, the resolution requests that the 81st Session of the Nevada Legislature incorporate into its regular business the subjects of systemic racism and structures of racial discrimination that constitute a public health crisis.

This resolution is effective on August 5, 2020.

SCR 2 (File 13)

Senate Concurrent Resolution 2 expresses appreciation to the staff of the Legislative Counsel Bureau for their service during the 32nd Special Session of the Nevada Legislature.

This resolution is effective on August 5, 2020.

SJR 1 (File 8)

Senate Joint Resolution 1 proposes to eliminate from the *Nevada Constitution* the requirements for the Legislature to:

- Impose a tax on the net proceeds of minerals extracted at a rate not to exceed 5 percent of the net proceeds; and
- Appropriate a portion of those proceeds to each county.

Instead, SJR 1 proposes to amend the *Constitution* to:

- Impose a 7.75 percent tax on the gross proceeds of all minerals extracted during a calendar year beginning on or after January 1, 2023; and
- Authorize the Legislature to provide by law for the taxation of mines and mining claims and the proceeds of all minerals extracted in the State.

The proposed amendment requires a majority of the members of each legislative House to pass any provision that enacts or amends a law providing for taxation of mines, mining claims, or the proceeds of minerals extracted in a manner that generates or increases public revenue. In addition, the amendment requires a vote of at least two-thirds of the members of each House to pass a bill to reduce the rate of the tax, or provide an exemption from the tax, on the gross proceeds of minerals extracted by a certain class of taxpayers or imposed on a type of mineral.

Finally, the proposed amendment provides that 50 percent of the proceeds of the tax on the gross proceeds of minerals extracted in this State must be accounted for separately in the State Treasury and used exclusively to fund a program to make payments to eligible persons domiciled in this State. The use of the remaining 50 percent of the proceeds of the tax is not restricted by the proposed amendment.

If approved in identical form during the 2021 Legislative Session, the proposal will be submitted to voters for final approval or disapproval.

33RD SPECIAL SESSION

November 12–16, 2021

AB 1 (Chapter 2)

[Assembly Bill 1](#) revises the boundaries of the 13 districts from which the members of the Board of Regents of the University of Nevada are elected. Nine of the districts are wholly within Clark County; one district contains part of Clark County and all of Elko, Esmeralda, Eureka, Lincoln, Nye, and White Pine Counties; one district is wholly within Washoe County; one district contains part of Washoe County and all of Humboldt and Pershing Counties; and one district contains another portion of Washoe County and all of Churchill, Douglas, Lander, Lyon, Mineral, and Storey Counties, as well as all of Carson City.

Additionally, the bill allows current members of the Board of Regents to use the term “reelect” in specified future election cycles under certain circumstances and temporarily adjusts, for the 2022 election cycle, the candidate filing period for judicial candidates to coincide with the candidate filing period for nonjudicial candidates.

Provisions of this bill establishing new boundaries for the Board of Regents districts are effective on January 1, 2022, for the purposes of filing for office and nominating and electing members to the Board and on January 3, 2023, for all other purposes. Provisions relating to the temporary adjustment to the candidate filing period for judicial candidates are effective on November 16, 2021, for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2022, for all other purposes. These judicial candidate filing provisions expire by limitation on December 31, 2022. All other provisions are effective on January 1, 2022.

ACR 1 (File 5)

[Assembly Concurrent Resolution 1](#) adopts the Joint Rules of the Senate and Assembly for the 33rd Special Session of the Nevada Legislature.

This resolution is effective on November 12, 2021.

ACR 2 (File 6)

[Assembly Concurrent Resolution 2](#) memorializes former State Senator and Congressman James Hubert Bilbray.

This resolution is effective on November 16, 2021.

SB 1 (Chapter 1)

[Senate Bill 1](#) revises the boundaries of the election districts for members of the Nevada Legislature, the State’s representatives in the United States House of Representatives, and the four elected members of the State Board of Education, as well as the petition districts for statewide initiatives and referendums.

The bill revises the boundaries of the 21 State Senate districts to establish 15 districts wholly within Clark County; 2 districts entirely within Washoe County; 1 district including Carson City,

Storey County, and a portion of Washoe County; 1 district encompassing parts of Clark, Elko, Eureka, and Nye Counties and all of Lincoln and White Pine Counties; 1 district including portions of Elko, Eureka, and Washoe Counties and all of Humboldt, Lander, and Pershing Counties; and 1 district encompassing all of Churchill, Douglas, Esmeralda, Lyon, and Mineral Counties, as well as part of Nye County.

The bill revises the boundaries of the 42 State Assembly districts to include 30 Assembly districts entirely within Clark County; 6 districts entirely within Washoe County; 1 district including Carson City, Storey County, and a portion of Washoe County; 1 district including Douglas County and part of Lyon County; 1 district encompassing parts of Elko, Eureka, and Washoe Counties and all of Humboldt, Lander, and Pershing Counties; 1 district including parts of Elko, Eureka, Lincoln, and Nye Counties and all of White Pine County; 1 district including parts of Clark, Lincoln, and Nye Counties; and 1 district encompassing parts of Lyon and Nye Counties and all of Churchill, Esmeralda, and Mineral Counties.

The bill revises the boundaries of Nevada's four congressional districts—which are also the election districts for elected members of the State Board of Education and petition districts for statewide initiatives and referendums—as follows: Congressional Districts 1 and 3 are wholly contained in Clark County; Congressional District 4 includes portions of Churchill, Clark, Lincoln, and Lyon Counties and all of Esmeralda, Mineral, and Nye Counties; and Congressional District 2 contains portions of Churchill, Lincoln, and Lyon Counties, as well as all of Carson City and Douglas, Elko, Eureka, Humboldt, Lander, Pershing, Storey, Washoe, and White Pine Counties.

The bill allows specified current Legislators or elected members of the State Board of Education to use the term “reelect” for the 2022 or 2024 election cycles under certain circumstances. Finally, SB 1 authorizes the Chair of the Legislative Commission to direct the Legislative Counsel Bureau (LCB) to contract for professional and other services the Director of the LCB deems necessary or advisable for the Legislature to appear in, commence, prosecute, defend, or intervene in any action or proceeding relating to any election or petition district.

Provisions of this bill revising the election districts for members of the Nevada Legislature are effective on January 1, 2022, for the purposes of filing for office and for nominating and electing members and on November 9, 2022, for all other purposes. Provisions revising the election districts for representatives in Congress are effective on November 16, 2021, for the purposes relating to members of the State Board of Education and petition districts; on January 1, 2022, for the purposes of filing for office and for nominating and electing representatives in Congress; and at 9 a.m. on January 3, 2023, for all other purposes. Provisions authorizing the Legislative Commission to direct the LCB to contract for professional or other services for certain actions or proceedings relating to election or petition districts—as well as certain other provisions in the bill—are effective on November 16, 2021. Additional provisions are effective on January 1, 2022.

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ASSEMBLY STANDING COMMITTEES AND LEADERSHIP

Eighty-First Session—2021

The Chair is named first, the Vice Chair is named second, followed by majority party members in alphabetical order and then minority party members in alphabetical order.

COMMERCE AND LABOR—

Jauregui, Carlton, Considine, Duran, Flores, Frierson, Martinez, Marzola, Dickman, Hardy, Kasama, O'Neill, Tolles

EDUCATION—

Bilbray-Axelrod, Miller (B.), Duran, Flores, Gorelow, Marzola, Nguyen, Torres, Hansen, Hardy, Krasner, McArthur, Tolles

GOVERNMENT AFFAIRS—

Flores, Torres, Anderson, Brown-May, Considine, Duran, Martinez, Thomas, Black, Dickman, Ellison, Matthews, McArthur

GROWTH AND INFRASTRUCTURE—

Monroe-Moreno, Watts, Brown-May, Miller (C.H.), Peters, Summers-Armstrong, Yeager, Ellison, Leavitt, Roberts, Wheeler

HEALTH AND HUMAN SERVICES—

Nguyen, Peters, Benitez-Thompson, Gorelow, Orentlicher, Summers-Armstrong, Thomas, Black, Hafen, Krasner, Matthews, Titus

JUDICIARY—

Yeager, Nguyen, Bilbray-Axelrod, Cohen, González, Marzola, Miller (C.H.), Orentlicher, Summers-Armstrong, Hansen, Hardy, Kasama, Krasner, O'Neill, Wheeler

LEGISLATIVE OPERATIONS AND ELECTIONS—

Miller (B.), Jauregui, Frierson, González, Monroe-Moreno, Thomas, Torres, Dickman, Leavitt, Matthews, McArthur

NATURAL RESOURCES—

Watts, Cohen, Anderson, Brown-May, Carlton, González, Martinez, Black, Ellison, Hansen, Titus, Wheeler

REVENUE—

Cohen, Benitez-Thompson, Anderson, Bilbray-Axelrod, Considine, Miller (C.H.), Orentlicher, Yeager, Hafen, Kasama, O'Neill, Roberts

WAYS AND MEANS—

Carlton, Monroe-Moreno, Benitez-Thompson, Frierson, Gorelow, Jauregui, Miller (B.), Peters, Watts, Hafen, Leavitt, Roberts, Titus, Tolles

ASSEMBLY STANDING COMMITTEES AND LEADERSHIP

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Jason Frierson

SPEAKER PRO TEMPORE—

Steve Yeager

MAJORITY FLOOR LEADER—

Teresa Benitez-Thompson

ASSISTANT MAJORITY FLOOR LEADER—

Daniele Monroe-Moreno

MAJORITY WHIP—

Edgar Flores

ASSISTANT MAJORITY WHIP—

Sandra Jauregui

MINORITY FLOOR LEADER—

Robin L. Titus

CO-DEPUTY MINORITY FLOOR LEADER NORTH—

Jill Tolles

CO-DEPUTY MINORITY FLOOR LEADER SOUTH—

Tom Roberts

MINORITY WHIP—

Glen Leavitt

ASSISTANT MINORITY WHIP NORTH—

Lisa Krasner

ASSISTANT MINORITY WHIP SOUTH—

Gregory T. Hafen, II

SENATE STANDING COMMITTEES AND LEADERSHIP

Eighty-First Session—2021

The Chair is named first, the Vice Chair is named second, followed by majority party members in alphabetical order and then minority party members in alphabetical order.

COMMERCE AND LABOR—

Spearman, Neal, Lange, Scheible, Hardy, Pickard, Settlemeyer

EDUCATION—

Denis, Dondero Loop, Doñate, Lange, Buck, Hammond, Hardy

FINANCE—

Brooks, Denis, Cannizzaro, Dondero Loop, Ratti, Goicoechea, Hammond, Kieckhefer, Seevers Gansert

GOVERNMENT AFFAIRS—

Dondero Loop, Ohrenschall, Neal, Goicoechea, Hansen

GROWTH AND INFRASTRUCTURE—

Harris, Brooks, Spearman, Hammond, Pickard

HEALTH AND HUMAN SERVICES—

Ratti, Spearman, Harris, Hardy, Kieckhefer

JUDICIARY—

Scheible, Cannizzaro, Harris, Ohrenschall, Hansen, Pickard, Settlemeyer

LEGISLATIVE OPERATIONS AND ELECTIONS—

Ohrenschall, Lange, Cannizzaro, Buck, Seevers Gansert

NATURAL RESOURCES—

Doñate, Scheible, Brooks, Goicoechea, Hansen

REVENUE AND ECONOMIC DEVELOPMENT—

Neal, Ratti, Denis, Kieckhefer, Seevers Gansert

SENATE STANDING COMMITTEES AND LEADERSHIP

PRESIDENT PRO TEMPORE—

Moises (Mo) Denis

MAJORITY LEADER—

Nicole J. Cannizzaro

ASSISTANT MAJORITY LEADER—

Julia Ratti

CHIEF MAJORITY WHIP—

Pat Spearman

CO-MAJORITY WHIP—

Chris Brooks

CO-MAJORITY WHIP—

Marilyn Dondero Loop

MINORITY LEADER—

James A. Settelmeyer

ASSISTANT MINORITY LEADER—

Joseph (Joe) P. Hardy

CO-MINORITY WHIP—

Scott Hammond

CO-MINORITY WHIP—

Heidi Seevers Gansert